



Council

Mon 15 Nov
2021
7.00 pm

Council Chamber,
Redditch Town Hall

REDDITCH BOROUGH COUNCIL



www.redditchbc.gov.uk

**If you have any queries on this Agenda please contact
Jess Bayley-Hill**

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GUIDANCE ON FACE-TO-FACE MEETINGS

Due to the current Covid-19 pandemic Redditch Borough Council will be applying social distancing arrangements for holding face-to-face meetings.

Please note that this is a public meeting and is open to the public to attend

If you have any questions regarding the agenda or attached papers, please do not hesitate to contact the officer named above.

GUIDANCE FOR ELECTED MEMBERS ATTENDING MEETINGS IN PERSON

In advance of the Council meeting, Members are strongly encouraged to consider taking a lateral flow test, which can be obtained from the NHS website. Should the test be positive for Covid-19 then the Member must not attend the Committee meeting, should provide their apologies to the Democratic Services team and must self-isolate in accordance with national rules.

Members and officers are strongly encouraged to wear face coverings during the Council meeting, unless exempt. Face coverings should only be removed temporarily if the Councillor or officer is speaking or if s/he requires a sip of water and should be reapplied as soon as possible. As Councillors may remove their face coverings from time to time during the meeting, seating will be placed two metres apart, in line with social distancing measures to protect meeting participants.

Hand sanitiser will be provided for Members to use throughout the meeting.

The meeting venue will be fully ventilated and Members and officers need to consider wearing appropriate clothing in order to remain comfortable during proceedings.

PUBLIC ATTENDANCE

Members of the public will be able to access the meeting in person if they wish to do so. However, due to social distancing requirements to ensure the safety of participants during the Covid-19 pandemic, there will be limited capacity and members of the public will be allowed access on a first come, first served basis. Members of the public in attendance are strongly encouraged to wear face coverings, to use the hand sanitiser that will be provided and will be required to sit in a socially distance manner at the meetings. It should be noted that members of the public who choose to attend in person do so at their own risk.

In line with Government guidelines, any member of the public who has received a positive result in a Covid-19 test on the day of a meeting must not attend in person and must self-

isolate in accordance with the national rules.

Notes:

Although this is a public meeting, there are circumstances when Council might have to move into closed session to consider exempt or confidential information. For agenda items that are exempt, the public are excluded.



Council

Monday, 15th November, 2021

7.00 pm

Council Chamber Town Hall

Agenda

Membership:

Cllrs:

Gareth Prosser
(Mayor)
Ann Isherwood
(Deputy Mayor)
Salman Akbar
Imran Altaf
Karen Ashley
Tom Baker-Price
Joanne Beecham
Juliet Brunner
Michael Chalk
Debbie Chance
Brandon Clayton
Luke Court
Matthew Dormer
Aled Evans
Peter Fleming

Alex Fogg
Andrew Fry
Julian Grubb
Lucy Harrison
Wanda King
Anthony Lovell
Emma Marshall
Gemma Monaco
Nyear Nazir
Timothy Pearman
Mike Rouse
David Thain
Craig Warhurst
Jennifer Wheeler

- 1. Welcome**
- 2. Apologies for Absence**
- 3. Declarations of Interest**

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.

- 4. Minutes (Pages 1 - 6)**
- 5. Announcements**

To consider Announcements under Procedure Rule 10:

- a) Mayor's Announcements
- b) The Leader's Announcements
- c) Chief Executive's Announcements.

- 6. Questions on Notice (Procedure Rule 9)**
- 7. Motions on Notice (Procedure Rule 11) (Pages 7 - 8)**

8. Executive Committee

Minutes of the Executive Committee meeting held on 26th October 2021 (pages 9 – 16)

8.1 Local Development Scheme (Pages 17 - 46)

8.2 Church Green Conservation Area Adoption (Pages 47 - 54)

Due to the length of the document, only the covering report has been included in the main agenda for the Church Green Conservation Area Adoption report. The full report will be published in a separate supplementary pack for the meeting.

9. Regulatory Committees

9.1 Licensing Committee Recommendation(s) - Gambling Act 2005 - Review of Statement of Principles (Pages 55 - 104)

The Licensing Committee is due to consider the report in respect of the Gambling Act 2005 – Review of Statement of Principles, at a meeting on Monday 8th November 2021, after the publication of the agenda for this meeting of Council. Any recommendations on this subject arising from that meeting will be reported in a supplementary pack for Members' consideration at Council.

10. Local Government Boundary Commission for England Preliminary Stage Boundary Review for Redditch - Council Size Submission (Pages 105 - 150)

An updated copy of the report that was considered at a meeting of the Electoral Matters Committee held on 18th October 2021 has been attached for Members' consideration together with the minutes from that meeting.

11. Urgent Business - Record of Decisions (Pages 151 - 158)

To note any decisions taken in accordance with the Council's Urgency Procedure Rules (Part 9, Paragraph 5 and/or Part 10, Paragraph 15 of the Constitution), as specified.

There have been two urgent decisions since the previous Council meeting on the following subjects:

- The Business Rates Pool
- Additional funding for the Waste Collection Service

(Copies of the decisions are attached)

12. Urgent Business - general (if any)

To consider any additional items exceptionally agreed by the Mayor as Urgent Business in accordance with the powers vested in him by virtue of Section 100(B)(4)(b) of the Local Government Act 1972.

(This power should be exercised only in cases where there are genuinely special circumstances which require consideration of an item which has not previously been published on the Order of Business for the meeting.)



Council

Monday, 20 September
2021

MINUTES

Present:

Councillor Ann Isherwood (Deputy Mayor in the Chair) and Councillors Salman Akbar, Imran Altaf, Karen Ashley, Tom Baker-Price, Joanne Beecham, Juliet Brunner, Michael Chalk, Debbie Chance, Brandon Clayton, Luke Court, Matthew Dormer, Aled Evans, Peter Fleming, Alex Fogg, Andrew Fry, Julian Grubb, Lucy Harrison, Wanda King, Anthony Lovell, Emma Marshall, Gemma Monaco, Nyear Nazir, Timothy Pearman, Mike Rouse, Craig Warhurst and Jennifer Wheeler

Also Present:

Mr I. Willcock

Officers:

Kevin Dicks, Claire Felton, Sue Hanley and James Howse

Senior Democratic Services Officer:

Jess Bayley-Hill

25. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Gareth Prosser and David Thain.

In the absence of the Mayor, the Deputy Mayor, Councillor Ann Isherwood, chaired the meeting.

26. DECLARATIONS OF INTEREST

There were no declarations of interest.

27. MINUTES

RESOLVED that

the minutes of the meeting of Council held on Monday, 26th July 2021 be approved as a true and correct record and signed by the Mayor.

.....
Chair

28. ANNOUNCEMENTS

The following announcements were made during the meeting:

a) The Mayor's Announcements

A list of the Mayor's civic engagements was circulated at the meeting (attached at Appendix 1 to the minutes).

b) The Leader's Announcements

The Leader explained that he had been attending a number of meetings of partnership boards in recent weeks, including a meeting of the West Midlands Combined Authority Board on Friday, 17th September.

There was no update available at the meeting in respect of the review of Local Enterprise Partnerships (LEPs). However, Members were asked to note that, following the appointment of a new Secretary of State for Housing, Communities and Local Government, it was possible that the situation might change.

c) The Chief Executive's Announcements

The Chief Executive confirmed that he had no announcements to make on this occasion.

29. QUESTIONS ON NOTICE (PROCEDURE RULE 9)

Two questions were submitted for consideration in accordance with Council Procedure Rule 9.

Town's Fund Bid

Councillor Andrew Fry asked the Leader the following question:

"To ask the Leader of the Council if he will update the Council on the outcome of the Towns Fund Bid, including the response by the Towns Fund board to the further information required by the Ministry of Housing, Communities and Local Government on the proposed demolition of the Town Centre Library and future Library provision. Further, will the Leader set out the proposals for public consultation on the future provision of Library Services in Redditch Town Centre."

The Leader provided the following answer:

"In early June 2021, the Government announced Redditch had been awarded £15.6 million through The Town Fund. The Heads of

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Monday, 20 September 2021

Terms document was subsequently agreed by the Redditch Town Deal Board and returned to the Government on 29th June 2021.

Following the summer, Town Deal Board meetings and project prioritisation session documentation was sent to the Government on 27th August 2021 identifying the projects to be progressed. These were:

- Development of a new digital manufacturing and innovation centre
- Redevelopment of Redditch Library
- Town Centre public realm improvements

With regard to the information concerning the library, Worcestershire County Council, which was the owner/occupier of the library building, was represented on the Town Deal Board and was fully engaged with the project. Officers had established a project group with Worcestershire County Council's library and property services colleagues to discuss the needs of the service and infrastructure requirements. Site options for the relocation of the service and proposed consultation plan would be investigated and drafted through the project group and circulated at the appropriate time."

Councillor Fry subsequently asked the following supplementary question:

"I'm informed that the Library and Department for Work and Pensions (DWP) will be located in the Town Hall. The DWP previously contributed considerable income to Worcestershire County Council when it had offices based in the library. Will that money be provided to Redditch Borough Council if the DWP is located in the Town Hall?"

The Leader responded by explaining that no decision had yet been taken about the location of the library. Any decision on this subject would need to be taken by Worcestershire County Council, not Redditch Borough Council. Consequently, it was not possible to provide an answer to this question at the meeting.

Ipsley Meadow

Mr I. Willcock asked the Leader the following question:

"What is the designation of Ipsley Meadow in the Council's Local Plan. Is it or is it not Public Open Space?"

The Leader provided the following answer:

“Yes, the land is designated as Primarily Open Space in the Borough of Redditch Local Plan, which is one of the classifications of public open space.”

Mr Willcock subsequently asked the following supplementary question:

“How will the Council protect open space in future when the Council is looking to develop this space?”

The Leader responded by explaining that he could not comment on any live planning applications. It was also not possible to enter into a debate at the Council meeting in respect of this matter, when considering Questions on Notice. However, members of the public had an opportunity to comment on specific planning applications at meetings of the Planning Committee and could also register to speak further at meetings of other Committees.

30. MOTIONS ON NOTICE (PROCEDURE RULE 11)

There were no Motions on Notice for consideration on this occasion.

31. EXECUTIVE COMMITTEE

Electrical Safety Standards in the Private Rented Sector

Members discussed the proposed introduction of electrical safety standards for properties in the private rented sector. Under the terms of this policy, landlords would be required to act on any issues identified through electrical inspections. There would be penalties for non-compliance, set at £1,000 for a first offence and £3,000 for any subsequent offences.

During consideration of this item, questions were raised about the enforcement processes that would be in place to ensure compliance with the requirements. Members were informed that a full written response on this subject would be obtained after the meeting, though it was confirmed that enforcement measures would be in place. Members could assist in respect of this matter by helping to communicate the requirements in place to both tenants and landlords based in their wards.

Reference was also made to the penalties that would be imposed on landlords and clarification was requested about whether the penalties for subsequent offences would apply to landlords in relation to infringements for the same property or different properties. Members were informed that it was understood that that penalty for repeat offences related to the same property.

RESOLVED that

the minutes of the meeting of the Executive Committee held on Tuesday 7th September 2021 be received and all recommendations adopted.

32. HOLOCAUST MEMORIAL COMMITTEE ARRANGEMENTS AND CONSTITUTION

Members considered a report detailing the background to the proposed introduction of a constitution for the Holocaust Memorial Committee. In discussing this matter, Members noted that there was a tradition in Redditch of holding an Annual Holocaust Memorial event on Holocaust Memorial Day in January. The proposals would enable the Council to continue to facilitate a Holocaust Memorial event in future years.

The proposals were subsequently discussed in some detail. Members commented that the Council had started to work with local community representatives over 20 years' ago on holding an annual event marking Holocaust Memorial Day. Many Members had been involved in these arrangements for years and were proud of the fact that an event was held in the Borough observing Holocaust Memorial Day. This was not the case in all other areas in the region and consequently many people travelled from neighbouring areas to attend the Redditch Holocaust Memorial Day commemorations each year.

The introduction of a new constitution for the Holocaust Memorial Committee was welcomed. However, concerns were raised about the proposal for the Chair and Vice Chair of the Holocaust Memorial Committee to be Councillors who would be appointed at the Annual Council meeting in May. As an alternative, it was suggested that it would be more appropriate for the Chair and Vice Chair of the Committee to be nominated at the first meeting of the Committee in the municipal year and that these roles should be taken by representatives of local community groups, rather than Councillors. Council was informed that this was not intended as a criticism of the Members who had been appointed as the Chair and Vice Chair of the Committee, but it would help to ensure that the meetings were co-ordinated in an apolitical manner. Reference was also made to the proposals detailed in the constitution, whereby the Leader and relevant Portfolio Holder would receive copies of the minutes of the Committee meetings. The suggestion was made that the leader of the opposition should also be provided with access to copies of these minutes.

The issues that had been raised in respect of the proposals were subsequently discussed. Members noted that this was the first constitution to be developed for the Holocaust Memorial Committee and it had been in development for a period of 12 months. The

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appointment of Councillors as the Chair and Vice Chair of the Committee was an arrangement that had been in place for many years. As the Council was providing a small budget to support the delivery of a Holocaust Memorial Day event, it was suggested that it was reasonable to expect Councillors to be appointed as the Chair and Vice Chair of the Committee.

Community groups would continue to be involved in organising the annual Holocaust Memorial Day event in Redditch. Reference was made to the inclusion of information about the protected characteristics and the seven principles of public life in the constitution, which demonstrated that the arrangements for organising the Holocaust Memorial Day event would remain inclusive. Members concluded by noting that it would be helpful for the minutes of the meetings of the Holocaust Memorial Committee to be published in the public domain, except where the subject of the discussions was considered to be exempt, so that all Members and other interested parties could view the matters discussed.

RESOLVED that

the new Constitution for the Holocaust Memorial Day Committee be adopted.

33. URGENT BUSINESS - RECORD OF DECISIONS

Members were informed that no urgent decisions had been taken since the previous meeting of Council.

34. URGENT BUSINESS - GENERAL (IF ANY)

There was no urgent business for discussion on this occasion.

The Meeting commenced at 7.00 pm
and closed at 7.39 pm

Redditch Borough Council**15th November 2021****Motions on Notice****1. Armed Forces**

Proposed by Councillor Tom Baker-Price, seconded by Councillor Julian Grubb.

“Redditch borough council signed the armed forces Covenant in 2012 pledging to support the whole armed forces community including reservists, veterans and military families. The council has also appointed Cllr Julian Grubb as the armed forces champion since 2019 to promote the objectives of the armed forces covenant both within the council and community.

This Council reaffirms its commitment to ensure that members of the armed forces community should not face any disadvantages in accessing public services and worse outcomes than those who have not served. To achieve this purpose council believes that Redditch Borough council should aim to:

- Support the employment of veterans young and old and working with the Career Transition Partnership in order to establish a tailored employment pathway for Service Leavers by sending through details of all vacancies and Career Tasters that are available and through a Guaranteed Interview Scheme for Veterans;
- Support the employment of Service spouses and partners;
- Endeavour to offer a degree of flexibility in granting leave for Service spouses and partners before, during and after a partner’s deployment through a publicly accessible flexible working policy;
- Support Council employees who choose to be members of the Reserve forces, including by accommodating their training and deployment where possible through a publicly accessible Reservists Policy;
- Offer support to local cadet units, either in our local community or in local schools, where possible;
- Participate actively in Armed Forces Day by flying the flag from the Town Hall during the preceding week and publicising it to staff and partners.
- Gain at least a bronze award from the defence employer recognition scheme with ambitions to achieve gold.
- Encourage local businesses to join the defence employer recognition scheme.
- Consider how through procurement the council can encourage suppliers to support the armed forces community.”

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MINUTES

Executive Committee

Tuesday, 26th October,
2021

Present:

Councillor Matthew Dormer (Chair), and Councillors Brandon Clayton, Anthony Lovell, Nyear Nazir, Mike Rouse, David Thain and Craig Warhurst

Officers:

Ruth Bamford, Kevin Dicks, Mike Dunphy, Clare Flanagan, Chris Forrester and Sue Hanley

Senior Democratic Services Officer:

Jess Bayley-Hill

26. APOLOGIES

Apologies for absence were received on behalf of Councillors Peter Fleming and Gemma Monaco.

Councillor David Thain arrived after the start of the meeting, during consideration of Minute Item No. 29.

27. DECLARATIONS OF INTEREST

There were no declarations of interest.

28. LEADER'S ANNOUNCEMENTS

The Leader explained that a meeting of the Overview and Scrutiny Committee had taken place on 21st October 2021. During the meeting, Members had pre-scrutinised the Church Green Conservation Area report and had concluded their discussions by endorsing the recommendations in the report. The Executive Committee was asked to note this point when debating the item.

29. CHURCH GREEN CONSERVATION AREA ADOPTION

The Strategic Planning and Conservation Manager presented a report in respect of the adoption of the Church Green Conservation Area.

A report on this subject had previously been considered by the Executive Committee in the 2020/21 municipal year, where draft proposals had been agreed. Officers had subsequently launched a

Chair

Executive Committee

Tuesday, 26th October, 2021

consultation exercise in February and March 2021. All local business owners in the conservation area had been directly contacted about this consultation process, which had also received coverage in the local press and had been promoted on the Council's website and social media accounts. The feedback provided in the 13 responses that had been received in this consultation process had been listed in the report alongside Officer responses to the points that had been raised.

The Council was working with partner organisations, including Worcestershire County Council and the North Worcestershire Economic Development Unit (NWEDR) in respect of the Church Green Conservation Area. A number of key issues had been identified that would require partnership working, including actions in respect of the public realm and parking on Unicorn Hill and the Church Green area.

Following the presentation of the report, Members discussed the consultation process that had been undertaken in relation to the Church Green Conservation Area. Members expressed some disappointment in the relatively low response rate to the consultation process. It was noted that those people and businesses that were not directly impacted by the proposals detailed in the report could still respond during the consultation process and this had been highlighted in the press coverage.

Reference was also made to the proposed amendments to the Church Green Conservation Area. Members agreed that it was important to protect the Borough's heritage and the Church Green Conservation Area would help in this process. In addition, Members welcomed the extension of the Church Green Conservation Area to include additional properties located on Alcester Street, as Members commented that many of these buildings had been constructed in the same period in which the buildings on Church Green East had been built.

RECOMMENDED that

- 1) Council approves the Church Green Conservation Area Appraisal and Management Plan, and endorses its contents as a material consideration for planning purposes; and**
- 2) Council approves the designation of the proposed extension to the Conservation Area to include 5 – 11 Alcester Street.**

30. LOCAL DEVELOPMENT SCHEME

The Head of Planning, Regeneration and Leisure Services presented a report on the subject of the Redditch Local Development Scheme.

The Executive Committee was informed that the Council's Local Plan review process, for the preparation of Local Plan no. 5, had commenced. As part of the process, the Council was required to prepare the Local Development Scheme no. 7, which detailed the process and timetable for the preparation of the new Local Plan. The Local Development Scheme did not address the policies that would be included in the Local Plan No. 5, as this would be considered at a later date.

As part of the Council's work on the Local Development Scheme, consideration was being given to the requirement for other local authorities to seek the Council's views of their Local Plans, under a process known as the Duty to Co-operate. Officers prepared responses on behalf of the Council, though these could be amended by Members through the democratic process. In relation to the correspondence with Solihull Metropolitan Borough Council, the Council was agreeing a Statement of Common Ground, whereby a statement was agreed with Solihull regarding each Council's Local Plan.

Following the presentation of the report, Members discussed the consultation process that would be followed for the Local Plan no. 5. Officers explained that there was a statutory period of at least six weeks of consultation, though Officers usually advised that the consultation period should be extended to eight weeks. In previous years, a range of methods had been used for consultation purposes in respect of the Local Plan, including press releases, social media and consultation with Feckenham Parish Council. Consultation events had also been held in the Kingfisher Shopping Centre and other prominent locations in the Borough and, subject to the Covid-19 pandemic, it was possible that similar events could be held for the Local Plan no. 5, including potentially hybrid events.

Reference was made to the potential for local residents to submit their views during the consultation process. Members urged the public to participate in this consultation process, as this provided an opportunity for the public to influence the content of the Local Plan and this would ultimately have implications for future decisions on planning applications.

RECOMMENDED that

- 1) **the update on progress on the Redditch Local Plan Review be noted;**
- 2) **the Local Development Scheme No.7 for the production of the Borough of Redditch Local Plan No.5 be approved;**
- 3) **the consultation responses provided to neighbouring and nearby authorities be retrospectively approved; and**
- 4) **the Statement of Common Ground with Solihull Borough Council be approved.**

31. BUDGET FRAMEWORK REPORT

The Head of Finance and Customer Services presented the Budget Framework report for Members' consideration.

The report detailed the approach that the Council would be adopting to the development of the Medium Term Financial Plan 2022/23 to 2024/25. This work was being undertaken in a context in which the Section 24 Notice had been lifted from the Council but financial challenges remained in place for the authority. The Council's reserves and balances were only slightly above the minimum levels set for the authority. There was also a lot of uncertainty regarding local government finances as the Fair Funding Review had still not been completed by the Government. It appeared likely that the Council would only receive a one-year revenue grant settlement from the Government for 2022/23, which made it difficult to plan the Council's budget over a three-year period, though this would probably not be confirmed until late December 2021.

Officers intended to involve elected Members more in the budget setting process and this would take place at an earlier stage than in previous years. However, this would be challenging, particularly in relation to aspects of the budget setting process that would only be confirmed in late December to early February. A proposed timeline had been recorded in the report and as part of the process for Member engagement, Officers would be consulting with the Budget Scrutiny Working Group.

A new template would be introduced for financial reports, which would be presented in a manner that would reconcile the budget position to the previous budget. Officers were aiming to include information about the impact of the Covid-19 pandemic on the Council's finances in the report.

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Members discussed the report and in so doing welcomed the proposed new template for reports about the Medium Term Financial Plan to Committee. The Committee also welcomed proposals to involve Members in the budget setting process at an earlier stage. The Financial Services team was praised for their hard work at a challenging time for the Council.

During consideration of this item, Members expressed concerns about the continued uncertainty in respect of Council budgets. Members called for the Government to provide greater certainty over a longer period of time than one year in respect of budget settlements to help Councils plan for the future.

Reference was made to the financial challenges that had been faced by Rubicon Leisure Limited during the Covid-19 pandemic and the implications of this for the Council's finances. Members commented that many leisure service providers had been similarly impacted by the requirement to close services during the pandemic. It was also noted that Rubicon Leisure Limited had made some difficult decisions designed to address the financial challenges.

RESOLVED that

the updated member engagement plan for the 2022/23 Budget and MTFP Report is noted and supported.

32. OVERVIEW AND SCRUTINY COMMITTEE

The Chair advised that all of the recommendations detailed in the minutes of the Overview and Scrutiny Committee meeting held on 2nd September 2021 had been considered at the previous meeting of the Executive Committee.

RESOLVED that

the minutes of the meeting of the Overview and Scrutiny Committee held on 2nd September 2021 be noted.

33. MINUTES / REFERRALS - OVERVIEW AND SCRUTINY COMMITTEE, EXECUTIVE PANELS ETC.

There were no referrals through the Overview and Scrutiny process or from the Executive Advisory Panels on this occasion.

34. ADVISORY PANELS - UPDATE REPORT

The following updates were provided in respect of the Executive Advisory Panels and other groups:

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- a) Climate Change Cross Party Working Group – Chair, Councillor Anthony Lovell

Councillor Lovell explained that a meeting of the Climate Change Cross Party Working Group was scheduled to take place in early November 2021.

- b) Constitutional Review Working Party – Chair, Councillor Matthew Dormer

Councillor Dormer advised that a meeting of the Constitutional Review Working Party was due to take place on 3rd March 2022.

- c) Corporate Parenting Board – Council Representative, Councillor Nyear Nazir

Councillor Nazir commented that a meeting of the Corporate Parenting Board was scheduled to take place on 29th November 2021.

- d) Member Support Steering Group – Chair, Councillor Matthew Dormer

Members were informed that a meeting of the Member Support Steering Group had taken place on 5th October 2021. During this meeting, Members considered information provided in completed surveys by new Members about the Member Induction Programme. Councillor Dormer expressed some disappointment concerning the number of new Members who had completed the survey. The group had also held an initial discussion about arrangements for the Member Induction process in May 2022.

During consideration of this update, Members briefly discussed the potential for Committee meetings to be live streamed, particularly meetings of the Executive Committee and Overview and Scrutiny Committee. The Chair explained that the Council did live stream some meetings, where significant public interest was anticipated in items on the agenda. However, the matter could be explored further.

- e) Planning Advisory Panel – Chair, Councillor Matthew Dormer

The Executive Committee was informed that a meeting of the Planning Advisory Panel had recently taken place. During this meeting, Members had considered proposals in respect of the Redditch Local Development Scheme.

**Executive
Committee**

Tuesday, 26th October, 2021

35. MINUTES

RESOLVED that

the minutes of the meeting of the Executive Committee held on 7th September 2021 be approved as a true and correct record and signed by the Chair.

The Meeting commenced at 6.30 pm
and closed at 7.05 pm

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REDDITCH BOROUGH COUNCIL**EXECUTIVE
COMMITTEE**

Date 26th October 2021

REDDITCH LOCAL PLAN UPDATE AND LOCAL DEVELOPMENT SCHEME

Relevant Portfolio Holder	Councillor Matthew Dormer
Portfolio Holder Consulted	YES
Relevant Head of Service	Ruth Bamford
Ward(s) Affected	All wards
Ward Councillor(s) Consulted	YES
Non-Key Decision	

1. SUMMARY OF PROPOSALS

The purpose of this report is to provide Members with an update on progress of the Borough of Redditch Local Plan Review; a timetable for the Borough of Redditch Local Plan No.5 production (Local Development Scheme); the opportunity to retrospectively approve consultation responses submitted to nearby authorities and to approve the Statement of Common Ground with Solihull Borough Council.

2. RECOMMENDATIONS

The Executive Committee is asked to **RECOMMEND** that:

- 1) the update on progress on the Redditch Local Plan Review be noted;
- 2) the Local Development Scheme No.7 for the production of the Borough of Redditch Local Plan No.5 be approved (Appendix A);
- 3) the consultation responses provided to neighbouring and nearby authorities be retrospectively approved (Appendices B to F); and
- 4) the Statement of Common Ground with Solihull Borough Council be approved (Appendix G).

3. KEY ISSUES**Financial Implications**

- 3.1 Whilst there are no immediate direct financial implications of adopting the revised Local Development Scheme, the costs to progress the Local Plan Review through all stages of the plan-making process, including associated evidence gathering and ultimately independent examination are considerable. The allocation of financial resources for progression of the Local Plan Review has previously been considered though the budget setting process.

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Legal Implications

- 3.2 Under regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) local planning authorities must review Local Plans at least once every 5 years from their adoption date to ensure that policies remain relevant and effectively address the needs of the local community.
- 3.3 The Local Development Scheme is produced under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). The legislation states that Councils must prepare and maintain a Local Development Scheme specifying:
- the Local Development Documents (LDDs) which are to be Development Plan Documents (DPDs);
 - the subject matter and geographical area of each Development Plan Document;
 - which Development Plan Documents (if any) are to be prepared jointly with one or more other local planning authorities;
 - any matter or area in respect of which the authority has agreed (or propose to agree) to the constitution of a joint committee; and,
 - the timetable for the preparation and revision of the Development Plan Documents.
- 3.4 The Localism Act 2011 removed the requirement to submit the LDS to the Secretary of State. It is however important for Councils to continue to publish up-to-date information on the progress of Local Development Documents. The Borough Council thus has flexibility to decide how best to present this information to the public, although as a minimum Planning Practice Guidance states that the LDS should be published on the Council's website.

Background / Service Implications**Update on progress of the Redditch Local Plan Review**

- 3.5 The Borough of Redditch Local Plan No.4 was adopted in January 2017. Under regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) local planning authorities must review local plans, at least once every 5 years from their adoption date to ensure that policies remain relevant and effectively address the needs of the local community. The National Planning Policy Framework reiterates the requirement that policies in Local Plans are to be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary (paragraph 33).
- 3.6 During October/November 2020 authority was granted through Executive and Full Council (see Background paper) for Officers to begin work on reviewing the BORLP4 and to consider the need for a new plan. Since then, work has been progressing in assessing whether the existing policies in BORLP4 are still fit for purpose and procuring the necessary evidence to support revised policies, for

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example a Housing and Employment Development Needs Assessment, in addition to preparing a suitable timetable (Local Development Scheme No.7) which sets out the timescales for the production and consultation on the revised plan.

- 3.7 Planning Advisory Panel is due to take place on 20th October to consider the emerging themes for the Local Plan and the LDS.

Local Development Scheme No.7 (Appendix A)

- 3.8 The previous Local Development Scheme (LDS) was adopted by the Borough Council in July 2016. This new LDS (Appendix A) is required to update the programme of preparing and consulting on strategic planning documents, whilst continuing to reflect the requirements of the Localism Act 2011 and the National Planning Policy Framework (NPPF). It must be stressed the LDS only addresses the timescales for the revised Local Plan, the content of that review will be considered in subsequent reports.

Consultation responses provided to nearby authorities (Appendices B to F)

- 3.9 Several responses have been prepared by Officers in response to other Local Authority consultation periods including to Birmingham City Council, the Black Country, South Staffordshire and South Warwickshire (see Appendices B to F). Many of the responses fall under the Duty to Co-operate and therefore require Member approval through the Executive Committee and Full Council. Communication with neighbouring and nearby authorities to produce Local Plans is on-going.
- 3.10 The responses listed at Appendices B to F were written in consultation with the Head of Planning, Regeneration and Leisure Services and the Portfolio holder for Planning, Economic Development, Commercialism and Partnerships before being submitted to the respective authorities.

Statement of Common Ground with Solihull Borough Council (Appendix G)

- 3.11 Solihull Borough Council are currently mid-way through their Examination in Public for the Solihull Local Plan. As part of the documentation for the Plan Review authorities are required to prepare Statements of Common Ground to outline where agreement can be sought between authorities. Communication with Solihull has been on-going and at present only a draft version of the Solihull and Redditch SoCG has been submitted to the Examination, as Redditch did not raise any concerns over the level of unmet housing need Solihull was prepared to accommodate from elsewhere within the Housing Market Area. The Duty to Cooperate sessions of the Examination have already taken place, with no further issues raised. However, before the close of Examination Solihull Borough Council require a signed off version to be submitted. This is attached for consideration and approval at Appendix G.

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Customer / Equalities and Diversity Implications

- 3.12 The revised Local Development Scheme allows customers to easily identify opportunities to be involved in Local Plan production.
- 3.13 The Local Plan Review will be accompanied by an Equalities Impact Assessment.

4. RISK MANAGEMENT

- 4.1 The update to the adopted BORLP4 is essential now due to the risks posed of not having an up-to-date plan in place and national policy requirements.
- 4.2 A Local Development Scheme is essential to set the overall programme and identify how strategic planning documents will be managed and progressed.
- 4.3 Without an up-to-date Local Development Scheme, development plan documents at independent examination could be found unsound due to the Council failing to comply with a statutory duty contained in the Localism Act 2011.

5. APPENDICES

Appendix A - Redditch Local Development Scheme No.7
Appendix B – RBC response to Birmingham City Council (March 2021)
Appendix C – RBC response to Black Country Strategic Rail Freight Interchange (March 2021)
Appendix D – RBC response to South Staffordshire (June 2021)
Appendix E – RBC response to South Warwickshire (June 2021)
Appendix F – RBC response to Black Country (Oct 2021)
Appendix G - Solihull Statement of Common Ground

6. BACKGROUND PAPERS

Borough of Redditch Local Plan No.4 –
<https://www.redditchbc.gov.uk/council/policy-and-strategy/planning-policies/borough-of-redditch-local-plan/borough-of-redditch-local-plan-no-4/adopted-borlp4.aspx>
National Planning Policy Framework -
<https://www.gov.uk/government/publications/national-planning-policy-framework-2>
Localism Act 2011 - <https://www.legislation.gov.uk/ukpga/2011/20/section/210>
Planning Practice Guidance – Plan-making - <https://www.gov.uk/guidance/plan-making>
Planning and Compulsory Purchase Act 2004 (as amended) -
<https://www.legislation.gov.uk/ukpga/2004/5/contents>

**EXECUTIVE
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The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) - <https://www.legislation.gov.uk/uksi/2012/767/regulation/11/made>
27th October 2020 Executive Committee Report -
<https://modern.govwebpublic.redditchbc.gov.uk/documents/s40353/White%20Paper%20Exec%20Report.pdf>

7. KEY

BORLP4 – Borough of Redditch Local Plan No.4
DtC – Duty to Cooperate
LDS – Local Development Scheme
NPPF – National Planning Policy Framework
SCI – Statement of Community Involvement
SoCG – Statement of Common Ground

AUTHOR OF REPORT

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Borough of Redditch Planning Policy Framework Current Planning Policy Documents	2
Delivering the Development Plan Evidence Base, Adoption, Monitoring	3
Timetable & Profile	4 - 5

Introduction

The Local Development Scheme (LDS) is a three year project plan for the production and review of the planning policy documents that will make up the Development Plan for Redditch Borough. This is the seventh LDS for Redditch which covers the period from September 2021 to May 2024.

Redditch Borough Council is required to produce a LDS in order to comply with Section 15 of the Planning and Compulsory Purchase Act 2004. It provides residents and stakeholders information on the documents that will make up the Development Plan, the timescales they can expect for the preparation of these documents and the opportunities for involvement. Local Planning Authorities may revise their LDS at a time they consider appropriate or when directed to do so by the Secretary of State.

Since LDS No.6 was produced, the Borough of Redditch Local Plan No.4 has been adopted. Since the Plan has been adopted there have been numerous changes to the planning system and revisions to the National Planning Policy Framework and the government's approach to calculating housing need. This means that it is now necessary for the Council to undertake a review of the Redditch Local Plan.

The timetable for the preparation of the Development Plan can be found on page 6. It sets out the key opportunities for public and stakeholder involvement in plan production as well as periods of evidence gathering and plan preparation.

Borough of Redditch Planning Policy Framework

Current Planning Policy Documents

The planning policy documents listed below make up the current planning policy framework for the Borough of Redditch.

Borough of Redditch Local Plan No.4 (2011-2030)

The Local Plan includes a vision and strategic objectives for the future development of the Borough, strategic policies which include site allocation policies to meet the development needs of Redditch. It also contains Development Management policies to guide decision making on planning applications. The key diagram and policies map visually represent the policies and site allocations.

BORLP 4 was adopted in 2017 and the Government requires all Local Plans to be reviewed within five years of adoption with the aim for all Councils to have up to date plans in place by 2023.

Adopted Local Development Documents

The Council has adopted a number of planning policy documents, which can be used as material considerations in the determination of planning applications, including:

- High Quality Design SPD (2019)
- Open Space Provision (2007)
- Planning Obligations for Education Contributions Supplementary Planning Document (2007)
- Employment Land Monitoring Supplementary Planning Guidance (2003)

Neighbourhood Planning

Under the Localism Act 2011, Neighbourhood Plans can be produced by a Parish Council or a designated Neighbourhood Forum, to provide more detailed planning guidance on specific local issues. Neighbourhood Plans are subject to independent examination and local referendum at which if approved then the Neighbourhood Plan is “made” and the Council must then bring this into force as part of the Local Development Framework. However, it is for Parish Councils or Neighbourhood Forums to decide whether to bring forward a Neighbourhood Plan and therefore the LDS does not specify when or how they will be produced.

Delivering the Development Plan

Evidence Base

A range of technical studies and research will inform the preparation of the Development Plan Review. These are considered by the Council to represent a proportionate approach to the evidence base requirements and will be undertaken in house where possible and procured externally where specialist advice and expertise is required:

- Sustainability Appraisal
- Housing & Economic Development Needs Assessment (HEDNA)
- Green Infrastructure & Biodiversity Assessment
- Retail Needs Assessment
- Gypsy & Traveller Needs Assessment
- Infrastructure Delivery Plan

Adoption of Planning Policy Documents

All planning policy documents are taken to Executive Committee and Full Council to obtain Member approval. In the case of the Development Plan, this is subsequently submitted to the Planning Inspectorate (PINS) for examination. PINS will report back to the Council after the examination to report on the document's legal compliance and soundness for adoption.

Monitoring

The Council will regularly monitor and review the progress of the Development Plan against the LDS timetable (set out on page 4). Monitoring will be set out in the Annual Monitoring Report which is publicly available.

Timetable

The timetable for the key stages of the Borough of Redditch Local Plan Review is set out below. Any changes to the timetable will be advertised on the Council website.

Preferred Options Consultation (Regulation 18 Consultation)	September 2022
Publication (Regulation 19 Consultation)	June/July 2023
Submission	September 2023
Examination/Hearings	November 2023
Inspector's Report	Feb/March 2024
Adoption	May 2024

Stage of Local Plan production	2021 to Aug 22	Sep 2022	Oct 2022	Nov 2022 to May 2023	June / July 2023	Aug 2023	Sep 2023	Nov 2023	Feb/ Mar 2024	May 2024
Scoping and Reg 18 preparation										
Preferred Options Consultation (Reg 18)										
Publication Preparation										
Publication (Reg 19)										
Submission preparation										
Submission										
Examination										
Inspector's Report										
Adoption										

Summary Profile of Redditch Local Plan Review

Redditch Local Plan Review	
Role and Content	<p>Will review, update and extend the time horizon for the Local Plan up to 2040, setting out the vision, spatial strategy and policies and core policies for the spatial development of the Borough.</p> <p>Will include site allocations to accommodate Redditch's outstanding local development needs to 2040, additional needs for the extended time horizon of the Plan. Will also need to consider any unmet needs from adjoining local authority areas under the Duty to Co-operate</p> <p>A Policies Map will need to accompany the BORLP, which will illustrate geographically the policies in the plan and replace the current Policies Map associated with the existing BORLP4.</p>
Status	Development Plan Document
Position in chain of conformity	General conformity with National Planning Policy Framework
Geographic coverage	Borough wide



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Birmingham City Council

29th March 2021

Dear Ms. Dunn,

Review of the Birmingham Development Plan

Redditch Borough Council (RBC) welcomes the opportunity to comment on your letter dated 26 February 2021 and to continue to engage constructively with the Birmingham Development Plan in the best interests of positive plan-making as a Duty to Co-operate partner.

At this early stage in the plan-making process, this represents an informal officer response.

As you will be aware the Borough of Redditch Local Plan No.4 was adopted in 2017 and is required to be reviewed by 2022 to ensure it is still fit for purpose. Part of this review will include a Housing and Employment Development Needs Assessment (HEDNA), which will be conducted in the near future. This will assist the Council in considering whether the housing and employment provision levels within the current plan up to 2030 are still appropriate.

Until this element of the review or any other work conducted as part of the review process is undertaken, Redditch is not in a position to raise any specific strategic or cross-boundary matters with regard to your evidence gathering exercise. However, the Council wishes to raise at this stage that it may have further cross boundary issues to address following the receipt of the HEDNA report and throughout the plan review process.

The Council notes the City Council's recognition that the Government's recent revisions to the Standard Methodology will subject Birmingham to a 35% uplift on its housing number. We also note that National Planning Policy Guidance states that the uplift is expected to be met by the cities and urban centres themselves, rather than the surrounding areas. In considering how need is met in the first instance, brownfield and other under utilised urban sites should be prioritised to ensure homes are built in the right places.

I trust the above comments offer a helpful contribution at this stage. If I can be of further assistance, please do not hesitate to contact me.

Yours sincerely

Louise Jones
Principal Planning Officer – Strategic Planning
Redditch Borough Council

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City of Wolverhampton Council

29th March 2021

Dear Mr. Culley,

West Midlands Strategic Rail Freight Interchange Employment Land Paper

Redditch Borough Council (RBC) welcomes the opportunity to comment on the above document and to continue to engage constructively with the Black Country Plan in the best interests of positive plan-making.

At this early stage in the plan-making process, this represents an informal officer response.

As you will be aware the Borough of Redditch Local Plan No.4 was adopted in 2017 and makes provision for 55 Hectares of employment land, a portion of which is to be met in neighbouring authorities.

Redditch is required to review its plan by 2022 to ensure it is still fit for purpose. Part of this review will include an assessment of whether the current employment provision is still appropriate. Therefore, it is envisaged that a Housing and Employment Development Needs Assessment (HEDNA) will be conducted in the near future to assist in the completion of this element of the review. Until this work is complete specific responses to the questions posed in your letter dated 15 February 2021 are unable to be fully addressed. Therefore we would wish to have it noted that the Council may have further comments to make following the HEDNA's completion later this year.

With regard to the questions posed in your consultation, we can confirm that the current adopted plan does not plan to meet wider than the local need and it does contain a strategy which meets the B8 needs of the Borough. As highlighted above this position will be reconsidered through the plan review process and an up to date HEDNA.

I trust the above comments offer a helpful contribution. If I can be of further assistance, please do not hesitate to contact me.

Yours sincerely

Louise Jones
Principal Planning Officer – Strategic Planning
Redditch Borough Council

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South Staffordshire Council

29th June 2021

Dear Mr. Fox,

Duty to Cooperate Letter (1 June 2021)

Thank you for providing Redditch Borough Council (RBC) with the opportunity to comment on the above document and to continue to engage with South Staffordshire's plan-making.

This letter represents an informal officer response only and will be taken to Members in due course and reported back to you.

From your letter we understand you are seeking RBC's view on your dwelling contribution of 4,000 to the unmet housing needs of the GBHMA. As you will be aware the Borough of Redditch Local Plan No.4 was adopted in 2017 and is required to be reviewed by 2022 to ensure it is still fit for purpose. Part of this review will include a Housing and Employment Development Needs Assessment (HEDNA), which has very recently been commissioned and is currently being conducted. Until this element of the review is complete Redditch does not feel in a position to raise any specific matters regarding housing distribution in the GBHMA or to comment upon the appropriateness of your level of contribution to the unmet need.

We will of course continue to engage with your plan process as it continues.

Kind regards

Ruth Bamford
Head of Planning, Regeneration and Leisure Services

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South Warwickshire

21st June 2021

Dear Ms. Bozdoganli,

South Warwickshire Local Plan Scoping and Call for Sites Consultation

Redditch Borough Council (RBC) welcomes the opportunity to comment on your email dated 10 May 2021 and looks forward to being able to engage constructively with the South Warwickshire Local Plan in the best interests of positive plan-making as a Duty to Co-operate partner.

At this early stage in the plan-making process, this represents an informal officer response only and has not been considered by Members. This will be done in due course and a sent to you retrospectively.

Your email specifically requested a response as a duty-to co-operate consultee in relation to any strategic cross boundary issues that need to be addressed and/or delivered through the South Warwickshire Local Plan, therefore the separate SWLP DTC form accompanies this letter as requested.

In addition to this we have some general comments in relation to the Scoping and Call for Sites Document, specifically Chapter 6. Options for Growth.

Chapter 6. Options for Growth

The majority of the options (all except options A and D) include growth of some form either along the A435 (Studley, Alcester and further south) to the south of Redditch, or to the East/South-eastern edge of Redditch, Option F in particular shows a large area of growth at Mappleborough Green. Any of these options for growth could have a potential to significantly impact on Redditch, through new residents using existing services and facilitates in the Borough, as well as traffic implications through travelling along the A435 north to the M42 Junction 3 and beyond. We would request to be included in any transport work which considers the implications of development adjacent to Redditch in particular along the A435 at Mappleborough Green or adjacent to Studley and would stress this evidence should consider the implications on the Redditch road network. In addition, Worcestershire County Council would also need to be included in this work, given their role as the Highways Authority for Redditch.

Regarding Option B (Main Bus Corridors) whilst this is an understandable option, bus routes and provision are at the mercy of funding and private enterprise and subject to change at any given time.

Following a growth option heavily leaning towards main bus corridors solely would not be advisable due to these fluctuating circumstances. However, it is acknowledged that increasing population in these areas may increase the chances of sustainable bus provision in these areas in the future, but it is felt the option in isolation may not be the most appropriate growth strategy.

Option C (Main Road Corridors) and G (Dispersed) has the potential impact of reducing the gap between Studley and Redditch, it is noted that Page 65 of the Consultation Document states *“One principle we would seek to continue to apply would be to retain the separate character and identity of existing settlements.”* RBC supports this statement and would suggest it could feature as a Principle in the ‘Preliminary assessment of Growth Option Sustainability Appraisal’ document or any equivalent document going forward to ensure it is carried through when assessing the appropriateness of growth options.

Regarding Option F (Main Urban Areas), due to the nature of the existing development along the A435 and at Mappleborough Green there may be limited development potential within Stratford District to the west of the A435, therefore the majority of the development potential may be to the east of the A435. If development is considered to the east of the A435 services and facilities in Redditch are not necessarily easily accessible to these areas without enhancements for access across or onto the A435. This would need further investigation.

It also brings into question whether this option may unacceptably increase the pressure on some services in Redditch from cross boundary development. This would require further consideration if it is felt a credible option for further exploration.

Option G (Dispersed) highlights the opportunity that may exist for limited infill in existing settlements. RBC would need to see specific opportunities regarding the availability of limited infill at sites adjacent to Redditch before commenting further on this option.

I trust the above comments offer a helpful contribution at this stage. If I can be of further assistance, please do not hesitate to contact me.

Kind regards

Ruth Bamford
Head of Planning, Regeneration and Leisure Services



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Black Country Authorities

5th October 2021

Dear Mr. Culley,

Consultation on Draft Black Country Local Plan

Redditch Borough Council (RBC) welcomes the opportunity to comment on the above document and to continue to engage constructively with the Black Country Plan in the best interests of positive plan-making. The response below has been written in consultation with the Council's Portfolio Holder for Planning, Economic Development, Commercialism and Partnerships and is due to be reported to Members at Executive Committee on 26th October.

Firstly, we note and support the Black Country Authorities' intention at Paragraph 1.10 of the Draft BCP to draft and agree Statements Of Common Ground with all relevant bodies on Duty to Co-operate issues at the Plan's Publication Stage. RBC submitted its "Duty to Engagement Proforma" in 2018 which recognised the challenges of meeting the wider housing needs of the Birmingham and Black Country Housing Market Area. RBC reiterated in this Proforma that this needs to be based on fully evidenced scenarios and progressed through development planning work by the local authorities. We continue to emphasise this view.

Secondly, we recognise the significant shortfall of 28,239 homes and 210 hectares of employment land currently identified within the Draft BCP. In particular Paragraph 3.27 is noted, which places emphasis on the Black Country Authorities' support to neighbouring authorities in bringing forward land for housing and employment that "sits adjacent to the existing administrative boundaries."

As currently set out in the Draft Plan, it is RBC's interpretation that there are unlikely to be potential requirements for RBC to be involved in cross boundary discussions under the Duty to Co-operate with regard to meeting a proportion of the Black Country's housing and employment needs. This is because the authorities do not share any common boundaries.

I trust the above comments offer a helpful contribution. If I can be of further assistance, please do not hesitate to contact me.

Yours sincerely

Rebecca Brown
Principal Planning Officer – Strategic Planning
Redditch Borough Council

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STATEMENT OF COMMON GROUND (SOCG) BETWEEN: SOLIHULL MBC (SMBC) and REDDITCH BC (RBC)

1. Introduction

1. The content of this SOCG is to inform the submission of the SMBC local plan and ongoing works associated with the delivery of The UKC Hub development proposals in particular.
2. This SOCG has been prepared in accordance with national guidance and is intended to cover matters of strategic importance relevant to the signatories to this SOCG. It covers both areas of agreement and areas that remain subject to further discussion.

Period Covered by SOCG

3. From July 2015 when SMBC commenced work on updating the current adopted development plan (the Solihull Local Plan Dec 2013) and it remains a live document to be updated as necessary.

2. Geography Covered

Housing Market Area (HMA)

4. Solihull is one of 14 authorities that make up the Birmingham & Black Country HMA, the others being:
 - Birmingham CC
 - Bromsgrove DC
 - Cannock Chase DC
 - Dudley MBC
 - Lichfield DC
 - North Warwickshire DC (also located with the Coventry & Warwickshire HMA)
 - Redditch BC
 - Sandwell MBC
 - South Staffordshire DC
 - Stratford upon Avon DC (also located with the Coventry & Warwickshire HMA)
 - Tamworth DC
 - Walsall MBC
 - Wolverhampton CC
5. Through membership of the West Midlands Combined Authority, the following authorities also have a relationship with Solihull MBC:
 - Coventry CC
 - Nuneaton & Bedworth DC
 - Rugby DC
 - Shropshire C
 - Telford & Wrekin C
 - Warwick DC
 - Warwickshire CC

3. Areas Solihull MBC & RBC are in Agreement

Solihull Local Plan Review

6. It is acknowledged that SMBC have published consultation material relating to its Local Plan review process at the following dates and stages:
- Scope, Issues and Options – November 2015
 - Draft Local Plan – November 2016
 - Draft Local Plan Supplementary Consultation – January 2019
 - Draft Submission Plan – October 2020
7. In each case RBC have been consulted on these documents and have engaged as they felt appropriate at the time. RBC did not make any representations on publication of the Draft Submission Plan.

Housing Need

8. Solihull MBC Council and RBC have been active members of the GBSLEP HMA Technical Officers Group since it was created and have contributed to all discussions relating to the delivery of unmet housing need with the HMA
9. This engagement has been ongoing and effective in so far as it has resulted in unmet housing need (to 2031) within the HMA being reduced from 37,572¹ dwellings in 2015 to 2,597² dwellings as at 2019.
10. The 2,597 shortfall noted above represents the position using land supply as at 1st April 2019, and as such does not yet include contributions towards the shortfall from authorities that have published plans or emerging plans since then. This includes both Lichfield and South Staffordshire. These authorities have plans that are seeking to make contributions to the HMA of 4,500 (2018-40) and up to 4,000 (2018-38) respectively³. Less than a third of this provision would need to be made by 2031 to see the overall HMA shortfall to 2031 having been dealt with.
11. At this time, both parties recognise that SMBC have made a commitment to test accommodating 2,000 dwellings towards the unmet housing need for the HMA, but recognise that the final details of that contribution must be tested through a Local Plan process in accordance with national guidance. This is primarily associated with the need to release land from the Boroughs Green Belt to support any contributions it makes. This 2,000 contribution has been taken into account in arriving at the 2,597 shortfall (as at April 2019) noted above
12. It is acknowledged that both SMBC and RBC were active partners as part of the HMA wide commission undertaken by GL Hearn to produce the Strategic Growth Study.
13. It is noted that in December 2019 BCC published an updated Local Development Scheme (LDS), which concluded that an early review [of the 2017 BDP] was not required. This stated that *“the Local Planning Authority will start scoping out the work needed to undertake this in 2020 and set out a timetable for any BDP update, if necessary, in the next version of the LDS by January 2022.”* At this early stage Birmingham CC has not made any request to any LPA within the HMA to help with housing need beyond 2031, nor has it set out what any extent of shortfall beyond 2031 may be.

¹ Strategic Housing Needs Study Stage 3 (PBA August 2015)

² HMA Position Statement No. 3 September 2020 – Table 5 to reflect the position as of the Apr 2019 base date.

³ HMA Position Statement No. 3 September 2020 – Appendix 2

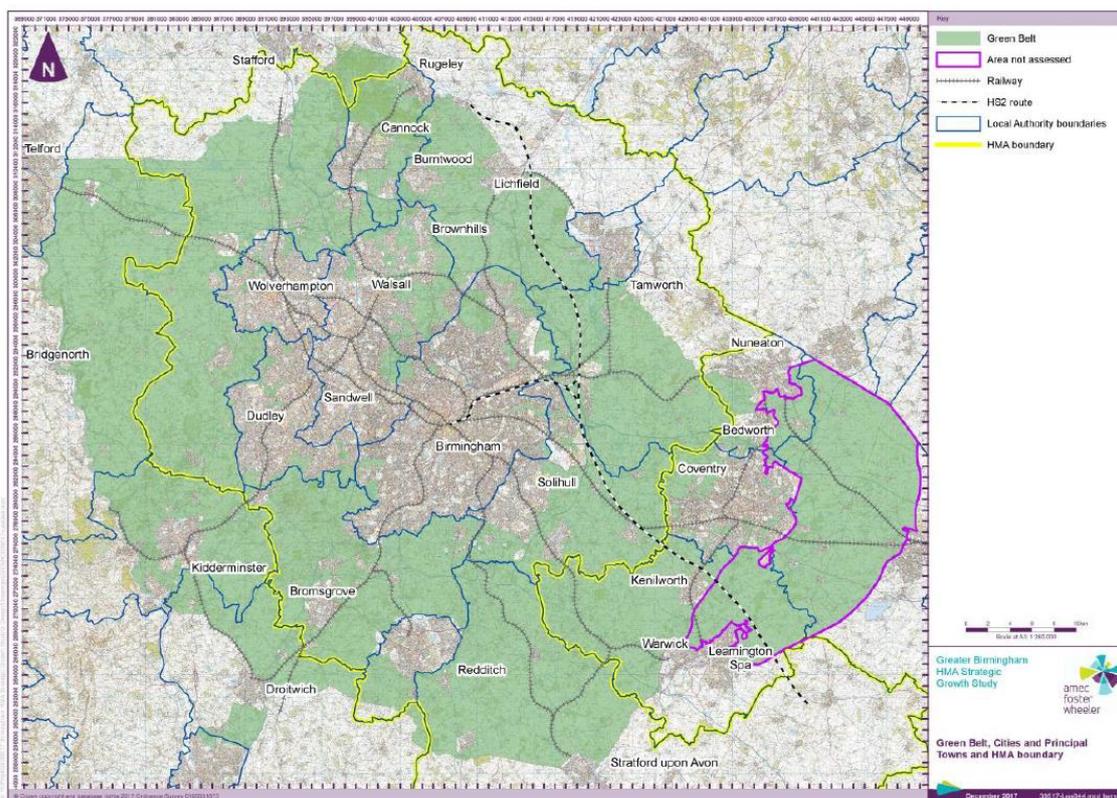
14. On the 4th August 2020 The Association of Black Country Authorities wrote to all members of the HMA regarding the challenges facing the Black Country Joint Plan review in so far as they related to matters of Housing and Employment land supply. This letter supports the ongoing duty to cooperate process in so far as it relates to the Black Country Joint Plan, but also plan preparation and review for recipient authorities (extent subject to stage of plan making). The letter identified that the Black Country Authorities are preparing a Draft Plan for consultation in summer 2021, with an aim to produce a Publication Plan in summer 2022 and adopt the Plan in early 2024. Despite initial work around urban capacity and potential Green Belt release within the Black Country area, there remains a significant level of unmet need in the order of at least 4,500 - 6,500 homes and up to 292 ha-570ha of employment land up to 2039.
15. Given the timetable at play here it is the view of SMBC that there remains a significant amount of work to be undertaken to evidence this shortfall and review the overall need in light of recent government changes to the Standard Methodology which, given the timeframes involved, will affect the continued development of the Black Country Plan. Any final shortfall will also be subject to testing through further consultation and public examination. SMBC therefore commits to continuing to work alongside the Black Country Authorities and other members of the wider HMA to review the evidence which supports the unmet need but notes that any outstanding need retains significant uncertainty and is also likely to be relevant towards the latter half of the Plan Period (post 2031 for example). Given the likelihood of a Local Plan review within SMBC prior to 2031 (having regard to the position with the BCC Local Plan and national planning system/guidance), SMBC is of the view that this issue can be more constructively and effectively managed as part of its next Local Plan review. As part of this SOCG, RBC acknowledge the position set out by SMBC and do not object to this approach in principle.

Housing Opportunities in the Urban Area or Beyond the Green Belt

16. From the onset of the Boroughs Local Plan Review in 2015 it has been clear that significant housing pressures existed across the HMA, and beyond. Prior to the onset of the Plan review, SMBC notes that the development and examination of the BCC Local Plan which, following the publication of the Inspectors report in 2015, confirmed a significant shortfall in housing need that was required to be met within the wider HMA. In part of reaching this decision BCC were deemed to have demonstrated exceptional circumstances to justify the release of Green Belt land. In the proceeding 5 years SMBC have also noted the development and examination of other Local Plans across the HMA (for instance Bromsgrove) that exceptional circumstances were demonstrated to justify the release of Green Belt land to meet housing needs.
17. In addition, SMBC are active members of the Coventry, Solihull and Warwickshire Planning Officers Group and engaged actively with the respective authorities in relation to the development and adoption of their Local Plans and the Memorandum of Understanding that underpinned them. This is a further important step as each authority demonstrated exceptional circumstances to justify the release of land from the Green Belt to meet the housing needs of the HMA. In the case of Stratford and North Warwickshire (where this matter remains subject to a live EIP), active proposals are also made to support the GBBC HMA.
18. Notwithstanding the above approximately 67% of the Boroughs land area is covered by Green Belt with significantly limited brownfield opportunities within the urban area or the rural settlements. As part of developing the Solihull Local Plan the Borough have been active participants in the HMA Strategic Growth Study, which included looking at options of density and brownfield land as a primary option ahead of releasing land from the Green Belt. In this

respect SMBC have sought to maximise the efficiency and deliverability of land within its existing urban areas.

19. Lastly, the plan below shows the extent of Green Belt coverage across the West Midlands Area. SMBC are mindful that a key part of the NPPF, and draft proposals for the future national planning system, is the principle of Sustainable Development and conversely the importance of meeting development needs as close as possible to where they arise. The above summary therefore clearly demonstrates that it would be unsustainable and inappropriate not to plan positively for meeting local housing needs within the Borough and where possible any of the unmet need within the wider HMA, especially arising from Birmingham given the geographical relationship and level of connectivity. This therefore provides part of the justification for exceptional circumstances in Solihull and demonstrates how SMBC have engaged with and supported the wider HMA in considering the most sustainable options for meeting development needs.



The West Midlands Green Belt and Greater Birmingham HMA (Figure 24 from Strategic Growth Study (GL Hearn Feb 2018))

UK Central

20. The UKC Hub area is recognised as being of strategic importance to the local, regional and national economy. It will provide for an effective and efficient use of land associated with the development of HS2 and facilitate future and long term economic growth for the area. This will also include significant connectivity improvements with other areas both to the north and south east. The development proposal is supported by the WMCA and Mayor for the West Midlands.
21. As part of the next iteration of the plan, RBC notes SMBC published updated evidence regarding housing and economic development needs in the form of a Housing & Economic Development Needs Assessment (HEDNA). The HEDNA includes analysis of employment forecasts including a scenario relating to potential above trend growth at the UK Central Hub.

In doing so it uses commuter patterns from the 2011 census that indicate 25.3% of the workforce are Solihull residents.

Employment Land

22. RBC has not approached SMBC to ask for assistance in accommodating employment land that cannot be accommodated within RBC.

Duty to Cooperate

23. RBC agree with SMBC that the Council has complied with its legal obligations under the duty to cooperate and if there is a difference between Solihull and other authorities in the HMA, this is around the issue of the soundness of the plan.

4. Areas Subject to Ongoing Discussion

24. The only area of outstanding discussion relates to the delivery of homes to meet unmet housing need within the HMA beyond 2031. This need is likely to arise from Birmingham and the Black Country and will be the subject of on-going duty to cooperate discussions.
25. Whilst both parties agree that work through the Duty to Cooperate has been ongoing, constructive and effective in so far as the level of unmet need has reduced it is acknowledged that some HMA authorities believe that SMBC could do more to deliver additional homes. Both parties agree that this does not amount to a legal deficiency in relation to the Duty to Cooperate, but could be perceived as a matter of soundness. RBC acknowledges that the view of SMBC is that it has sought to maximise its housing land supply, including by making a meaningful contribution towards the unmet needs of the wider HMA, whilst also planning positively for the necessary mineral extraction to support development across the HMA. Both parties agree that such matters will be tested further through the period of representations and public examination.

5. Areas Subject to Disagreement

26. There are no areas of disagreement outstanding at this stage.

APPENDICES

A. Relevant Notable Events/Timeline

2014

27. November – Publication of the Strategic Housing Needs Study Stage 2 (Peter Brett & Associates (PBA)). This study considered both geographies and needs/supply across the study area and was commissioned by the Greater Birmingham and Solihull LEP⁴ and the 4 Black Country authorities.

2015

28. January – Inspectors interim report into the Birmingham Development Plan confirming the appropriateness of the HMA geography.
29. August - Publication of the Strategic Housing Needs Study Stage 3 (PBA). This provided an update to the stage 2 study and noted the BDP Inspectors comments on the HMA geography. The housing need/supply balance across the HMA was noted to result in a shortfall of 37,572 dwellings⁵.
30. September – HMA Housing Conference (hosted by SMBC at the NEC). The conference was attended by representatives of all 14 HMA authorities and typically included a relevant Cabinet Member, Director/Head of Service and Heads of Policy. It was agreed:
- That the housing shortfall (37,500) is a shared problem for the HMA authorities;
 - To collaborate as part of our duty to co-operate to find a solution;
 - To share resources, expertise and provide mutual support towards a solution;
 - To establish HMA Technical officer group.

31. November – SMBC publishes Scope, Issues and Options consultation.

2016

32. January - HMA Housing Conference (hosted by SMBC at Solihull College).
33. March – Inspectors final report into the Birmingham Development Plan issued. The Inspector took into account the Strategic Housing Needs Study (both stage 2 and 3). He concluded that the city had a need for 89,000 dwellings and a supply of 51,100, leaving a shortfall of 37,900 dwellings.
34. November SMBC publishes Draft Local Plan consultation.

2017

35. January – Birmingham Development Plan adopted, thus quantifying (at 37,900 dwellings⁶), through an adopted plan, the extent of the Birmingham shortfall which is the principal cause of the HMA shortfall. The plan recognises that the “Council will also play an active role in promoting, and monitor progress in, the provision and delivery of the 37,900 homes required

⁴ Although it was noted that some authorities in the LEP are not part of the HMA, and some authorities not part of the LEP are part of the HMA.

⁵ Table 2.2

⁶ To 2031

elsewhere in the Greater Birmingham Housing Market Area to meet the shortfall in the city.” Furthermore policy TP48 goes onto state that if other local authorities do not submit plans that provide an appropriate contribution to the shortfall, then the Council needs to consider the reasons for this and determine whether it is necessary to reassess Birmingham’s capacity by means of a full or partial BDP review after three years.

36. March – GL Hearn commissioned by the 14 HMA authorities to produce the Strategic Growth Study

2018

37. February – Publication of the Strategic Growth Study (GL Hearn).
38. February – HMA Position Statement No. 1 – Issued alongside the publication of the Strategic Growth Study. The statement noted:
- That the Strategic Growth Study *“is an independently prepared, objective study and not a policy statement. It does not in any way commit the participating authorities to development of any of the geographic areas referred to (nor does it exclude the testing of alternatives), but it is a thorough evidence base to take matters forward through the local plan review process.”*
 - That there is a minimum shortfall of 28,150 to 2031, but that higher densities might increase supply on identified sites by up to 13,000.

39. September - HMA Position Statement No. 2

2019

40. January – SMBC publishes Draft Local Plan Supplementary Consultation.

2020

41. September - HMA Position Statement No. 3
42. October - SMBC published Draft Submission Plan

B. Relevant Organisations and or Groups SMBC is a Member of or Participates in.

43. HMA Technical Officers Group
44. CSWPO – Coventry, Solihull and Warwickshire Planning Officers group. The group was initially established to support work on the West Midlands Regional Plans but following their abolition evolved to support the Duty to cooperate process for the area. As a neighbouring authority to Coventry, North Warks and Warwick, Solihull attend monthly meetings to gain a full understanding of emerging development pressures and policy developments across the area. The introduction of HS2 and UKC Hub has also given a strategic significance to ongoing meetings of this group given the existing and planned connectivity and growth opportunities. SMBC is also able to provide a useful link (alongside SADC and NWBC) between the Coventry and Birmingham HMA’s.
45. GBSLEP
46. WMCA

C. Published Documents Referred To

47. HMA Position Statement No. 1 (February 2018) - [HMA Position Statement](#)
48. HMA Position Statement No. 2 (September 2018) – [web link to be provided]
49. Strategic Growth Study (GL Hearn February 2018) - [Strategic Growth Study - Hearn](#)
50. HMA Position Statement No. 3 (published September 20200)

D. Signatures

Signed: Ruth Bamford
Head of Planning, Regeneration and Leisure Services, Redditch Borough Council

Signed: [x]
Mark Andrews
Head of Planning, Design & Engagement Services, Solihull MBC

Dated: [x]

REDDITCH BOROUGH COUNCIL**Executive Committee
2021**

26th October

Adoption of revised Conservation Area Appraisal Boundaries, Appraisal and Management Plan for the Church Green Conservation Area

Relevant Portfolio Holder	Councillor Matt Dormer
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford
Report Author Mary Worsfold	Job Title: Principal Conservation Officer Contact Email: m.worsfold@bromsgroveandredditch.gov.uk Contact Tel: 01527881329
Wards Affected	All
Ward Councillor(s) consulted	
Relevant Strategic Purpose(s)	<ul style="list-style-type: none"> • Run and Grow a Successful Business • Finding somewhere to live • Aspiration, work and financial independence • Living independent, active and healthy lives • Communities which are Safe, Well Maintained and Green <p>The Green Thread runs through the Council Plan</p>
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS**The Executive Committee RECOMMEND that:-**

- 1) It approves the Church Green Conservation Area Appraisal and Management Plan, and endorses its contents as a material consideration for planning purposes.**
- 2) It approves the designation of the proposed extension to the Conservation Area to include 5 – 11 Alcester Street.**

2. BACKGROUND

- 2.1 The Council has a statutory duty under s69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to designate any areas which they consider to be of special architectural or historic interest as Conservation Areas. The Council has a further duty under s71(1) to formulate and prepare proposals for the preservation and enhancement of its Conservation Areas.

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- 2.2 A Conservation Area Appraisal has been prepared for the Church Green Conservation Area. The character appraisal identifies the factors and features which make the area special, based on an in-depth assessment of the area's buildings, spaces, evolution and sense of place. The Conservation Management Plan provides a strategy for the management of the conservation area in a way that will protect and enhance its character and appearance and support the wider regeneration of the town centre.
- 2.3 The conservation area appraisal identified the need for a small boundary change.
- 2.4 Having obtained the support of the Executive Committee for the draft boundary extensions, Appraisal and Management Plan, full consultation with local occupiers, owners and other interested parties between 8th February 2021 and 19th March 2021.
- 2.5 A broad range of views were expressed in respect of the Appraisal and Management Plan, these can be viewed at appendix 2. There were no objections to the proposed boundary extension.

3. FINANCIAL IMPLICATIONS

- 3.1 The cost of producing and consulting on the Conservation Area Appraisal and Management Plan has been met by the existing Strategic Planning Team budget.

4. LEGAL IMPLICATIONS

- 4.1 The Council has a statutory duty under s69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to designate any areas which they consider to be of special architectural or historic interest as Conservation Areas. The Council has a further duty under s71(1) to formulate and prepare proposals for the preservation and enhancement of its Conservation Areas.

5. STRATEGIC PURPOSES - IMPLICATIONS**Relevant Strategic Purpose**

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- 5.1 The publication of the Church Green Conservation Area Appraisal and Management Plan (CAAMP) will help support the Strategic Purposes by supporting the ongoing regeneration of Redditch Town Centre.

Climate Change Implications

- 5.2 The publication of the CAAMP has no direct climate change implications.

6. OTHER IMPLICATIONS**Equalities and Diversity Implications**

- 6.1 The publication of the CAAMP has no equality or diversity implications.

Operational Implications

- 6.2 Guidance in relation to the designation, preservation and enhancement of conservation areas are contained in the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (PPG) as outlined in the Character Appraisal and Management Plan.

The NPPF states that

191. When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

The PPG states that

Local planning authorities need to ensure that the area has sufficient special architectural or historic interest to justify its designation as a conservation area.

- 6.3 The architectural and historic significance of the area, including the additions and proposals for managing them, are set out in the Appraisal and Management Plan.
- 6.4 Designation of conservation areas have planning consequences, some of which are outlined in the Appraisal and Management Plan, which include controls over trees in the area, more restrictions on permitted development rights and advertisements rights, and the duty to pay attention to the historic and archaeological significance of the area

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when considering the grant of planning permission and the duty to formulate proposals to enhance and preserve the conservation areas

- 6.5 The Character Appraisal identifies the factors and features which make a conservation area special, based on an in-depth assessment of an area's buildings, spaces, evolution and sense of place. The Management Plan then provides a strategy for the management of the conservation area in a way that will protect and enhance its character and appearance, and support the wider regeneration of the Town Centre.
- 6.6 The CA has many positive features, which are noted in the Conservation Area Appraisal. It sits at the centre of the town with the Grade II Church as the focus, surrounded by green space. The historic buildings which surround the Green, both listed and locally listed, enhance the setting of the Church and this open space. Being predominantly pedestrianised it is a safe and attractive space for pedestrians. There are, however, some issues which potentially threaten the character of the CA. These include;
- Poor state of the public realm
 - Poor state of shop fronts
 - Parking around the church
 - Parking on the corner of Evesham Walk/Unicorn Hill
 - Vacant Units
- 6.7 It is also recommended that 5-11 Alcester Street are incorporated into the CA. It would seem to be anomalous that they have been left out especially as 5 and 7 are a continuation of 3, and 9 and 11 are the last historic buildings in this run and probably date to the late 18th century. All the buildings are sympathetic in terms of character with the existing buildings in the CA.
- 6.8 The attached Conservation Management Plan identifies strategies to protect and enhance the character and significance of the CA by addressing the issues identified in the appraisal. In terms of the issues noted above proposals include;
- Poor state of the public realm - Working with Highways at the County Council and NWEDR to finalise a uniform scheme of public realm works, probably following what has been introduced in Alcester Street. This is under way.
 - Poor state of shop fronts- encourage the reinstatement of historic detailing when opportunities arise through the

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development control process and Investigating the possibility of obtaining grant funding to finance a programme of upgrading shop fronts.

- Parking around the church - Approach the Church with the aim of discussing their parking requirements. Look at ways of accommodating their needs while at the same time improving the appearance of the space around the Church.
- Parking on the corner of Evesham Walk/Unicorn Hill- The Local Authority is in the process of issuing a Traffic Order to prevent parking in this area, but there will be a continual need to monitor the situation and liaise with Town Centre Management at RBC and NWEDR.
- Vacant Units- RBC with the assistance of NWEDR has submitted a Town Investment Plan as part of the Town Deal programme and has been offered a Town Deal of £15.6million. Phase 2 of the Town Deal programme is now progressing with Business Case Development for the projects. A Town Deal Board has been established, and the Board through consultation with the public and stakeholders will prioritise projects which will include work in the Town Centre. Work with partners at RBC and NWEDR to obtain funding to improve the appearance of the CA and in particular units within it to make the Town Centre a more attractive to prospective occupiers.

6.9 The proposed action points are in accordance with national policy guidance, local policies and follow on from the Conservation Area Appraisal. As noted above there have been discussions between NWEDR and the County Council regarding the upgrading of the Public Realm, and the intention is to continue working with NWEDR in respect of other elements of town centre regeneration.

6.10 Every year Historic England asks local authorities to assess whether listed buildings and conservations areas can be assessed as being 'At Risk' using their assessment criteria. Currently many town centre conservation areas are at risk, and the future is uncertain for large numbers of them, the impact of Covid 19 is only likely to make the situation worse in the short term. Church Green Conservation Area, for the reasons identified in the appraisal, and noted above, now meets the criteria for being 'At Risk'. If this is formally recognised, we will begin to look at what funding may be eligible from Historic England to address some of these issues.

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-
- 6.11 The occupiers of the Conservation Area, as well as a number of other interested parties including The Victorian Society and Historic England were notified either by a hand delivered letter or email of the Consultation. Due to the Coronavirus Pandemic, it was not possible to hold any consultation events, but information was provided on the RBC website together with links to the relevant planning page and a press release resulted in coverage in the Redditch Standard.
- 6.12 Thirteen written responses were received.

From those who expressed an opinion there was support to extend the Conservation Area as proposed.

A number of consultees expressed concern about the poor state of the public realm, various parking issues in and around the CA, and the increasing number of vacant units within the Area. The Management Plan details proposals for tackling these issues; public realm improvement works are underway; there are plans to discuss ways of improving the parking in the vicinity of the Church with the Church Community; and when the CAAMP is adopted we will be looking in obtaining grant funding to improve the appearance of the shop fronts as well as working with the BID and NWEDR on wider regeneration in the area.

The comments together with a response from the Conservation Officer where appropriate, are tabulated in Appendix 2.

- 6.13 Two responses required amendments to the text of the CAAMP. The following has been added to the end of the first paragraph of section 4.3.1, 'Outside of the Church, to the south is an early 14th century vault springer, with moulded ribs and a ballflower decoration, from Bordesley Abbey'. While, 'Work with the Church and NWEDR to improve the appearance of the Churchyard which forms part of the public realm, and improve the integration of the Church into the CA.', has been added to 4.2.2 of the Management Plan

7. RISK MANAGEMENT

- 7.1 There are no associated risks with this report .

8. APPENDICES and BACKGROUND PAPERS**APPENDICES**

**Executive Committee
2021**

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Appendix 1 – Church Green Conservation Area Appraisal and Conservation Management Plan

Appendix 2 – Church Green CAAMP Consultation Comments

BACKGROUND PAPERS

Executive Committee report December 2020

[Report - December 2020](#)

Historic England Guidance

[Historic England Guidance](#)

9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder		
Lead Director / Head of Service		
Financial Services		
Legal Services		
Policy Team (if equalities implications apply)		
Climate Change Officer (if climate change implications apply)		

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REDDITCH BOROUGH COUNCIL**LICENSING COMMITTEE**8th November 2021**GAMBLING ACT 2005 – REVIEW OF STATEMENT OF PRINCIPLES**

Relevant Portfolio Holder	Councillor N Nazir
Portfolio Holder Consulted	No
Relevant Head of Service	Simon Wilkes – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 The Council's current Statement of Principles under the Gambling Act 2005 took effect on 31st January 2019. In accordance with the provisions of the Act, the Council is required to prepare and publish a Statement of Principles every three years. A new Statement of Principles must therefore be published by 31st January 2022.
- 1.2 On 19th July 2021, the Licensing Committee approved a draft revised Statement of Principles for consultation purposes. The results of the consultation are now being reported back to the Committee who are asked to recommend to Council that the draft revised Statement of Principles be approved and published.

2. RECOMMENDATIONS**2.1 Members are asked to RESOLVE;**

To recommend to Council that the revised draft Statement of Principles at Appendix 3 be approved and published.

3. KEY ISSUES**Financial Implications**

- 3.1 The costs involved in carrying out the consultation were met from existing budgets held by Worcestershire Regulatory Services.

Legal Implications

- 3.2 Section 349 of the Gambling Act 2005 requires that the licensing authority produce, consult on, and publish a Statement of the Principles that it proposes to apply when exercising its functions under the Act.
- 3.3 The Act also requires that the Statement of Principles should be kept under review and must be re-published at least every three years.

REDDITCH BOROUGH COUNCIL**LICENSING COMMITTEE**8th November 2021

- 3.4 When revising its Statement of Principles, the Council is required to consult with: -
- the Chief Officer of Police for the Authority's area;
 - one or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's 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 this Act.

Service / Operational Implications

- 3.5 Redditch Borough Council is a licensing authority in accordance with the provision of the Gambling Act 2005.
- 3.6 Each licensing authority is required before each successive three-year period, to prepare and publish a statement of the principles that they propose to apply in exercising their functions under the Act during that period. This document is commonly referred to as the authority's Statement of Principles.
- 3.7 The Council's current Statement of Principles took effect on 31st January 2019 and therefore a new Statement of Principles must now be prepared and published ready to take effect on 31st January 2022.
- 3.8 The last revision of the Statement of Principles during 2018 involved the Council significantly enhancing the content of the statement to provide more comprehensive information on how the Council approaches its roles and responsibilities in relation to the various permits and small society lotteries that it is responsible for administering and monitoring.
- 3.9 Since the Statement of Principles was revised during 2018, there have been no significant amendments to the provisions of the Gambling Act 2005. Nor have there been any major changes made to the Gambling Commission's Licence Conditions and Codes of Practice (LCCP) that licensed operators have to comply with or the Gambling Commission's statutory Guidance to Licensing Authorities (GLA).
- 3.10 In light of this, only minor revisions were included in the draft Statement of Principles that was presented to the Licensing Committee on 19th July 2021. These minor revisions include updating the introduction section of the Statement to reflect the current Council Plan and the strategic purposes and priorities it identifies. The introduction section had also been updated to reflect more recent estimates on the population of the borough.

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- 3.11 The draft Statement had also been revised to nominate the Worcestershire Safeguarding Children Partnership as the body competent to advise the Council on matters relating to the protection of children from harm. This is because the Worcestershire Safeguarding Children Partnership has replaced the previously nominated Worcestershire Safeguarding Children Board.
- 3.12 The list of consultees shown at Appendix B of the Statement had also been updated to reflect changes to some of the Gambling Trade Associations and to include additional organisations involved in working with people who experience problems with gambling.
- 3.13 On 19th July 2021, the Licensing Committee approved the draft revised Statement of Principles for consultation purposes.
- 3.14 Subsequently consultation on the revised draft Statement of Principles took place with all relevant parties including:
- The Chief Officer of West Mercia Police
 - The Gambling Commission
 - All other responsible authorities identified under the Act
 - Relevant Trade Associations
 - The Public Health Team at Worcestershire County Council
 - Organisations working with people who are problem gamblers
 - Feckenham Parish Council
 - The general public
- 3.15 The consultation was also be made available for comment via the Council's website and publicised via social media and also through the local press.
- 3.16 The consultation exercise began on the 6th August 2021 and remained open for comments until 1st October 2021.
- 3.17 There were two responses received during the consultation. The first of these responses was received from Gosschalks Solicitors and was submitted on behalf of their clients the Betting and Gaming Council (BGC). A full copy of the response can be seen at **Appendix 1**.
- 3.18 The response made on behalf of the BGC suggests a small number of amendments are made to the draft Statement of Principles before it is published by the Council.
- 3.19 Firstly it is suggested that the words "significant numbers of" should be removed from paragraph 10.2 of the draft Statement in light of the assertion that problem gambling rates are static and are about 0.5% of the population.

REDDITCH BOROUGH COUNCIL**LICENSING COMMITTEE**8th November 2021

- 3.20 ~~Officers respectfully disagree with this suggestion and believe that 0.5% of the population still amounts to a significant number of people. It is therefore not felt that paragraph 10.2 should be amended as suggested by the consultee.~~
- 3.21 The next suggested amendment in the BGC response is the removal of paragraph 12.4 from the draft Statement as they feel that where an applicant is suggesting its own ways of meeting the licensing objectives, then this is an issue for the local area risk assessment rather than within the application or premises licence itself.
- 3.22 Officers agree that this paragraph should be removed from the section headed "Premises Licences" and therefore have relocated the paragraph under the heading "Local Risk Assessment" instead. The paragraph numbers in that section have been updated in light of this change.
- 3.23 The final suggested amendment to the draft Statement in the BGC response relates to paragraph 15, which the respondent feels would be assisted by a clear statement that the mandatory and default conditions are designed to be, and usually are, sufficient to ensure operation that is consistent with the licensing objectives and in the circumstances, it is only in exceptional circumstances where additional conditions will be imposed.
- 3.24 Officers agree that it would be helpful to include such a statement and have therefore included a new paragraph at 15.1 to state that the mandatory and default conditions prescribed under the Gambling Act 2005 are designed to be, and usually are, sufficient to ensure operation that is consistent with the licensing objectives except in exceptional circumstances. The other paragraphs in this section of the draft Statement have been renumbered in light of the inclusion of this extra paragraph.
- 3.25 A further response to the consultation was received from the charity GambleAware. This response can be seen at **Appendix 2**.
- 3.26 Due to resource constraints, the charity was not able to provide specific feedback on the draft Statement, but did provide some useful links to tools and publications that can be used by licensing authorities to help identify areas with increased levels of risk for any reason.
- 3.27 These might include areas where there are higher than average resident or visiting populations from groups known to be vulnerable to gambling harms including children, the unemployed, the homeless, certain ethnic-minorities, lower socio-economic groups, those attending mental health (including gambling disorders) or substance addiction treatment services.

REDDITCH BOROUGH COUNCIL**LICENSING COMMITTEE**8th November 2021

3.28 These tools and publications will be very helpful when the Gambling Local Area Profile for Worcestershire is next updated.

3.29 Members of the Committee are now asked to consider the responses and recommend to Council that the draft revised Statement of Principles at **Appendix 3** be approved and published.

4. RISK MANAGEMENT

4.1 Failing to prepare and publish a new Statement of Principles by 31st January 2022 would leave the Council in a position where it was failing to comply with its duties as a licensing authority under the provisions of the Gambling Act 2005.

5. APPENDICES

Appendix 1 – Response from Gosschalks Solicitors on behalf of the Betting and Gaming Council

Appendix 2 – Response from GambleAware

Appendix 3 – Updated Draft Revised Statement of Principles Showing Tracked Changes

AUTHOR OF REPORT

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GOSSCHALKS

BY EMAIL ONLY
LICENSING SECTION
REDDITCH BOROUGH COUNCIL

Please ask for: Richard Taylor
Direct Tel: 01482 590216
Email: rjt@gosschalks.co.uk
Our ref: RJT / MJM / 123267.00001
#GS4117766
Your ref:
Date: 28 September 2021

Dear Sirs,

Re: Gambling Act 2005 Policy Statement Consultation

We act for the Betting and Gaming Council (BGC) and are instructed to respond on behalf of the BGC to your consultation on the review of your Gambling Act 2005 Statement of Principles.

The Betting and Gaming Council

The Betting and Gaming Council (BGC) was created in 2019 as the new standards body for the UK's regulated betting and gaming industry. This includes betting shops, online betting and gaming businesses, bingo and casinos. Its mission is to champion industry standards in betting and gaming to ensure an enjoyable, fair and safe betting and gaming experience for all of its members' customers.

BGC members support 119,000 jobs and account for £4.5 billion to the Treasury annually in tax. Recent study also showed that BGC members contributed around £7.7 billion in gross value added to the UK economy in 2019.

The gambling industry is integral to the survival of sport. Betting companies spend over £40 million a year on the English Football League (EFL) and its clubs. Horse racing, an industry estimated to be worth £3.5 billion a year to the UK economy and which generates 85,000 jobs receives over £350 million per annum through the Horse Racing Industry Levy, media rights and sponsorship. Darts and Snooker receive in excess of £10 million per annum which represents 90 % of all sponsorship revenue.

The BGC has four principal objectives. These are to –

- **create a culture of safer gambling throughout the betting and gaming sector, with particular focus on young people and those who are vulnerable**
- **ensure future changes to the regulatory regime are considered, proportionate and balanced**

- become respected as valuable, responsible and engaged members of the communities in which its members operate
- safeguard and empower the customer as the key to a thriving UK betting and gaming industry

Before we comment on your draft policy document, it is important that the backdrop against which the comments are made is established.

Betting and Gaming in the UK

Betting and gaming is an incredibly important part of the UK leisure and hospitality industry, employing over 70,000 people, including 50,000 in betting, 13,000 in casinos and 10,000 people directly employed online. The betting and gaming industry contributes £8.7 billion Gross Value Added to the UK economy & contributes £3.2 billion to HM Treasury. In addition, casinos contribute over £120 million to the tourism economy each year.

Betting and gaming is widely enjoyed in the UK. Around 30 million people participate in some sort of gambling, whether that is on the National Lottery, placing a bet in betting shops, playing in casinos or at bingo. The overwhelming majority of these people do so safely without reporting any problems.

Any consideration of gambling licensing at the local level should also be considered within the wider context.

- the overall number of betting shops is in decline. The latest Gambling Commission industry statistics show that the number of betting offices (as of March 2020) was 7681. This is reducing every year and has fallen from a figure of 9137 in March 2014. Covid 19 had a devastating effect on the betting industry. The number of betting offices in June 2020 was down to 6461.
- planning law changes introduced in April 2015 have increased the ability of licensing authorities to review applications for new premises, as all new betting shops must now apply for planning permission.
- In April 2019 a maximum stake of £2 was applied to the operation of fixed odds betting terminals
- successive prevalence surveys and health surveys tells us that problem gambling rates in the UK are stable and possibly falling.

Problem Gambling

Problem gambling rates are static or possibly falling. The reported rate of 'problem gambling' (according to either the DSM-IV or the PGSI) was 0.8% of the adult population in 2015, in 2016 it was 0.7% and in 2018 it was 0.5% of the adult population.

This is termed statistically stable but is encouraging that we might finally be seeing a reduction in problem gambling due to the raft of measures that have been put in place recently both by the

industry, the Gambling Commission and the Government – from a ban on credit cards, restrictions to VIP accounts, new age and identity verification measures and voluntary restrictions on advertising. These rates have remained broadly the same since the introduction of the Gambling Act 2005.

Whilst one problem gambler is too many, both the Government and regulator both say there is no evidence that problem gambling has increased in recent years.

During the Covid-19 period of lockdown, both the Gambling Commission and Government have acknowledged that problem gambling levels have not increased.

In June 2020, the BGC's five largest members committed to increasing the amount they spend on research, education and treatment (RET) services from 0.1 per cent to 0.25 per cent of their annual revenue in 2020, 0.5 per cent in 2021, 0.75 per cent in 2022 and 1 per cent in 2023. The five operators confirmed they will provide £100 million to GambleAware charity to improve treatment services for problem gamblers.

Rates of 'problem gambling' in the UK are low by international standards – compared to France (1.3%), Germany (1.2%), Sweden (2.2%) and Italy (1.27%).

The BGC supported the creation of the new NHS gambling treatment clinics who have promised 22 clinics, 3 of which are open now. We are pleased that the NHS have committed to work to increase the number of clinics in the UK in addition to existing serviced delivered by Gordon Moody Association and GamCare's 120 treatment centres located throughout the UK.

The BGC welcomes the Gambling Commission's National Strategy was a way of accelerating progress on responsible gambling and tackling problem gambling. Our members are fully committed to meeting this challenge and are working tirelessly to deliver new responsible gambling initiatives including technology that tackles problem gambling and supporting a statutory levy and increased funding for problem gambling clinics.

Underage participating by those aged 11-16 in any gambling activity has declined from 22% to 11% over the past decade; here, 'gambling activity' mainly relates to personal betting (e.g. playing cards with friends) and legal play of lotteries (e.g. participating with consent of parents / guardians). BGC members have a zero tolerance to those under the age of 18 attempting to use their products.

Working in partnership with local authorities

The BGC is fully committed to ensuring constructive working relationships exist between betting operators and licensing authorities, and that where problems may arise that they can be dealt with in partnership. The exchange of clear information between councils and betting operators is a key part of this and the opportunity to respond to this consultation is welcomed.

Differentiation between Licensing Act 2003 and Gambling Act 2005 applications

When considering applications for premises licences, it is important that a clear distinction is made between the regimes, processes and procedures established by Gambling Act 2005 and its

regulations and those that are usually more familiar to licensing authorities – the regimes, processes and procedures relating to Licensing Act 2003.

Whilst Licensing Act 2003 applications require applicants to specify steps to be taken to promote the licensing objectives, those steps being then converted into premises licence conditions, there is no such requirement in Gambling Act 2005 applications where the LCCP provide a comprehensive package of conditions for all types of premises licence.

It should continue to be the case that additional conditions in Gambling Act 2005 premises licence applications are only imposed in exceptional circumstances where there are clear reasons for doing so. There are already mandatory and default conditions attached to any premises licence which will ensure operation that is consistent with the licensing objectives. In the vast majority of cases, these will not need to be supplemented by additional conditions.

The LCCP require that premises operate an age verification policy. The industry operates a policy called “Think 21”. This policy is successful in preventing under-age gambling. Independent test purchasing carried out by operators and submitted to the Gambling Commission, shows that ID challenge rates are consistently around 85%.

When reviewing draft statements of principles in the past, we have seen statements of principles requiring the operation of Challenge 25. Unless there is clear evidence of a need to deviate from the industry standard then conditions requiring an alternative age verification policy should not be imposed.

The BGC is concerned that the imposition of additional licensing conditions could become commonplace if there are no clear requirements in the revised licensing policy statement as to the need for evidence. If additional licence conditions are more commonly applied this would increase variation across licensing authorities and create uncertainty amongst operators as to licensing requirements, over complicating the licensing process both for operators and local authorities

Considerations specific to the draft Gambling Act 2005 statement of licensing principles 2022- 2025

On behalf of the BGC we welcome the light-touch approach to the statement of principles and have very few comments to make upon the policy. We note that it was not intended to make any significant amendments to the policy that is currently in force.

Paragraph 10.2 refers to *“significant numbers of people who do experience significant harm as a result of their gambling.”* It is important that statements such as this are put into context otherwise, they are pejorative. As stated above, problem gambling rates are static and are about 0.5% of the population. In order that some context is available to this paragraph, the words “significant numbers of” should be deleted.

Paragraph 12.14 states that applicants for premises licences are encouraged to propose any prohibitions or restrictions of their own in relation to the third licensing objective. This paragraph appears under the heading “premises licences” and should be deleted from this section. Where an applicant is suggesting its own ways of meeting the licensing objectives, then this is an issue for the local area risk assessment rather than within the application/premises licence itself. It is important

to differentiate between Licensing Act 2003 applications (where there is the ability/mechanism to “suggest conditions” or where statements in an operating schedule can be “converted into” conditions) and Gambling Act 2005 applications where the process does not anticipate this. It is within the risk assessment where an applicant will identify risks to the licensing objectives in the local area and outline in that document the policies, procedures, and mitigation measures to be put in place to mitigate the identified risk.

It is important that these policies and procedures are dealt with in the risk assessment rather than by way of licence conditions as the risk assessment is a dynamic document and (in accordance with SR Code Provision 10.1.2) must be reviewed if there is a significant change in local circumstances. As risks change or new risks are identified, the policies, procedures, and mitigation measures to address these identified risks may be changed very quickly. However, if the mitigation measures are the subject of premises licence conditions, then an application for variation of the premises licence will be required to change these conditions. This could delay the implementation of any change and would cause unnecessary expense and administration for both operators and the Licensing Authority.

Paragraph 15 explains the Licensing Authority’s approach to the imposition of conditions on premises licences. This section would be assisted by a clear statement that the mandatory and default conditions are designed to be, and usually are, sufficient to ensure operation that is consistent with the licensing objectives and in the circumstances, it is only in exceptional circumstances where additional conditions will be imposed.

Conclusion

On behalf of the BGC, we thank you for the opportunity to comment on your draft statement of principles and hope that these comments above are useful. The BGC will work with you to ensure that its members’ operation of its premises will operate in accordance with the licensing objectives.

Yours faithfully,

GOSSCHALKS LLP

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From: Info <info@gambleaware.org>
Sent: 06 August 2021 14:49
To: WRS Enquiries <enquiries@worcsregservices.gov.uk>
Subject: External Email : RE: Consultation – Revised Statement of Principles Under the Gambling Act 2005 - Redditch Borough Council

Hello,

Thank you for consulting us on your draft Statement of Principles under the Gambling Act 2005.

Due to resource constraints on a small charity, we are not able to offer specific feedback on your policy. However, you may find GambleAware's recently published [interactive maps](#) useful, which have been designed for use by local authorities. The maps show the prevalence of problem gambling severity in each local authority and ward area as well as usage of, and reported demand for, treatment and support for gambling harms.

GambleAware also strongly commends two publications by the Local Government Association which set out the range of options available to local authorities to deal with gambling-related harms using existing powers:

- <https://www.local.gov.uk/tackling-gambling-related-harm-whole-council-approach>
- <https://www.local.gov.uk/gambling-regulation-councillor-handbook-england-and-wales>

GambleAware is also fully supportive of local authorities which conduct an analysis to identify areas with increased levels of risk for any reason. In particular we support those who also include additional licence requirements to mitigate the increased level of risk. Areas where there are higher than average resident or visiting populations from groups we know to be vulnerable to gambling harms include children, the unemployed, the homeless, certain ethnic-minorities, lower socio-economic groups, those attending mental health (including gambling disorders) or substance addiction treatment services.

Finally, GambleAware is a leading commissioner of prevention and treatment services for gambling harms. It provides these functions across England, Scotland and Wales and its work is underpinned by high quality research, data and evaluation. We encourage all local authorities to signpost people to the **National Gambling Helpline on 0808 8020 133** and also www.begambleaware.org. Both are part of the **National Gambling Treatment Service** and offer free, confidential advice and support for those who may need it.

Best regards,
Natalie

Natalie Simpson
Company Secretary

GambleAware®

*- note that we are currently
remote working so please contact us by email*

Website begambleaware.org

GambleAware processes personal information for certain legitimate business interests and records sensitive personal information when necessary to meet its duty of care. To learn more about these interests, when we may process your information in this way, and your rights please [click here](#).

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www.redditchbc.gov.uk



Gambling Act 2005
Statement of Principles
2022 – 2025

Revised with effect from 31st January 2022

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Statement of Principles – Gambling Act 2005

1.0 Introduction

- 1.1 Redditch Borough Council is situated in the County of Worcestershire, which contains 6 District Councils in total. The Borough is approximately 15 miles south of Birmingham. The Council area has an estimated population of around 85,000 and covers an area of around 21 square miles. The population of the Borough has a higher percentage of young people (0 – 15) compared with the rest of the County. There is a very diverse population within the Borough and there are four areas that are within the top 10% most deprived in England.
- 1.2 The Borough of Redditch consists of 2 distinct areas:-
- An essentially urban area, which includes a vibrant and thriving town centre and smaller centres within local districts; and
 - An essentially rural area, which includes Astwood Bank, Feckenham, Elcocks Brook and Ham Green.
- 1.3 The Borough and its address districts are shown in the map at Appendix 'A'.
- 1.4 In our Council Plan Redditch Borough Council has set out our vision “to enrich the lives and aspirations of our residents, businesses and visitors through the provision of efficiently run and high quality services, ensuring that all in need receive appropriate help, support and opportunities.” The Council Plan also sets out our strategic purposes and our community and organisational priorities. This statement seeks to support the delivery of our strategic purposes and priorities and to promote the licensing objectives set out in the Act, which are central to the regulatory regime created by the Act. These are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
 - Ensuring that gambling is conducted in a fair and open way, and
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.5 The Licensing Authority has produced this statement as required by Section 349 of the Gambling Act 2005 (referred to in this statement as “the Act”) and having had regard to the Gambling Commission’s formal guidance issued under Section 25 of the Act, the licensing objectives and to the views of those that the Licensing Authority have consulted. The Licensing Authority consulted widely upon this statement before finalising and publishing. The list of those persons and organisations consulted is shown at Appendix B. The consultation took place between **6th August 2021 and 1st October 2021** in line with current published Government consultation principles. The statement was approved at a meeting of the Full Council on **15th November 2021**. Should you have any comments with regards to this policy statement please send them via email or letter to: enquiries@worcsregservices.gov.uk.
- 1.6 This statement must be published at least every three years. The statement may also be reviewed from ‘time to time’ and any amended parts re-consulted upon.

- 1.7 The Licensing Authority intends that this document should provide information and guidance on the general approach that the Licensing Authority will take to licensing. A series of advice sheets with more specific guidance is available on request; advice tailored to individuals is available by phone or to personal callers.
- 1.8 Nothing in this statement takes away the right of any person to make an application under the Act and to have that application considered on its merits; nor does it undermine the right of any person to object to an application or to seek a review of a licence where the law provides that they may do so. Applications will be considered in line with our statement of general principles, below.

2.0 Gambling Act 2005

- 2.1 This statement reflects and aims to support our strategic purposes, community priorities and organisational priorities, as set out in the Council Plan.
- 2.2 The Act provides for gambling to be authorised in a number of different ways. Our main functions are to:
- licence premises for gambling activities, including the issue of provisional statements;
 - regulate and grant permits for gambling and gaming machines in clubs, including commercial clubs,
 - regulate gaming and gaming machines in alcohol licensed premises;
 - grant permits to family entertainment centres for the use of certain lower stake gaming machines;
 - grant permits for prize gaming;
 - receive and endorse notices given for the temporary use notices;
 - receive occasional use notices for betting at tracks;
 - register small societies lotteries;
 - maintain public registers; and
 - provide information to the Gambling Commission on issued licences.
- 2.3 The Gambling Commission regulates remote gambling and issues personal and operating licences for premises. The “National Lottery” is also regulated by the Gambling Commission. Spread betting is regulated by the Financial Conduct Authority.

3. The Gambling Commission

- 3.1 The Gambling Commission regulates gambling in the public interest. It does so by keeping crime out of gambling; by ensuring that gambling is conducted fairly and openly; and by protecting children and vulnerable people.
- 3.2 The Commission provides independent advice to the Government about the manner in which gambling is carried out, the effects of gambling, and the regulation of gambling generally. It also produces guidance under Section 25 of the Act detailing how local authorities should exercise their licensing functions.
- 3.3 In addition, the Commission’s role is to issue codes of practice under Section 24 of the Act about the manner in which facilities for gambling are provided, and how those provisions might be advertised.
- 3.4 Information about the Gambling Commission can be found on the Internet at: www.gamblingcommission.gov.uk or by phone: 0121 230 6666.

4 Local Area Profile

- 4.1 Alongside its Statement of Principles, the Licensing Authority has worked with the other Licensing Authorities in Worcestershire and other partners to develop a “Local Area Profile” for the County as a means of mapping out local areas of concern, which can be reviewed and updated to reflect changes to the local landscape.
- 4.2 This Local Area Profile takes account of a wide range of factors, data and information held by the Licensing Authority and its partners. An important element of preparing the Local Area Profile has been proactive engagement with responsible authorities as well as other organisations in the area that could give input to ‘map’ local risks in the area.
- 4.3 These include public health, mental health, housing, education, community welfare groups and safety partnerships, and organisations such as GamCare or equivalent local organisations.
- 4.4 The aim of the Local Area Profile is to increase awareness of local risks and improve information sharing, to facilitate constructive engagement with licensees and a more coordinated response to local risks. The Local Area Profile will also help to inform specific risks that operators will need to address in their own risk assessments, which forms a part of any new licence application, or any application made to vary a licence.
- 4.5 The Local Area Profile is published on the Licensing Authority’s website and will be updated on a regular basis to reflect changes to the local environment. Holder’s of premises licences will be notified whenever the Local Area Profile is updated.

5. Authorised Activities

- 5.1 ‘Gambling’ is defined in the Act as gaming, betting, or taking part in a lottery.
- ‘Gaming’ means playing a game of chance for a prize.
 - Betting means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not.
 - A lottery is an arrangement where persons are required to pay in order to take part in an arrangement whereby one or more prizes are allocated by a process which relies wholly on chance.

6. General Statement of Principles

- 6.1 In carrying out the licensing functions in accordance with the Act, particularly with regard to premises licences, the Licensing Authority will aim to permit the use of premises for gambling as long as it is considered to be:
- in accordance with any relevant Codes of Practice issued by the Gambling Commission;
 - in accordance with any relevant Guidance issued by the Gambling Commission;
 - in accordance with this Statement of Principles; and
 - reasonably consistent with the licensing objectives.

- 6.2 The Licensing Authority will not seek to use the Act to resolve matters that are better dealt with by other legislation. Licensing is not the primary mechanism for general control of nuisance and the antisocial behaviour of people once they are away from licensed premises.
- 6.3 The Licensing Authority will ensure that in dealing with applications under the Act the Licensing Authority will follow the required procedures and only take into account issues that are relevant. Specifically, the Licensing Authority will not have regard to “demand” when considering applications for gambling premises; nor will the Licensing Authority consider the suitability of applicants for premises licences (which is a matter for the Gambling Commission). The Licensing Authority will not reject an application on moral grounds. If the Licensing Authority does decide to reject an application, the Licensing Authority will make known the reasons for doing so.
- 6.4 The Council has delegated its licensing function to its Licensing Sub-Committee and Licensing Officers. In the remainder of this Statement of Principles they are referred to collectively as the ‘Licensing Authority’.
- 6.5 Where an application is for a new premises licence, the responsible authorities will usually visit to check that gambling facilities meet all necessary legal requirements.
- 6.6 Where there are no representations (objections), licences and permissions will be granted subject only to any appropriate mandatory conditions (Section 167 of the Act) and any conditions having at least the effect of appropriate default conditions made under Section 168.
- 6.7 If there are objections that cannot be resolved informally, or the Licensing Authority intends to impose extra conditions, the Licensing Authority will hold a public hearing at which the Licensing Sub-Committee will hear evidence and make a decision in accordance with the Act.
- 6.8 This Statement is not intended to override the right of any person to make an application under the Act, and to have that application considered on its merits. Equally, this Statement of Principles is not intended to undermine the right of any person to make representations about an application or to seek a review of a licence where provision has been made for them to do so.

7. Preventing Gambling from being a Source of Crime and Disorder

- 7.1 The Gambling Commission takes the leading role in preventing gambling from being a source of crime, and maintains rigorous licensing procedures aiming to prevent criminals from providing facilities for gambling. Applicants need an operating licence from the Commission before the Licensing Authority will issue a licence to use premises for gambling.
- 7.2 The Licensing Authority will not issue a premises licence to someone who does not hold an operator’s licence, and would not generally be concerned with the suitability of an applicant. Where concerns about a person’s suitability arise the Licensing Authority will bring those concerns to the attention of the Commission.

- 7.3 If an application for a licence or permit is received in relation to premises which are in an area noted for particular problems with organised crime, the Licensing Authority will, in consultation with the Police and other relevant authorities, consider whether specific controls need to be applied to prevent those premises from being a source of crime. This could include a requirement for door supervisors registered by the Security Industries Association.
- 7.4 'Disorder' is generally a matter for the Police; the Licensing Authority will not use this Act to deal with general nuisance issues, for example, parking problems, which can be better dealt with using alternative powers. Disorder will only be considered under this Act if it amounts to activity which is more serious and disruptive than mere nuisance, and where it can be shown that gambling is the source of that disorder. A disturbance might be serious enough to constitute disorder if Police assistance were required to deal with it; the Licensing Authority will then consider how threatening the behaviour was to those who could see or hear it, and whether those people live sufficiently close to be affected or have business interests that might be affected.
- 7.5 When making decisions relating to disorder, the Licensing Authority will give due weight to comments made by the Police.

8. Ensuring Gambling is conducted in a Fair and Open Way

- 8.1 The Gambling Commission does not expect local authorities to become concerned with ensuring that gambling is conducted in a fair and open way. The Commission, through the operating and personal licensing regime, will regulate the management of the gambling business and the suitability and actions of an individual.
- 8.2 As betting track operators do not need an operating licence from the Commission, the Licensing Authority may, in certain circumstances, require conditions of licence relating to the suitability of the environment in which betting takes place.

9. Protecting children and vulnerable people from being harmed or exploited by gambling

- 9.1 The intention of the Act is that children and young persons should not be allowed to gamble, and should be prevented from entering those gambling premises which are 'adult-only' environments.
- 9.2 Codes of Practice – including advice about access by children and young persons – may be published by the Gambling Commission for specific kinds of premises. Applicants are expected to heed this advice where applicable.
- 9.3 The Licensing Authority expects steps to be taken to prevent children from taking part in, or being in close proximity to, gambling. This may include restrictions on advertising to ensure that gambling products are not aimed at children, nor advertised in such a way that makes them particularly attractive to children.
- 9.4 When determining a premises licence or permit the Licensing Authority will consider whether any additional measures are necessary to protect children, such as the supervision of entrances, the segregation of gambling from areas frequented by children and the supervision of gaming machines in non-adult gambling specific premises like pubs, clubs and betting tracks.

- 9.5 In seeking to protect vulnerable people the Licensing Authority will include people who gamble more than they want to, people who gamble beyond their means, and people who may not be able to make informed or balanced decisions about gambling, perhaps due to a mental impairment, alcohol or drugs.
- 9.6 The Licensing Authority will always treat each case on its individual merits and when considering whether specific measures are required to protect children and other vulnerable people, will balance these considerations against the overall principle of aiming to permit the use of premises for gambling.
- 9.7 The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm.

These principles are:

- The need for the body to be responsible for an area covering the whole of the Licensing Authority's area.
 - The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.
- 9.8 In accordance with the suggestion in the Gambling Commission's Guidance for local authorities, this authority designates the Worcestershire Safeguarding Children Partnership for this purpose.

10. Public Health and Gambling

- 10.1 The Licensing Authority agrees with the Gambling Commission's position that gambling-related harm should be considered as a public health issue.
- 10.2 Gambling is a legitimate leisure activity enjoyed by many and the majority of those who gamble appear to do so with enjoyment, and without exhibiting any signs of problematic behaviour. There are however significant numbers of people who do experience significant harm as result of their gambling.
- 10.3 For these problem gamblers, harm can include higher levels of physical and mental illness, debt problems, relationship breakdown and, in some cases, criminality. It can also be associated with substance misuse.
- 10.4 There can also be considerable negative effects experienced by the wider group of people around a gambler. The health and wellbeing of partners, children, and friends can all be negatively affected.
- 10.5 Therefore the Licensing Authority considers that Public Health teams, whilst not a responsible authority under the Act, can still assist the Licensing Authority to address gambling-related harms in its area.

- 10.6 The licensing authority will therefore engage with the local Public Health team in the further development of this Statement of Principles and the Local Area Profile. It is planned that the Public Health team will be able to help the Licensing Authority:
- Identify and interpret health data and evidence to inform the review of the Statement and develop locally tailored local area profiles.
 - Make decisions that benefit and protect the health and wellbeing of local communities.
 - Be clear on issues which they can have regard to when deciding on licenses for a wide range of gambling activities.
 - Conduct a health-impact assessment of gambling in the local area or assess any existing information.

11.0 Local Risk Assessments

11.1 Since 6 April 2016 it has been a requirement for operators to assess local risks to the licensing objectives taking into account this Council's Policy. The operator must also have policies, procedures and control measures in place to mitigate these risks. Risk assessments must be reviewed whenever there are significant changes in local circumstances, or at the premises, or when applying for a new licence or a variation of a licence. Risks in this context include actual, potential and possible future emerging risks to the licensing objectives.

11.2 The Licensing Authority will expect the local risk assessment to consider, for example:

- whether the premise is in an area of deprivation;
- whether the premise is in an area subject to high levels of crime and/or disorder;
- whether the premise is near an addiction treatment facility and in general consider the demographics of the area in relation to vulnerable groups;
- the location of sensitive buildings such as schools, playgrounds, toy shops, leisure centres, libraries and other areas where children are likely to gather; and
- how vulnerable persons as defined within this Policy are protected.

11.3 In compiling their local risk assessment the Licensing Authority shall also expect operators to take into account the general principles as set out in this Policy and the Local Area Profile.

11.4 Other matters that the risk assessment may include are, for example:

- Staff training, including refresher training, e.g. such as intervention when customers show signs of excessive gambling, in the mandatory licensing conditions, in location of the premises licence; in location of information relating to gambling care providers, etc.
- Where installed, details of CCTV coverage and how the system will be monitored.
- Layout of the premises to ensure staff have unobstructed views of persons using the premises or where this is not possible, evidence of how this can be achieved.
- The number of staff employed at the premises at any one time taking into account any effects from seasonal trade in the area.
- Where only one staff member is employed – in the case of smaller premises, – what the supervisory and monitoring arrangements are when that person is absent from the licensed area or distracted for any other reason.
- Provision of signage and documents relating to games rules, gambling care providers.
- The mix of gambling provided.
- Consideration of primary gambling activity and location of gaming machines.

11.5 Applicants for premises licences are encouraged to consider, as part of their risk assessment, any prohibitions or restrictions of their own in circumstances where it is felt that the presence of children would be undesirable or inappropriate.

11.6 Operators are expected to share their risk assessments with the Licensing Authority when applying for a new premises licence, applying for a variation to an existing licensed premise or otherwise upon request. These risk assessments must in any event be kept under regular review and updated as necessary. The Licensing Authority expects a copy of the most recent local risk assessment to be kept on each premises that is subject to a premises licence under the Gambling Act 2005.

11.7 The information contained within the risk assessment may be used to inform the decision the Licensing Authority makes about whether or not to grant the licence, to grant the licence with special conditions or to refuse the application.

11.8 However, in all circumstances each application will be treated on its own merits with the onus on the applicant providing the Licensing Authority with sufficient information to make their determination with the underpinning statutory aim of permitting gambling subject to being reasonably consistent with the licensing objectives.

11.9 In its Guidance to Licensing Authorities, the Gambling Commission suggests that Licensing Authorities should adopt a 'Local Area Profile'. The Guidance suggests that a Local Area Profile is a process of gathering and presenting information about a locality and any particular areas of concern within that locality. It underpins and explains the approach that the Licensing Authority will apply when granting licences. The Licensing Authority has created a Local Area Profile to assist applicants and licence holders to conduct their local risk assessments.

11.10 The Licensing Authority expects local risk assessments to be kept under review and updated as necessary. The Licensing Authority expect local risk assessments to be subject to a review whenever there is a significant change at or near the premises and in any event at least every twelve months.

12.0 Premises licences

12.1 A premises licence can authorise the provision of facilities at the following :

- casino premises
- bingo premises
- betting premises, including betting tracks
- adult gaming centres
- family entertainment centres

12.2 Premises can be 'any place' but the Act generally prevents more than one premises licence applying to any one place. A single building could be subject to more than one premises licence provided they are for different parts of the building and those parts can be reasonably regarded as being separate 'premises'.

- 12.3 This will allow large, multiple unit premises such as tracks, shopping malls or service stations to obtain discrete premises licences, with appropriate safeguards in place. The Licensing Authority will pay particular attention if there are issues about sub-divisions of a single building or plot and mandatory conditions relating to access between premises are observed. The Licensing Authority will not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partition, can properly be regarded as different premises. Whether different parts of a building can properly be regarded as being separate premises will depend on the individual circumstances of the case.
- 12.4 A particular requirement might be for entrances and exits from parts of a building covered by one or more licences to be separate and identifiable so that the separation of the premises is not compromised and people are not allowed to 'drift' accidentally into a gambling area. It should normally be possible to access the premises without going through another licensed premises or premises with a permit. The Licensing Authority would also expect customers to be able to participate in the activity named on the premises licence.
- 12.5 The Secretary of State appointed an independent Casino Advisory Panel to advise the Government on the areas in which small and/or large casinos may be located. The Borough of Redditch was not identified as a suitable location for a casino; consequently the Licensing Authority is currently prevented from granting a Casino Premises Licence.
- 12.6 The Council has not passed a resolution under section 166(5) of the Gambling Act 2005 to not issue casino premises licences. If such a resolution were considered in the future, the Council would carry out a full public consultation and consider all responses before passing such a resolution.
- 12.7 The Licensing Authority will not turn down applications for premises licences where relevant objections can be dealt with through the use of licence conditions.
- 12.8 Other than an application for a betting premises licence for a track, the Licensing Authority are not able to issue a premises licence unless the applicant holds the relevant operating licence from the Gambling Commission.
- 12.9 When considering applications for premises licences the Licensing Authority will not take into account either the expected 'demand' for facilities or the likelihood of planning permission or building regulation approval being granted, as well as 'moral' objections to gambling. Equally, the grant of a premises licence would not prejudice or prevent any action that may be appropriate under the law relating to planning or building regulations.
- 12.10 The Licensing Authority are aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to our decision-making. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated.
- 12.11 The Licensing Authority will only issue a premises licence once the Licensing Authority are satisfied that the premises is ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required. If the construction of a premises is not yet complete, or if they need alteration, or the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made.

12.12 The Licensing Authority will apply a two stage consideration process if there is outstanding construction or alteration works at the premises:

- should the premises be permitted to be used for gambling;
- can appropriate conditions be imposed to cater for the situation that the premises is not yet in the state in which they should be before gambling takes place.

12.13 The Licensing Authority is entitled to decide whether or not it is appropriate to grant a licence subject to conditions.

~~12.14 Applicants for premises licences are encouraged to propose any prohibitions or restrictions of their own in circumstances where it is felt that the presence of children would be undesirable or inappropriate.~~

12.14 The Licensing Authority will maintain a public register of premises licence applications received which may be viewed at the Council Offices during normal office hours which are generally Monday – Friday 9am until 5pm.

13.0 Responsible authorities

13.1 Responsible authorities are identified in the legislation, and have to be notified about licence applications so that they can identify any risks. The responsible authorities that the Licensing Authority recognises are listed below, contact details for each of the responsible authorities identified are available on our website www.redditchbc.gov.uk, and will be sent on request.

- the Gambling Commission
- the Chief of Police for the area
- Fire & Rescue Service
- Redditch Planning Department
- Environmental Services Department
- Worcestershire Safeguarding Children Partnership
- HM Revenue and Customs
- Redditch Licensing Department
- any other bodies identified in Regulation by the Secretary of State,
- for vessels, the Environment Agency, Canal and River Trust, Secretary of State.

13.2 Any concerns expressed by a Responsible Authority cannot be taken into account unless they are relevant to the application itself and the licensing objectives. However, each representation will be considered on its own individual merits.

14.0 Interested Parties

14.1 An interested party is someone who:

- lives sufficiently close to the premises to be likely to be affected by the authorised activities; or
- has business interests that might be affected by the authorised activities; or
- represents persons in either of the two groups above.

- 14.2 The Licensing Authority will generally require written evidence that a person/body 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representations is sufficient. Whilst this may not apply to those elected ward members or MP or Parish Councillors, those persons should be aware of the need to represent the whole of the community that they represent and not just the vocal 'minority'.
- 14.3 In determining whether someone lives sufficiently close to a 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 distance of the premises from the person making the representation
 - the identity of the complainant
 - the potential impact of the premises
- 14.4 In determining whether a person has a business interest which could be affected the Council 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 interests in the catchment area that might be affected
- 14.5 If an existing gambling business makes a representation that it is going to be affected by another gambling business starting up in the area, the Licensing Authority would not consider this, in the absence of other evidence, as a relevant representation as it does not relate to the licensing objectives and instead relates to demand or competition.
- 14.6 The Licensing Authority may consider a representation to be either frivolous or vexatious, and reject it. This will generally be a matter of fact given the circumstances of each individual case but, before coming to a decision the Licensing Authority will normally consider:
- who is making the representation and whether there is a history of making representations that are not relevant,
 - whether it raises an issue relevant to the licensing objectives, or
 - whether it raises issues specifically to do with the premises which are the subject of the application.

15.0 Licence conditions

- 15.1 The mandatory and default conditions prescribed under the Gambling Act 2005 are designed to be, and usually are, sufficient to ensure operation that is consistent with the licensing objectives
- 15.2 However in exceptional circumstances when considering a particular cases the Licensing Authority may find it necessary to impose conditions beyond appropriate mandatory and default conditions. Any such conditions will be relevant to the need to make the building suitable for use as a gambling facility; directly related to the premises and the type of licence applied for; fairly and reasonably related to the scale and type of premises and reasonable in all other respects. The Licensing Authority will not have recourse to a pool of standard conditions.

- 15.3 The Licensing Authority will also ensure that where category C or above machines that are on offer in premises to which children are admitted are located in an area of the premises which is separated by a physical barrier to prevent access other than through a designated entrance; the designated area is supervised and observed by staff or the licence holder.
- 15.4 Examples of conditions which are likely to be attached in certain circumstances include those relating to opening hours, segregation of gambling from non-gambling areas frequented by children, SIA licensed door supervisors, appropriate signage for adult only areas, age limits, or keeping children and young persons away from gaming machines. The Licensing Authority will also expect the applicant to offer their own suggestions as to ways in which the licensing objectives can be promoted effectively.
- 15.5 The Licensing Authority will not seek to control those matters specified in the Act with conditions:
- which make it impossible to comply with an operating licence condition imposed by the Gambling Commission;
 - relating to gaming machine categories or method of operation;
 - which specify that membership of a club or other body is required; or
 - in relation to stakes, fees, winnings or prizes.
- 15.6 Duplication with other statutory or regulatory regimes will be avoided as far as possible. The need for conditions will be assessed on the specific merits of each application.
- 16.0 Gaming Machines**
- 16.1 Gaming machines include all types of gambling activity which can take place on a machine, including betting on 'virtual' events.
- 16.2 The Act itself prescribes the number and category of gaming machines that are permitted in each type of gambling premises.
- 16.3 Subject to the provisions of the Act, gaming machines can be made available in a wide variety of premises, including:
- casinos;
 - bingo premises;
 - betting premises, (including tracks);
 - adult gaming centres;
 - family entertainment centres;
 - clubs;
 - pubs and other alcohol licensed premises;
 - travelling fairs.
- 16.4 A machine is not a gaming machine if the winning of a prize is determined purely by the player's skill. However, any element of 'chance' imparted by the action of the machine would bring it within the definition of a gaming machine.
- 16.5 The Licensing Authority will encourage permit and premises licence holders to adopt applicable codes of practice which may be introduced by the amusement industry or Gambling Commission, from time to time.

17 Gambling in Alcohol Licensed Premises

- 17.1 There are exemptions in the Act that provide for a limited amount of gambling activity to take place within premises that are subject to a relevant valid alcohol licence.
- 17.2 These exemptions only apply where a premises is subject to a licence that authorises the sale of alcohol for consumption on the premises and that has a bar at which alcohol is served without a requirement that alcohol is served only with food.
- 17.3 In all cases the licensing authority considers that gambling must remain ancillary to the main purpose of the premises.

Automatic entitlement to two gaming machines

- 17.4 Section 282 of the Act provides an automatic entitlement to alcohol licence holders to make available two gaming machines (of category C or D) for use in alcohol-licensed premises. To take advantage of this entitlement, the person who holds the on-premises alcohol licence must give notice to the Licensing Authority of their intention to make gaming machines available for use, and must pay the prescribed fee.
- 17.5 This is not an authorisation procedure. The Licensing Authority has no discretion to consider the notification or to turn it down. The only matter to determine is whether the person applying for the automatic gaming machine entitlement is the holder of the alcohol licence and whether the prescribed fee has been paid. There is no statutory requirement for pubs and other alcohol-licensed premises to display a notice of their automatic entitlement to gaming machines.
- 17.6 The Licensing Authority expects licence holders making machines available in accordance with their automatic entitlement to comply with the Gambling Commission's code of practice for gaming machines in clubs and premises with an alcohol licence.
- 17.7 The Licensing Authority can remove the automatic authorisation in respect of any particular premises by making an order under section 284 of the Act. The Licensing Authority can do so if:
- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives
 - gaming has taken place on the premises that breaches a condition of s.282, for example the gaming machines have been made available in a way that does not comply with requirements on the location and operation of gaming machines
 - the premises are mainly used for gaming
 - an offence under the Act has been committed on the premises.
- 17.8 Before making an order, the Licensing Authority will give the licensee at least 21 days' notice of the intention to make the order and will consider any representations that they may make. The Licensing Authority will hold a hearing if the licensee so requests and will comply with any other procedural requirements set out in regulations. If there is no appeal, the order will take effect 21 days after notice of the intention was given. The Licensing Authority must give the licensee a copy of the order and written reasons for making it. The licensee may appeal to the Magistrates' Court.

Licensed Premises Gaming Machine Permits

- 17.9 Where the holder of a relevant alcohol licence wishes to make more than two gaming machines available, they may apply for a licensed premises gaming machine permit. Such a permit can authorise the provision of any number of category C or D gaming machines within the relevant licensed premises.
- 17.10 The Licensing Authority expects licence holders making machines available in accordance with a licensed premises gaming machine permit to comply with the Gambling Commission's code of practice for gaming machines in clubs and premises with an alcohol licence.
- 17.11 Applications must be made by a person or organisation that holds the on-premises alcohol licence for the premises for which the application is made and must include information on the premises to which it relates and the number and category of gaming machines sought.
- 17.12 The Licensing Authority may also require an applicant to submit a plan of the premises showing where the gaming machines are to be located and showing the position of the bar.
- 17.13 In determining an application, the Licensing Authority must have regard to the licensing objectives and to the Gambling Commission's Guidance to Licensing Authorities. The Licensing Authority may also take account of any other matters that are considered relevant to the application.
- 17.14 In particular the Licensing Authority will have regard to the size and nature of the premises, the number of gaming machines requested and the ability of the licence holder to comply with the relevant code of practice.
- 17.15 The application does not require notification to the Commission or police before determination, however, the Licensing Authority is able to specify this as a requirement should they see fit.
- 17.16 The Licensing Authority may grant or refuse an application. In granting the application, it may vary the number and category of gaming machines authorised by the permit. If granted, the Licensing Authority will issue the permit as soon as possible after that. Where they refuse the application they will notify the applicant as soon as possible, setting out the reasons for refusal. The Licensing Authority will not refuse an application, or grant it for a different number or category of machines, unless they have notified the applicant of their intention to do so and given the applicant an opportunity to make representations, orally, in writing, or both.
- 17.17 The Licensing Authority is able to cancel a permit. It may only do so in specified circumstances which include if the premises are used wholly or mainly by children or young persons or if an offence under the Act has been committed. Before it cancels a permit the Licensing Authority will notify the holder, giving 21 days notice of intention to cancel, consider any representations made by the holder, hold a hearing if requested, and comply with any other prescribed requirements relating to the procedure to be followed. Where the Licensing Authority cancels the permit, the cancellation does not take effect until the period for appealing against that decision has elapsed or, where an appeal is made, until the appeal is determined.

- 17.18 The Licensing Authority can also cancel a permit if the holder fails to pay the annual fee, unless failure is the result of an administrative error. The court may order forfeiture of the permit if the holder is convicted of a relevant offence.
- 17.19 The applicant may appeal to the Magistrates' Court against the Licensing Authority's decision not to issue a permit. The holder can also appeal against a decision to cancel a permit.

Exempt Gaming

- 17.20 Exempt gaming is generally permissible in any relevant alcohol licensed premises. Such gaming must be equal chance gaming and must be ancillary to the purposes of the premises. This provision is automatically available to all such premises, but is subject to statutory stakes and prize limits determined by the Secretary of State.
- 17.21 Equal chance gaming is gaming that does not involve staking against a bank and the chances of winning are equally favourable to all participants. It includes games such as backgammon, mah-jong, rummy, kalooki, dominoes, cribbage, bingo and poker.
- 17.22 The Secretary of State has set both daily and weekly prize limits for exempt gaming in alcohol licensed premises and details of these can be found on the Gambling Commission's website.
- 17.23 The Licensing Authority expects exempt gaming in alcohol licensed premises to comply with the Gambling Commission's code of practice on equal chance gaming in clubs and premises with an alcohol licence.
- 17.24 The Licensing Authority can remove the automatic authorisation for exempt gaming in respect of any particular premises by making an order under s.284 of the Act, if:
- provision of the gaming is not reasonably consistent with the pursuit of the licensing objectives
 - gaming has taken place on the premises that breaches a condition of s.279, for example the gaming does not abide by the prescribed limits for stakes and prizes, a participation fee is charged for the gaming or an amount is deducted or levied from sums staked or won
 - the premises are mainly used for gaming
 - an offence under the Act has been committed on the premises.
- 17.25 Before making an order, the Licensing Authority will give the licensee at least 21 days' notice of the intention to make the order and consider any representations that they may make. The Licensing Authority will hold a hearing if the licensee so requests and will comply with any other procedural requirements set out in regulations. If there is no appeal, the order will take effect 21 days after notice of the intention was given. The Licensing Authority must give the licensee a copy of the order and written reasons for making it. The licensee may appeal to the Magistrates' Court.

18 Gambling in Clubs

Defining Clubs

18.1 The Act creates a separate regime for gaming in clubs from that in other relevant alcohol licensed premises. It defines two types of club for the purposes of gaming:

- members' clubs (including miners' welfare institutes)
- commercial clubs.

This is an important distinction in respect of the gaming that may take place.

- 18.2 A members' club is a club that is not established as a commercial enterprise and is conducted for the benefit of its members. Examples include working mens' clubs, miners' welfare institutes, branches of the Royal British Legion and clubs with political affiliations.
- 18.3 Miners' welfare institutes are associations established for recreational or social purposes. They are managed by representatives of miners or use premises regulated by a charitable trust which has received funds from one of a number of mining organisations.
- 18.4 A commercial club is a club established for commercial gain, whether or not they are actually making a commercial gain. Examples include commercial snooker clubs, clubs established as private companies and clubs established for personal profit.
- 18.5 The Licensing Authority expects exempt gaming in clubs to comply with the Gambling Commission's code of practice on equal chance gaming in clubs and premises with an alcohol licence.

Exempt Gaming

- 18.6 Exempt gaming is generally permissible in any club. Such gaming must be equal chance gaming and be ancillary to the purposes of the club. This provision is automatically available to all such premises, but is subject to statutory stakes and prize limits determined by the Secretary of State.
- 18.7 Equal chance gaming is gaming that does not involve staking against a bank and the chances of winning are equally favourable to all participants. It includes games such as backgammon, mah-jong, rummy, kalooki, dominoes, cribbage, bingo and poker.
- 18.8 The Secretary of State has set both daily and weekly prize limits for exempt gaming. Different higher stakes and prizes are allowed for exempt gaming in clubs than are allowed in alcohol-licensed premises and details of these can be found on the Gambling Commission's website.
- 18.9 Clubs may levy a charge for participation in equal chance gaming under the exempt gaming rules. The amount they may charge is as prescribed in regulations and the relevant details can be found on the Gambling Commission's website. However in order to qualify as exempt gaming, clubs may not charge a rake on games (a commission or fee deducted from the prize fund), or levy or deduct an amount from stakes or winnings.

- 18.10 The Licensing Authority expects exempt gaming in clubs to comply with the Gambling Commission's code of practice on equal chance gaming in clubs and premises with an alcohol licence.

Club Gaming Permits

- 18.11 The Licensing Authority may grant members' clubs and miners' welfare institutes (but not commercial clubs) club gaming permits which authorise the establishments to provide gaming machines, equal chance gaming (without having to abide by the stake and prize limits which would apply to exempt gaming in the absence of a permit) and games of chance as prescribed in regulations namely pontoon and chemin de fer. This is in addition to the exempt gaming authorisation detailed above.
- 18.12 Club gaming permits allow the provision of no more than three gaming machines. These may be from categories B3A, B4, C or D but only one B3A machine can be sited as part of this entitlement.
- 18.13 Where a club has gaming machines the licensing authority expects the club to comply with the Gambling Commission's code of practice for gaming machines in clubs and premises with an alcohol licence.

Club Machine Permits

- 18.14 If a members' club or a miners' welfare institute does not wish to have the full range of facilities permitted by a club gaming permit, they may apply to the Licensing Authority for a club machine permit under s.273 of the Act. This type of permit authorises the holder to have up to three gaming machines of categories B3A, B4, C and D.
- 18.15 Commercial clubs are also able to apply for a club machine permit, although such a permit does not allow the siting of category B3A gaming machines by commercial clubs.
- 18.16 Where a club has gaming machines the Licensing Authority expects the club to comply with the Gambling Commission's code of practice for gaming machines in clubs and premises with an alcohol licence.

Applications for Club Gaming Permits and Club Machine Permits

- 18.17 Applications for permits must be accompanied by the prescribed documents and fees and must be copied to the Gambling Commission and the Chief Officer of Police within the prescribed period. The Commission and the Police may object to the permit being granted and if such objections are received, the Licensing Authority will hold a hearing.
- 18.18 The Licensing Authority may grant or refuse a permit, but it may not attach any conditions to a permit.

18.19 The Licensing Authority can only refuse an application on the grounds that:

- a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which 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
- e) an objection has been lodged by the Commission or the police.

18.20 If the Licensing Authority is satisfied that (a) or (b) is the case, it must refuse the application. The Licensing Authority will have regard to relevant guidance issued by the Commission and (subject to that guidance), the licensing objectives.

18.21 In cases where an objection has been lodged by the Commission or the police, the Licensing Authority is obliged to determine whether the objection is valid.

18.22 There is a fast-track procedure for clubs in England and Wales which hold a club premises certificate under s.72 of the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which the Licensing Authority can refuse a permit are reduced.

18.23 This is because the club or institute will already have been through a licensing process in relation to its club premises certificate under the 2003 Act, and it is therefore unnecessary to impose the full requirements of Schedule 12.

18.24 Commercial clubs cannot hold club premises certificates under the Licensing Act 2003 and so cannot use the fast-track procedure.

Determining Applications for Club Gaming Permits

18.25 When determining applications for Club Gaming Permits the Licensing Authority will take steps to satisfy itself that the club meets the requirements of the Act and to enable this to happen, clubs may be asked to supply additional information and documents in support of their application.

18.26 The Licensing Authority is particularly aware of the potential for club gaming permits to be misused for illegal poker clubs.

18.27 In determining whether a club is a genuine members' club, the Licensing Authority will take into account the matters set out in relevant part of the Gambling Commission's Guidance to Licensing Authorities.

18.28 A visit to the premises before granting of the permit may also be undertaken to assist the Licensing Authority to understand how the club will operate.

Maintenance of Permits

18.29 Club Gaming Permits and Club Machine Permits will have effect for ten years, unless it ceases to have effect because it is surrendered or lapses or is renewed. However, a permit granted under the fast-track procedure does not expire, unless it ceases to have effect because it is surrendered, cancelled or forfeited or it lapses.

18.30 A permit will lapse if the holder of the permit stops being a club or miners' welfare institute, or if it no longer qualifies under the fast-track system for a permit. In addition, a permit will cease to have effect upon being surrendered to the authority. A notice to surrender must be accompanied by the permit or a statement explaining why it cannot be produced. The Licensing Authority must inform the Police and the Commission when a permit has been surrendered or lapsed.

Cancellation and forfeiture of permits

18.31 The Licensing Authority may cancel the permit if:

- the premises are used wholly by children and/or young persons
- an offence or breach of a permit condition has been committed in the course of gaming activities by the permit holder.

18.32 Reference here to 'a permit condition' means a condition in the Act or in regulations that the permit is operating under.

18.33 Before cancelling a permit, the Licensing Authority will give the permit holder at least 21 days' notice of the intention to cancel and consider any representations that they may make. The Licensing Authority will hold a hearing if the permit holder so requests and will comply with any other procedural requirements set out in regulations. If there is no appeal, the cancellation will take effect 21 days after notice of the intention to cancel was given. The Licensing Authority will notify the permit holder, the Commission and the police that the permit has been cancelled and the reasons for the cancellation.

Renewal of permits

18.34 In accordance with paragraph 24 of Schedule 12 of the Act, an application for renewal of a permit must be made during the period beginning three months before the licence expires and ending six weeks before it expires. The procedure for renewal is the same as for an application.

18.35 The duration of the permit will not be curtailed while a renewal application is pending, including an appeal against a decision not to renew.

18.36 If, at the time a permit is renewed, the applicant holds a club premises certificate, the fast-track procedure will apply as it does when application is first made for the permit.

19 Unlicensed Family Entertainment Centre Permits

Introduction

19.1 Unlicensed family entertainment centres (uFEC) are able to offer only category D machines in reliance on a gaming machine permit. Any number of category D machines can be made available with such a permit, although there may be other considerations, such as fire regulations and health and safety, to take into account. Permits cannot be issued in respect of vessels or vehicles.

19.2 uFECs are premises which are 'wholly or mainly' used for making gaming machines available. The permit cannot therefore be granted for an entire shopping centre, airport or bowling alley, for example.

Applications for Unlicensed Family Entertainment Centre Permits

- 19.3 The application for a permit can only be made by a person who occupies or plans to occupy the premises to be used as an uFEC and, if the applicant is an individual, he or she must be aged 18 or over. Applications for a permit cannot be made if a premises licence under the Gambling Act 2005 is in effect for the same premises. The application must be made to the licensing authority in whose area the premises are wholly or partly situated.
- 19.4 The application must be submitted on Licensing Authority's standard form and be accompanied by the prescribed application fee. The Licensing Authority also requires the application to be accompanied by a plan of the premises that will be used as an uFEC, which shows the location of any gaming machines that will be provided if the permit were to be granted.
- 19.5 The Licensing Authority requires applicants for uFEC permits to provide a Basic Disclosure certificate issued by the Disclosure and Barring Service (DBS) within a period of one month before the application is made. Where the applicant is a company, a Basic Disclosure certificate must be supplied in respect of each director of the company.

Consideration of Applications

- 19.6 The Licensing Authority can grant or refuse an application for a permit, but cannot add conditions. An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an uFEC, and if the chief officer of police has been consulted on the application.
- 19.7 When considering an application, the Licensing Authority will consider the suitability of the applicant. Given that family entertainment centres are likely to appeal particularly to children and young persons, the licensing authority will give particular weight to matters relating to the protection of children from being harmed or exploited by gambling.
- 19.8 In considering the application, the Licensing Authority shall have regard to the Gambling Commission's Guidance to Licensing Authorities and will also have regard to the licensing objectives.
- 19.9 The Licensing Authority may also consider asking applicants to demonstrate:
- that they have suitable policies and procedures in place for the safeguarding of children and young persons.
 - a full understanding of the maximum stakes and prizes of the gambling that is permissible in uFECs
 - that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act)
 - that employees at the premises are suitably vetted
 - that employees are trained to have a full understanding of the maximum stakes and prizes.
- 19.10 The Licensing Authority may not refuse an application unless it has notified the applicant of the intention to refuse and the reasons for it, and given them an opportunity to make representations orally or in writing or both.
- 19.11 The permit will have effect for ten years, unless it ceases to have effect because it is surrendered or lapses or is renewed. There is no annual fee for an uFEC gaming machine permit.

19.12 The permit may lapse for a number of reasons, namely:

- if the holder ceases to occupy the premises
- if the Licensing Authority notifies the holder that the premises are not being used as an uFEC
- if an individual permit holder dies, becomes incapable by reason of mental or physical incapacity, becomes bankrupt, or sequestration of his estate is ordered
- if the company holding the permit ceases to exist, or goes into liquidation.

Renewal of a Permit

19.13 An application for renewal of an uFEC gaming machine permit must be made during the period beginning six months before the permit expires and ending two months before it expires. The procedure for renewal is the same as for an application. Licensing Authority may only refuse to renew a permit on the grounds that:

- an authorised local authority officer has been refused access to the premises without reasonable excuse
- renewal would not be reasonably consistent with the licensing objectives. In this respect, the licensing authority will have the benefit of having consulted the chief officer of police and will be aware of any concerns that have arisen about the use of the premises during the life of the permit.

19.14 The duration of the permit will not be curtailed while a renewal application is pending, including an appeal against a decision not to renew.

20. Prize Gaming Permits

20.1 Gaming is prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. Normally the prizes are determined by the operator before play commences.

20.2 A prize gaming permit is a permit issued by the Licensing Authority to authorise the provision of facilities for gaming with prizes on specified premises.

Applications for Prize Gaming Permits

20.3 An application for a permit can only be made by a person who occupies or plans to occupy the relevant premises and if the applicant is an individual, he must be aged 18 or over. An application for a permit cannot be made if a premises licence or club gaming permit is in effect for the same premises under the Gambling Act 2005. The application must be made to the Licensing Authority in whose area the premises are wholly or partly situated.

20.4 The application must be submitted on Licensing Authority's standard form and be accompanied by the prescribed application fee. The Licensing Authority also requires the application to be accompanied by a plan of the premises that will be used for gaming with prizes.

20.5 The Licensing Authority requires applicants for prize gaming permits to provide a Basic Disclosure certificate issued by the Disclosure and Barring Service (DBS) within a period of one month before the application is made.

Consideration of Applications

- 20.6 In considering an application, the licensing authority shall have regard to the Gambling Commission's Guidance to Licensing Authorities and will also have regard to the licensing objectives.
- 20.7 The Licensing Authority can grant or refuse an application for a permit, but cannot add conditions.
- 20.8 The Licensing Authority will grant a prize gaming permit only if they have consulted the chief officer of police about the application. The Licensing Authority will take account of any objections that the police may wish to make which are relevant to the licensing objectives.
- 20.9 Relevant considerations would include the suitability of the applicant in terms of any convictions that they may have that would make them unsuitable to operate prize gaming; and the suitability of the premises in relation to their location and any issues concerning disorder.
- 20.10 A permit cannot be issued in respect of a vessel or a vehicle.
- 20.11 The Licensing Authority will ask the applicant to set out the types of gaming that they are intending to offer and expects that the applicant should be able to demonstrate that:
- they understand the limits to stakes and prizes that are set out in regulations
 - the gaming offered is within the law.
- 20.12 The Licensing Authority will not refuse an application unless they have notified the applicant of the intention to refuse and the reasons for it, and given them an opportunity to make representations orally or in writing or both.
- 20.13 If granted, the permit will have effect for ten years, unless it ceases to have effect, lapses or is renewed. There is no annual fee for prize gaming permits.
- 20.14 The permit may lapse for a number of reasons:
- if the holder ceases to occupy the premises
 - if an individual permit holder dies, becomes incapable by reason of mental or physical incapacity, becomes bankrupt, or sequestration of his estate is ordered
 - if a company holding the permit goes into liquidation
 - if the holder (for example a partnership) otherwise ceases to exist.

Renewal of a Prize Gaming Permit

- 20.15 An application for renewal of a permit must be made during the period beginning six months before the permit expires and ending two months before it expires. The procedure for renewal is the same as for an application.
- 20.16 A permit will not cease to have effect while a renewal application is pending, including an appeal against a decision not to renew.

21.0 Temporary Use Notices

- 21.1 These 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. The Licensing Authority would object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises. Premises that might be suitable for a temporary use notice would include hotels, conference centres and sporting venues. A temporary use notice may only be granted to a person or company holding a relevant operating licence.
- 21.2 Temporary use notices may only be used to permit the provision of facilities for equal chance gaming, where the gaming is intended to produce a single overall winner. Equal chance gaming is gaming which does not involve playing or staking against a bank and gives equally favourable chances to all participants. Examples of equal chance gaming include games such as backgammon, mah-jong, rummy, kalooki, dominoes, cribbage, bingo and poker.

22.0 Occasional Use Notices

- 22.1 Occasional use notices relate to particular activities at tracks. The Licensing Authority's only role is to ensure that the statutory limit of 8 days in a calendar year is not exceeded. Whilst tracks are normally thought of as permanent racecourses, this can also include land which has a number of uses for example agricultural land upon which a point-to-point meeting takes place. Land used temporarily as a track can qualify, provided races or sporting events take place or will take place there. The track need not be a permanent fixture.
- 22.2 The Licensing Authority will share information with the Gambling Commission in relation to any Occasional Use Notices received. The Licensing Authority may also work in partnership with the Gambling Commission to carry out test purchase operations involving licensed operators that are providing facilities for betting in reliance on an Occasional Use Notice.

23. Lotteries

Introduction

- 23.1 A lottery is any arrangement that satisfies all of the criteria contained within the statutory description of either a simple lottery or a complex lottery, under s.14 of the Act.
- 23.2 An arrangement is a simple lottery if:
- persons are required to pay to participate
 - one or more prizes are allocated to one or more members of a class
 - the prizes are allocated by a process which relies wholly on chance.

23.3 An arrangement is a complex lottery if:

- persons are required to pay to participate
- one or more prizes are allocated to one or more members of a class
- the prizes are allocated by a series of processes
- the first of those processes relies wholly on chance.

23.4 The Gambling Act 2005 provides that promoting or facilitating a lottery is illegal, unless it falls into one of two categories of permitted lottery, namely:

- licensed lotteries – these are large society lotteries and lotteries run for the benefit of local authorities that are regulated by the Commission and require operating licences
- exempt lotteries – there are four types of exempt lottery that are expressly permitted under Schedule 11 of the Act, including the small society lottery.

23.5 The Licensing Authority is responsible for the registration of societies for the purpose of carrying on “small society lotteries.” Information on other forms of exempt lotteries is available from the Gambling Commission website.

23.6 The Licensing Authority defines ‘society’ as the society, or any separate branch of such a society, on whose behalf a lottery is to be promoted, and needs to understand the purposes for which a society has been established in ensuring that it is a non-commercial organisation.

23.7 Section 19 of the Act defines a society as such if it is established and conducted:

- for charitable purposes, as defined in section 2 of the Charities Act 2006
- for the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity
- for any other non-commercial purpose other than that of private gain.

23.8 It is inherent in this definition that the society must have been established for one of the permitted purposes as set out in section 19 of the Act, and that the proceeds of any lottery must be devoted to those purposes. It is not permissible to establish a society whose sole purpose is to facilitate lotteries.

Registration Applications

23.9 The Licensing Authority with which a small society lottery is required to register must be in the area where their principal office is located. If the Licensing Authority believes that a society’s principal office is situated in another area, it will inform the society and the other Licensing Authority as soon as possible.

23.10 Applications for small society lottery registrations must be in the form prescribed by the Secretary of State and be accompanied by both the required registration fee and all necessary documents required by the Licensing Authority to assess the application.

23.11 If there is any doubt as to the status of a society that makes application for registration to carry on small society lotteries, the Licensing Authority may require the society to provide documentary evidence in support of their application. The types of evidence that may be required include, but are not restricted to:

- A list of the members of the society
- The society's constitution or a similar document setting out the aims and objectives of the society and its governance arrangements
- A written declaration from the applicant stating that they represent a *bona fide* non-commercial society.

23.12 The Licensing Authority shall refuse an application for registration if in the period of five years ending with the date of the application—

- an operating licence held by the applicant for registration has been revoked under section 119(1) of the Act, or
- an application for an operating licence made by the applicant for registration has been refused.

23.13 The Licensing Authority may refuse an application for registration if they think that—

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

23.14 The Licensing Authority may only refuse an application for registration after the society has had the opportunity to make representations at a formal hearing. If the Licensing Authority is minded to refuse registration, it will inform the society of the reasons why it is minded to do so and provide it with an outline of the evidence on which it has reached that preliminary conclusion, in order to enable representations to be made.

23.15 Any representations received will be considered at a formal hearing and the following principles will be applied when reaching a decision:

- Whether allowing the registration of the society would be consistent with the Act
- Whether allowing the registration of the society would be consistent with the promotion of the licensing objectives
- Whether allowing the registration of the society would be consistent with any relevant code of practise issued by the Gambling Commission

Promotion of small society lotteries once registered

23.16 Participation in a lottery is a form of gambling, and as such the Licensing Authority requires societies that it registers to conduct their lotteries in a socially responsible manner and in accordance with the Act.

23.17 The Act requires that lottery tickets may only be sold by persons that are aged 16 or over to persons that are aged 16 or over.

23.18 As the minimum age for participation in a lottery is 16, the Licensing Authority expects those societies that it registers to have effective procedures to minimise the risk of lottery tickets being sold to children, including procedures for:

- checking the age of apparently underage purchasers of lottery tickets
- taking action where there are unlawful attempts to purchase tickets.

- 23.19 Lotteries may involve the issuing of physical or virtual tickets to participants (a virtual ticket being non-physical, for example in the form of an email or text message). All tickets must state:
- the name of the promoting society
 - the price of the ticket, which must be the same for all tickets
 - the name and address of the member of the society who is designated as having responsibility at the society for promoting small lotteries or, if there is one, the external lottery manager (ELM)
 - the date of the draw, or information which enables the date to be determined.
- 23.20 The requirement to provide this information can be satisfied by providing an opportunity for the participant to retain the message electronically or print it.
- 23.21 The Licensing Authority expects all registered small society lottery operators to maintain written records of any unsold and returned tickets for a period of one year from the date of the lottery draw.
- 23.22 With regards to where small society lottery tickets may be sold, the Licensing Authority applies the following criteria to all small society lottery operators:
- 23.23 Lottery tickets must not be sold to a person in any street. For these purposes 'street' includes any bridge, road, lane, footway, subway, square, court, alley or passage (including passages through enclosed premises such as shopping malls) whether a thoroughfare or not. Tickets may, however, be sold in a street from a static structure such as a kiosk or display stand. Tickets may also be sold door to door. Licensees must ensure that they have any necessary local authority permissions, such as a street trading licence.
- 23.24 This approach is consistent with the operating licence conditions imposed upon operators of large society lotteries and local authority lotteries.

Financial Returns

- 23.25 As the purpose of permitted lotteries is to raise money for non-commercial causes, the Act requires that a minimum proportion of the money raised by the lottery is channelled to the goals of the society that promoted the lottery. If a small society lottery does not comply with these limits it will be in breach of the Act's provisions, and consequently be liable to prosecution.
- 23.26 The limits are as follows:
- at least 20% of the lottery proceeds must be applied to the purposes of the society
 - no single prize may be worth more than £25,000
 - rollovers between lotteries are only permitted where every lottery affected is also a small society lottery promoted by the same society, and the maximum single prize is £25,000
 - every ticket in the lottery must cost the same and the society must take payment for the ticket fee before entry into the draw is allowed
- 23.27 The Act sets out the information that the promoting society of a small society lottery must send as returns to the licensing authority with which it is registered, following each lottery held. This information allows the Licensing Authority to assess whether financial limits are being adhered to and to ensure that any money raised is applied for the proper purpose.

23.28 The following information must be submitted:

- the arrangements for the lottery – specifically the date on which tickets were available for sale or supply, the dates of any draw and the value of prizes, including any donated prizes and any rollover
- the total proceeds of the lottery
- the amounts deducted by the promoters of the lottery in providing prizes, including prizes in accordance with any rollovers
- the amounts deducted by the promoters of the lottery in respect of costs incurred in organising the lottery
- the amount applied to the purpose for which the promoting society is conducted (this must be at least 20% of the proceeds)
- whether any expenses incurred in connection with the lottery were not paid for by deduction from the proceeds, and, if so, the amount of expenses and the sources from which they were paid.

23.29 The Act also requires that returns must:

- be sent to the Licensing Authority no later than three months after the date of the lottery draw, or in the case of 'instant lotteries' (scratch cards) within three months of the last date on which tickets were on sale
- be signed (electronic signatures are acceptable if the return is sent electronically) by two members of the society, who must be aged 18 or older, are appointed for the purpose in writing by the society or, if it has one, its governing body, and be accompanied by a copy of their letter or letters of appointment.

23.30 The Licensing Authority allows for returns to be sent to them both electronically and manually. The form of returns required can be downloaded from the Licensing Authority's website.

23.31 Where societies run more than one lottery in a calendar year, the Licensing Authority will monitor the cumulative totals of returns to ensure that societies do not breach the annual monetary limit of £250,000 on ticket sales.

23.32 The Licensing Authority will notify the Commission if returns reveal that a society's lotteries have exceeded the values permissible, and such notifications will be copied to the society in question.

Revocation of a registration

23.33 The Licensing Authority may determine to revoke the registration of a society if it thinks that they would have had to, or would be entitled to, refuse an application for registration if it were being made at that time.

23.34 Revocations cannot take place unless the society has been given an opportunity to make representations at a hearing. In preparation for this, the Licensing Authority will inform the society of the reasons why it is minded to revoke the registration and provide them with the evidence on which it has reached that preliminary conclusion.

23.35 Any representations received will be considered at a formal hearing and the following principles will be applied when reaching a decision:

- Whether allowing the registration of the society to continue would be consistent with the Act
- Whether allowing the registration of the society to continue would be consistent with the promotion of the licensing objectives
- Whether allowing the registration of the society to continue would be consistent with any relevant code of practise issued by the Gambling Commission.

24.0 Exchange of Information

24.1 To ensure the licensing objectives are met, the Licensing Authority will establish a close working relationship with the police, the Gambling Commission and, where appropriate, other responsible authorities.

24.2 Subject to the provisions of relevant data protection legislation, the Licensing Authority will share any information it receives through the application process with the Gambling Commission and any relevant responsible authority. In doing so, the Licensing Authority will have regard to the Act itself, any guidance issued by the Commission and to any Regulations issued by the Secretary of State. People can access personal information that the Licensing Authority holds about them by contacting our Information Management Officer.

24.3 The Licensing Authority is committed to being open about what it does and how the Licensing Authority comes to decisions, in accordance with the spirit of the Freedom of Information Act 2000 (FOIA). An important feature of the FOIA is the requirement for each public authority to produce a publication scheme setting out what information it will publish as a matter of course, how and when it will be published, and whether this information will be free of charge or on payment. Copies of our FOI publication scheme are available on request from our Information Management Officer or via the Council's website www.redditchbc.gov.uk.

24.4 FOIA also provides the public with a general right of access to information held by public authorities, and subject to exemptions, to be supplied with a copy of that information. Individual requests should be made in writing to the Information Management Officer or via the Council's website.

24.5 Unless restricted by the Gambling Act, details about applications, licences and representations will be made available in our public register. Representations that the Licensing Authority accepts will be copied in their entirety to applicants, to provide an opportunity for mediation and to ensure that the rights of the applicant are not compromised.

25.0 Enforcement Protocols

- 25.1 The main enforcement and compliance role for the Licensing Authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operator and personal licences and will also take the lead role on the investigation and where appropriate, the prosecution of illegal gambling. Any concerns about manufacture, supply or repair of gaming machines will not be dealt with by the Licensing Authority but will be notified to the Gambling Commission.
- 25.2 The Licensing Authority will work with the Commission, the Police and other enforcing authorities, having regard to any specific guidance produced by the Gambling Commission, relevant codes of practice, the licensing objectives and this statement of principles, to provide for the targeting of agreed problem or high-risk premises. A lighter touch will be applied to those premises which are shown to be well managed and maintained.
- 25.3 The overall aim is to permit the use of premises for gambling. With that in mind it is intended that action will generally be taken against 'problem' premises through the licence review process.
- 25.4 We will also have regard to the Regulators' Code whilst carrying out our regulatory functions.
- 25.5 The Licensing Authority will endeavour to be proportionate; accountable; consistent; transparent and targeted, as well as avoiding duplication with other regulatory regimes so far as possible.
- 25.6 In order to ensure compliance with the law, the Licensing Authority will prepare a risk based inspection programme and will carry out regular 'routine' day time programmed inspections, based on risk assessment in the categories High, Medium and Low and will also carry out 'non routine' evening programmed inspections. Where a one off event takes place under a temporary use notice or occasional use notice, the Licensing Authority may also carry out inspections to ensure the licensing objectives are being promoted.
- 25.7 High-risk premises are those premises that have a history of complaints and require greater attention with low risk premises needing only a lighter touch so that resources are effectively concentrated on problem premises.

26.0 Reviews

- 26.1 A review of a premises licence can be requested by interested parties or responsible authorities, however, the Licensing Authority will decide if the review is to be carried out on the basis of the following:
- In accordance with any relevant Code of Practice and/or guidance issued by the Gambling Commission
 - Consistent with the licensing objectives
 - In accordance with our statement of principles.
- 26.2 The Licensing Authority will also consider whether or not the request for a review is frivolous, vexatious, or repetitious or whether the Licensing Authority would wish to alter/revoke or suspend the licence.

- 26.3 The Licensing Authority can also initiate a review of a premises licence on the basis of any reason which the Licensing Authority think is appropriate, including if a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.
- 26.4 Once a valid application for a review has been received by the Licensing Authority, representations can be made by responsible authorities and interested parties during the statutory consultation period. The purpose of the review will be to determine whether the Licensing Authority should take any action in relation to the licence. The options available are:
- add, remove or amend a licence condition;
 - remove or amend a default condition, such as opening hours;
 - suspend the premises licence for a period not exceeding 3 months;
 - revoke the licence.

DRAFT

REDDITCH BOROUGH COUNCIL EQUAL OPPORTUNITIES STATEMENT

This statement is intended to operate within the Council's commitment to equalities and diversity including:

- Equal treatment regardless of race, gender, age, disability, sexual orientation, religion or belief, with reasonable adjustments where necessary in line with the Disability Discrimination Act.
- Working to eliminate **unlawful** discrimination.
- **Promoting equal opportunities**
- Promoting community cohesion, **including good relations between people from different racial groups.**
- Providing reasonable access to interpretation or support on request.
- Responding to the needs of all, and working to engage all sections of the community.

This statement will be assessed as part of a rolling programme of reviews to ensure that it does not have a detrimental or disproportionate effect on any group. Any concerns that the policy is operating in a way that could be construed as discriminatory should be passed to the responsible Manager and will be dealt with as part of the official Complaints Procedure, in line with the Council's Equality Schemes.

Redditch Borough Council Boundary



List of Consultees

Chief Officer of West Mercia Police

Gambling Commission

All Other Responsible Authorities Identified in the Gambling Act 2005

Worcestershire Safeguarding Children Partnership

Director of Public Health

District Councillors

Parish Councils

Holders of Premises Licences issued by the Council under the Gambling Act 2005

Gambling Trade Associations:

Betting and Gaming Council

Bacta

Bingo Association

Lotteries Council

Hospice Lotteries Association

Organisations working with those who have a gambling problem:

GamCare

Gamblers Anonymous

GambleAware

Gordon Moody Association

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Electoral Matters Committee 18 October 2021

Local Government Boundary Commission for England preliminary stage Boundary Review for Redditch – Council Size Submission

Relevant Portfolio Holder	Councillor Dormer
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton
Report Author	Job Title: Darren Whitney Contact email: darren.whitney@bromsgroveandredditch.gov.uk Contact Tel:
Wards Affected	All
Ward Councillor(s) consulted	Not Applicable
Relevant Strategic Purpose(s)	All
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. **RECOMMENDATIONS**

The Electoral Matters Committee **RECOMMEND** that:-

- 1) Council put forward the Council Size Submission to the Local Government Boundary Commission for England including any amendments made.

2. **BACKGROUND**

3. **FINANCIAL IMPLICATIONS**

- 3.1 None at this stage other than officer time, the cost of the review is borne by the Local Government Boundary Commission for England (LGBCE). Any future changes in council size will have a direct impact on the member allowance budget in 2024. The current basic allowance is £4,437.

4. **LEGAL IMPLICATIONS**

- 4.1 The Local Government Boundary Commission for England (LGBCE) is a statutory body accountable to Parliament that conducts reviews of local authority electoral arrangements in England. Its statutory obligations are set out in the Local Democracy, Economic Development and Construction Act 2009.

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- 4.2 One of the objectives of the LGBCE is to provide electoral arrangements for English principal local authorities that are fair and deliver electoral equality for voters.

5. STRATEGIC PURPOSES - IMPLICATIONS

Relevant Strategic Purpose

- 5.1 As the review will affect the number of Councillors in the future it will have a bearing on all Strategic Purposes. The results of the review will not be implemented until 2024.

6. OTHER IMPLICATIONS

Equalities and Diversity Implications

- 6.1 No direct impact at this stage.

Operational Implications

- 6.2 Redditch Council has not been reviewed since 2002, and the LGBCE has a policy to review all authorities from time to time. The LGBCE added Redditch to its current review programme after concluding that at 19 years since the last review it was time to revisit the borough. This will also allow the boroughs and districts in Worcestershire to all have a recent review before the next county council review.

- 6.3 The LGBCE will seek to deliver electoral equality for voters in local elections.

- 6.4 The electoral review examines and proposes new electoral arrangements for the whole local authority. These are:

- The total number of councillors to be elected to the council: council size.
- The names, number and boundaries of wards.
- The number of councillors to be elected from each ward.

This report only relates to the first bullet point of Council size.

- 6.5 The LGBCE will come to a conclusion on council size after hearing the council's views during the preliminary phase.

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- 6.6 The draft Council Size Submission is included at Appendix 1 and Committee Members are invited to make any amendments they see fit before recommending the Submission to Council.
- 6.7 In February 2022 the LGBCE will decide on the Council size and will then start a consultation regarding warding patterns.
- 6.8 The LGBCE will publish draft recommendations regarding warding patterns in July 2022. A consultation on the draft recommendations will run from August to October and final recommendations will be made in December 2022.
- 6.9 The legal order will be made in 2023 and be implemented at the 2024 elections.

7. RISK MANAGEMENT

- 7.1 The LGBCE makes the decision on council size and any delay in agreeing the Council size document may result in the LGBCE not taking the Council's submission into account.

8. APPENDICES and BACKGROUND PAPERS

Appendix 1: Draft Council Size Submission

Background papers:

LGBCE – Electoral Review of Redditch

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2021**

9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder		
Lead Director / Head of Service		
Financial Services	James Howse Executive Director of Resources	5 October 2021
Legal Services		

Council Size Submission

Redditch Borough Council – December 2021

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How to Make a Submission

It is recommended that submissions on future governance arrangements and council size follow the guidance provided and use the format below as a template. Submissions should be treated as an opportunity to focus on the future needs of the council and not simply describe the current arrangements. **Submissions should also demonstrate that alternative council sizes have been considered in drawing up the proposal and why you have discounted them.**

The template allows respondents to enter comments directly under each heading. It is not recommended that responses be unduly long; as a guide, it is anticipated that a 15 to 20-page document using this template should suffice. Individual section length may vary depending on the issues to be explained. Where internal documents are referred to URLs should be provided, rather than the document itself. It is also recommended that a table is included that highlights the key paragraphs for the Commission's attention.

'Good' submissions, i.e. those that are considered to be most robust and persuasive, combine the following *key success components* (as set out in the guidance that accompanies this template):

- Clarity on objectives
- A straightforward and evidence-led style
- An understanding of local place and communities
- An understanding of councillors' roles and responsibilities

About You

The respondent should use this space to provide the Commission with a little detail about who is making the submission, whether it is the full Council, Officers on behalf of the Council, a political party or group, a resident group, or an individual.

This will be completed upon final submission and will include details of the decision-making process.

Reason for Review (Request Reviews Only)

Please explain the authority's reasons for requesting this electoral review; it is useful for the Commission to have context. *NB/ If the Commission has identified the authority for review under one of its published criteria, then you are not required to answer this question.*

[Click or tap here to enter text.](#)

The Context for your proposal

Your submission gives you the opportunity to examine how you wish to organise and run the council for the next 15 - 20 years. **The consideration of future governance arrangements and council size should be set in the wider local and national policy context.** The Commission expects you to challenge your current arrangements and determine the most appropriate arrangements going forward. In providing context for your submission below, please demonstrate that you have considered the following issues.

- When did your Council last change/reorganise its internal governance arrangements and what impact on effectiveness did that activity have?
- To what extent has transference of strategic and/or service functions impacted on the effectiveness of service delivery and the ability of the Council to focus on its remaining functions?
- Have any governance or capacity issues been raised by any Inspectorate or similar?
- What influence will local and national policy trends likely have on the Council as an institution?
- What impact on the Council's effectiveness will your council size proposal have?

Current size and effectiveness

Following the last Local Government Boundary Commission for England (LGBCE) which took place in 2002, Redditch Borough Council has 29 councillors across 12 wards serving an electorate of 63,778 as of 01 September 2021. Since then, there has been little change in the governance arrangements for the council with no changes to electoral arrangements during this period. The possibility to moving to all-out elections for Redditch was discussed as part of the considerations moving forward but it is felt that electing councillors by thirds ensures clearer political leadership and accountability.

The council has been met with notable financial challenges in recent years. Whilst more recently finding itself in a more stable place financially due to putting in place a series of measures and recommendations to ensure the stability of the council's finances, the Covid-19 pandemic has had a significant impact in Redditch, as it has in all other local authorities nationally. The council is committed to making robust decisions when needed, to balance its finances whilst delivering its core services and ensuring that the needs of its residents are met.

Views of Councillors regarding their workload

In order to provide a complete picture of the council's current size and effectiveness, a survey of all councillors was conducted electronically in September 2021. The survey was undertaken in order to provide a complete picture of councillor workload. 23 of the 29 councillors responded to the survey providing a response rate of 79%. A full copy of the results is provided in Appendix 1.

To summarise:

- Councillors were asked how they felt about the current number of councillors in Redditch Borough Council. Of the respondents, 87% (20 councillors) felt that the number was about right, 4% (1 councillor) felt it was too few and 9% (2 councillors) felt that it was too many.
- Councillors were asked about how they felt about their current workload as a councillor. Of the respondents, 83% (19 councillors) felt that their workload was about right, 13% (3 councillors) felt their workload was too large and 4% (1 councillor) felt they could take on a larger workload.
- 83% of councillors who responded manage their role as a councillor alongside some form of other employment; with 39% working full time and 43% either employed part-time or self-employed.

Strategic Purposes

Redditch Borough Council has set out its [Council Plan 2020-2024](#) guided by five strategic purposes. The Council's vision is to enrich the lives and aspirations of residents, businesses and visitors through efficiently run and high-quality services as well as ensuring that all those in need receive help, support and opportunities. The plan sets out the council's priorities for the community which include economic development, housing growth, skills and improved health and wellbeing as well as community safety. It also sets out the organisational priorities of financial stability, sustainability, and the delivery of high-quality services. The council plan has a 'green thread' throughout and highlights additional considerations to ensure the operate operates sustainably with improved energy efficiency. The Council Plan is currently being reviewed in light of the Covid-19 pandemic.

Electoral Ratios at Ward Level

As of July 2021, the data analysed shows three wards which vary by more than 10% from the average for the borough. The Electoral Ratio per councillor in Redditch is 2199.

Ward	No of Councillors	Electorate at 01 July 2021	Electorate Per Councillor	% Variance from the Average (2199)
Abbey	2	4996	2498	12.0
Astwood Bank & Feckenham	2	4758	2379	7.6
Batchley & Brockhill	3	6460	2153	-2.1
Central	2	4480	2240	1.8
Church Hill	3	5881	1960	-12.2
Crabbs Cross	2	4463	2232	1.5
Greenlands	3	6810	2270	3.1
Headless Cross & Oakenshaw	3	6529	2176	-1.0
Lodge Park	2	3803	1902	-15.6
Matchborough	2	4535	2268	3.0
West	2	4866	2433	9.6
Winyates	3	6197	2066	-6.5

As shown above 3 of the 12 wards (Abbey, Church Hill and Lodge Park) are +/- 10% of the average with West ward also very close. A further 2 wards are +/- 5% of the average.

Future Electorate

Worcestershire County Council's statistics show that there is no population growth expected in Redditch from 2021- 2028¹. However, there are some large housing developments due to take place between now and 2024 which will have an impact on the electorate of Redditch at a ward level. The biggest sites for housing development are currently in the stage of acquiring planning permission and are outside of the Redditch Borough Council border. Further information on these developments can be found in the Housing Development Data and Electorate Forecast which will be submitted alongside this document.

¹ https://www.worcestershire.gov.uk/info/20044/research/795/population_statistics_and_projections

Ward	No of Councillors	Estimated Electorate at 01 July 2028	Electorate Per Councillor	% Variance from the Average (2199)
Abbey	2	5196	2598	15.4
Astwood Bank & Feckenham	2	4758	2379	7.6
Batchley & Brockhill	3	6982	2327	5.5
Central	2	4766	2383	7.7
Church Hill	3	5881	1960	-12.2
Crabbs Cross	2	4463	2232	1.5
Greenlands	3	6898	2299	4.4
Headless Cross & Oakenshaw	3	6529	2176	-1.0
Lodge Park	2	3803	1902	-15.6
Matchborough	2	4535	2268	3.0
West	2	4866	2433	9.6
Winyates	3	6549	2183	-0.7

The table above shows the impact of large developments at a ward level and the change this could bring to the electorate. However, it is generally accepted that there will not be a large variation in the electorate for Redditch as a whole, by 2028. Housing Development was therefore a contributing factor in the decision to either increase or decrease the number of councillors when analysing the effect of the council size at ward level and will become relevant at a ward patterning stage.

Shared Services

Redditch Borough Council shares its services, including its management team, with Bromsgrove District Council. It is also part of various other sharing arrangements with other councils in Worcestershire. For example, Worcestershire Regulatory Services, North Worcestershire Economic Development Regeneration, and North Worcestershire Building Control.

Comparison against neighbouring authorities – Electoral Ratio

As part of the council's analysis of its current size, the electoral ratios of neighbouring authorities were reviewed and are given in the below table. It is important to note that both Wychavon and Malvern Hills District Councils are currently in the process of an electoral review and will be reducing their number of councillors.

Authority	Electorate	Number of Councillors	Electoral Ratio
Bromsgrove District Council	75,335	31	2430
Wyre Forest District Council	77,686	33	2354
Wychavon District Council (Current)	101,805	45	2262
Wychavon District Council (New)	101,805	43	2367
Worcester City Council	77,109	35	2203
Malvern Hills District Council (Current)	62,304	38	1639
Malvern Hills District Council (New)	62,304	31	2009

At 2199, Redditch Currently has one of the lower electoral ratios within Worcestershire County.

Comparison against 'Nearest Neighbours' – Electoral Ratio

The nearest neighbour model is created by the CIPFA and calculates which councils are similar demographically using a wide range of social-economic indicators. The electoral ratios for Redditch's nearest neighbours are below: (Worcester City Council is also one of Redditch's 'nearest neighbours')

Authority	Electorate	Number of Councillors	Electoral Ratio
Tamworth Borough Council	59,517	30	1983
Gloucester City Council	91,739	39	2343
Stevenage Borough Council	71, 526	39	1834
Cannock Chase District Council	76,585	41	1867

Currently, Redditch would be ranked 2nd when ranking electoral ratios from highest to lowest.

Consultation and discussion regarding proposals

To be completed at final submission. This submission will go to Electoral Matters Committee before being discussed at Full Council. Details of discussions at these meetings will be included in this section of the council size submission.

Proposed changes and Impact

Early discussion of the electoral review and council size showed that there was a consistent agreement across all political parties that the council should continue to elect by thirds as opposed to moving to all out elections. Whilst the commission can propose 1,2 or 3 member wards, it is felt that Redditch would operate best with three member wards. With councillors often having other commitments and the age of members lowering over time, it allows for communication with residents, officers and organisations to be shared and adequate coverage of the ward. Having 3 member wards would also allow for a range of skills and expertise which would reflect the diversity of the local population. Many members sit on multiple committees and three member wards would ensure that councillor workload is manageable. The possibilities put forward were therefore options that were divisible by three.

The council considered two possibilities in formulating this submission:

Authority	Electorate	Number of Councillors	Electoral Ratio
Redditch Borough Council (Current)	63,778	29	2199
Redditch Borough Council (Proposed 1)	63,778	27	2362
Redditch Borough Council (Proposed 2)	63,778	30	2125

When analysing the electoral ratio for each proposal, it is evident that both options still places Redditch within the electoral ratio ranges in the County and just above that of its nearest neighbours. It was decided that whilst this should be considered that neither proposal had enough of an impact to warrant concern and that a more in-depth analysis of the council's structure (as seen below) would be needed to identify the best council size moving forward.

Proposed 1: A decrease of two councillors taking the overall number of councillors for Redditch to 27.

Councillors in Redditch already currently play an active role in committees, and it is expected that this can be managed with a council size of 27.

This size would enable the 12 existing wards to be re-organised into 9, three member wards. These would allow for a combined approach to engagement with constituents providing for more evenly distributed work for each councillor. In addition, it will ensure that councillors are able to carry out their councillor role alongside other commitments and encourage others to be a councillor.

Technological progress has made communication more effective and streamlined processes for engaging with residents. With the streamlining of communication and no expected population growth, it is felt a council size of 27 will be enough to communicate effectively with residents and represent their interests.

In addition, although not a key driver financial savings would be made by a reduction in the number of councillors.

It is believed that a council size of 27 will achieve the right balance to support the efficient discharge of all necessary functions in accordance with the councils current and future governance arrangements.

Proposed 2: Increasing size by one member to 30.

When analysing the current committee structure of the council there was no obvious need for an additional member.

In the councillor's workload survey, concerns were expressed regarding the costs of an additional member. Whilst it could not be said that an additional member would have a detrimental effect on the council, it was difficult to identify a specific benefit during the process of this review. Balancing this against the financial burden of an additional member, the council doesn't feel that a council of 30 would mean that it is operating at it's most effective.

The issue of an even number of councillors was also raised from a political balance perspective, and it was noted that governance issues could arise if a council were to be evenly politically balanced. This could be an issue within Redditch with a council size of 30 members.

Local Authority Profile

Please provide a short description of the authority and its setting, in particular the local geography, demographics and community characteristics. This should set the scene for the Commission and give it a greater understanding of any current issues. The description should cover all of the following:

- Brief outline of area - are there any notable geographic constraints for example that may affect the review?
- Rural or urban - what are the characteristics of the authority?
- Demographic pressures - such as distinctive age profiles, migrant or transient populations, is there any large growth anticipated?
- Community characteristics – is there presence of “hidden” or otherwise complex deprivation?
- Are there any other constraints, challenges, issues or changes ahead?

Further to providing a description, the Commission will be looking for a submission that demonstrates an understanding of place and communities by putting forth arguments on council size based upon local evidence and insight. For example, how does local geography, demographics and community characteristics impact on councillor casework, workload and community engagement?

Council Size

The Commission believes that councillors have three broad aspects to their role.

These are categorised as: **Strategic Leadership, Accountability (Scrutiny, Regulatory and Partnerships), and Community Leadership.**

Submissions should address each of these in turn and provide supporting evidence. Prompts in the boxes below should help shape responses.

Strategic Leadership

Respondents should provide the Commission with details as to how elected members will provide strategic leadership for the authority.

Responses should also indicate how many members will be required for this role and why this is justified. **Responses should demonstrate that alternative council sizes have been explored.**

Topic		
Governance Model	Key lines of explanation	<ul style="list-style-type: none"> ➤ <i>What governance model will your authority operate? e.g. Committee System, Executive or other?</i> ➤ <i>The Cabinet model, for example, usually requires 6 to 10 members. How many members will you require?</i> ➤ <i>If the authority runs a Committee system, we want to understand why the number and size of the committees you propose represents the most appropriate for the authority.</i> ➤ <i>By what process does the council aim to formulate strategic and operational policies? How will members in executive, executive support and/or scrutiny positions be involved? What particular demands will this make of them?</i> ➤ <i>Whichever governance model you currently operate, a simple assertion that you want to keep the current structure does not in itself, provide an explanation of why that structure best meets the needs of the council and your communities.</i>
	Analysis	<p>Redditch Borough Council operates a strong leader cabinet (executive committee) model. There are currently 29 councillors who are elected 'by thirds', meaning a third of the Council members retire each year in rotation. They then have a four-year term of office. The Council currently has 24 Conservative Councillors, 4 Labour Councillors and 1 non-aligned Councillor.</p> <p>All councillors are members of full council which is responsible for appointing the leader, the committees of the council (excluding executive committee). The Council holds around 7/8 meetings per year including annual council and these are well attended. The leader is appointed at the annual meeting of the council and the initial appointment is for a four-year term.</p>

The executive committee comprises of 9 councillors including the leader and deputy leader. The Leader determines the number of areas of political responsibility or “portfolios” and their allocation to members of the Executive Committee. Currently, of the 9 Cabinet members, 7 hold portfolios. The Leader appoints portfolio holders each year at the Annual Council meeting as well as deciding their remit. Changes can be made to Portfolio Holders and their remits mid-year and any changes would be reported at a meeting of full Council. The Leader has determined that the Executive Committee will take decisions collectively. No individual members of the Executive Committee have delegated powers to take decisions on behalf of the Executive Committee. The Executive Committee takes decisions on all matters relating to the functions of the Council except those which –

- are reserved to the full Council (such as the Budget and Policy Framework, Members' Allowances and Code of Conduct)
- are ones which by law the Executive Committee cannot take (such as deciding Planning applications and Standards matters)
- by choice may not and have not been allocated to the Executive Committee. In general terms, it is therefore the Executive Committee which will take the main political decisions in relation to services.

Membership on all other council committees and groups (outside of council and cabinet) is determined once a year at annual council. They may also be reviewed mid-year if there are any changes made to political balance.

Under the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392 Committee meetings were held virtually during the Covid-19 pandemic up to 6th May 2021. Since 7th May 2021, the council has returned to holding committee meetings in person for formal committees. However, this legal requirement does not apply to informal meetings, such as task group meetings and Chairs’ briefings and we are therefore continuing to hold informal meetings with members remotely.

At this time, the council is not aware of any further major change in legislation that would give the Executive Committee greater or fewer responsibilities and would justify the need for a review in the size of the Executive Committee. Given the experience of running an executive committee of 9 members, it is felt that this number and the division of portfolio responsibilities enables effective and convenient leadership of the authority and the number of councillors on the Executive Committee provides an option for balanced decision making within the Executive.

Portfolios	<i>Key lines of explanation</i>	<ul style="list-style-type: none"> ➤ <i>How many portfolios will there be?</i> ➤ <i>What will the role of a portfolio holder be?</i> ➤ <i>Will this be a full-time position?</i> ➤ <i>Will decisions be delegated to portfolio holders? Or will the executive/mayor take decisions?</i>
	Analysis	<p>The number of portfolios is considered appropriate at this time. This is because each Portfolio on the Executive Committee represent subject areas which are aligned with the Council’s strategic purposes and the current structure of the council allows for effective management of its services. As stated above the portfolios are kept under constant review and changes can be made at any time and reported at full council.</p> <p>The seven portfolios are as follows:</p> <p>Portfolio for Planning, Economic Development, Commercialism and Partnerships - aligned to run and grow a successful business – covering planning and land use, economic development, commercialism (including local authority trading companies), asset management, key partnerships, grants and the lottery and 5G infrastructure.</p> <p>Portfolio for Finance and Enabling – Aligned to Enabling Services covering Finance, Audit, Revenue and Benefits, governance, human resources and customer services.</p> <p>Portfolio for Community Services and Regulatory Services – aligned to communities which are safe, well maintained and green and aspiration, work and financial independence – community safety, crime and disorder, safer communities, regulatory services, public transport, children, youth, children’s centres, corporate parenting and health, emergency planning and enforcement.</p> <p>Portfolio for Environmental Services – aligned to communities which are safe, well maintained and green – covering Licensing impacts, better environment, cleansing and waste management, landscaping including trees, woodland and grounds maintenance, sustainability and bereavement services.</p> <p>Portfolio for Leisure– aligned to living independent, active and healthy lives– covering culture and recreation, management of facilities including sports centres, theatres and community centres, parks and open spaces strategy including allotments, playing pitches and play areas, sports, arts, physical activity and development, community training, education, learning and skills and IT.</p> <p>Portfolio for Housing and Procurement – aligned to finding somewhere to live - covering Housing Services (delivery and development), procurement and Council contracts.</p> <p>Portfolio for Climate Change – covering the green thread that runs throughout the Council Plan. This is an overarching portfolio due to the implications of climate change in a range of service areas.</p>

		<p>Council service areas have been listed under the strategic purposes to which they most directly relate and Portfolio Holders will be responsible for these services. However, each Portfolio Holder works with the other Portfolio Holders to ensure most effective use of resources and achievement of strategic purposes.</p> <p>Decisions are made by the Executive Committee collectively. Portfolio Holders do not have delegated powers to make decisions on behalf of the Committee.</p> <p>The remits of the portfolios and what they consist of is kept under review to ensure alignment with the council's strategic purpose and structures. Many of the councillors assigned a portfolio manage this in conjunction with external employment and have sometimes also been elected as County Councillors or Parish Councillors.</p>
Delegated Responsibilities	<i>Key lines of explanation</i>	<ul style="list-style-type: none"> ➤ <i>What responsibilities will be delegated to officers or committees?</i> ➤ <i>How many councillors will be involved in taking major decisions?</i>
	Analysis	<p>The Council has a well-developed and comprehensive Scheme of Delegation to officers which sets out where the responsibility and extent of delegation lies. The full scheme of delegation can be found in the council's constitution published on its website in line with The Openness of Local Government Bodies Regulations 2014. This can be viewed here.</p>

Accountability

Give the Commission details as to how the authority and its decision makers and partners will be held to account. The Commission is interested in both the internal and external dimensions of this role. **Responses should demonstrate that alternative council sizes have been explored.**

Topic	
Internal Scrutiny	<p>The scrutiny function of authorities has changed considerably. Some use theme or task-and-finish groups, for example, and others have a committee system. Scrutiny arrangements may also be affected by the officer support available.</p>

<p>Key lines of explanation</p>	<ul style="list-style-type: none"> ➤ <i>How will decision makers be held to account?</i> ➤ <i>How many committees will be required? And what will their functions be?</i> ➤ <i>How many task and finish groups will there be? And what will their functions be? What time commitment will be involved for members? And how often will meetings take place?</i> ➤ <i>How many members will be required to fulfil these positions?</i> ➤ <i>Explain why you have increased, decreased, or not changed the number of scrutiny committees in the authority.</i> ➤ <i>Explain the reasoning behind the number of members per committee in terms of adding value.</i>
<p>Analysis</p>	<p>The Council currently has 29 councillors. The 9 councillors who sit on the Executive Committee are exempt from serving on the Overview and Scrutiny Committee. The Overview and Scrutiny Committee comprises of 9 councillors and can be any councillors who do not sit on the Executive Committee. However, no member may be involved in scrutinising a decision in which he/she has been directly involved in. The Chair and Vice Chair of the Overview and Scrutiny Committee must be a member of a political group not forming part of the ruling administration. The Overview and Scrutiny Committee holds the decision-making body of the Council (the Executive Committee) to account. The Overview and Scrutiny Committee performs five key functions within the Council that include:</p> <ul style="list-style-type: none"> • holding the Executive Committee to account; • reviewing the Council’s performance; • conducting policy reviews; • contributing to policy development; and • undertaking external scrutiny of other organisations and partnerships. <p>The Overview and Scrutiny Committee reviewed scrutiny arrangements in 2019 in response to the ‘Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities’ published by the Ministry of Housing, Communities and Local Government in May 2019. However, Members concluded that their arrangements were already compliant with best practice and therefore no changes were made. There are no further changes proposed at this time. However, the Overview and Scrutiny Committee reviews its performance and the outcomes of the scrutiny process each year by submitting an Overview and Scrutiny Annual report to Council, which is presented by the Chair of the Committee. The latest Overview and Scrutiny Committee Annual Report 2020/21 was considered at the April meeting of Council.</p>

	<p>The Overview and Scrutiny Committee has the power to authorise policy reviews and can scrutinise any issue of internal Council procedure as well as issues that are of general interest to the public. The Committee has the option to commission subject reviews from smaller groups of councillors in the form of task groups. The last Task Group commissioned an investigation in respect of Dementia Services in the Borough, which was completed in September 2021.</p> <p>There is also a Performance Scrutiny Working Group, which is a permanent scrutiny working group established to monitor the performance of Council services. In recent years the group has focused on monitoring data provided on the Council's measures dashboard and has invited officers to provide evidence and answer questions about the performance of services based on the data provided on the dashboard.</p> <p>In addition, there is a budget scrutiny working group. This is a permanent scrutiny working group established to monitor the council's budgets. In recent years the group has scrutinised financial monitoring reports, proposed fees and charges and proposals from the administration of the medium-term financial plan.</p> <p>The Council has a crime and disorder scrutiny panel which is a sub-committee of the Overview and Scrutiny Committee. The role of the Crime and Disorder Scrutiny Panel is to hold the North Worcestershire Community Safety Partnership to account for the work it delivers in the Borough. This panel meets once per year.</p>	
Statutory Function	This includes planning, licencing and any other regulatory responsibilities. Consider under each of the headings the extent to which decisions will be delegated to officers. How many members will be required to fulfil the statutory requirements of the council?	
Planning	<i>Key lines of explanation</i>	<ul style="list-style-type: none"> ➤ <i>What proportion of planning applications will be determined by members?</i> ➤ <i>Has this changed in the last few years? And are further changes anticipated?</i> ➤ <i>Will there be area planning committees? Or a single council-wide committee?</i> ➤ <i>Will executive members serve on the planning committees?</i> ➤ <i>What will be the time commitment to the planning committee for members?</i>
	Analysis	The Planning Committee consists of 9 members and is politically balanced. Members are appointed at annual council each year and all members are required to undertake compulsory training in order to sit on the Committee. The Chair and the Vice-Chair of

the planning committee, if members of the controlling Party Group, cannot be members of the Executive Committee. The constitution advises that the Leader of the Council and the relevant Portfolio Holder for Planning should not ideally sit on the planning committee. However, there are members of the Executive Committee who sit on the Planning Committee either as main or substitute members.

The Scheme of delegation to council officers means that the majority of planning applications are determined without the need for consideration by the committee. In the last two years, 61 of the 531 applications determined were considered by the planning committee which represents 11%.

In November 2020 the Scheme of Delegations for Development Management, which covers delegations in respect of planning applications, was reviewed and several changes were made.

In 2020 the public speaking rules for the Planning Committee were temporarily amended to enable the public to participate in meetings virtually or to have written statements read out on their behalf. In May 2021 the rules were permanently updated to enable the public to speak at meetings in person, remotely (via Teams) or to have a written statement read out on their behalf. As the scheme of delegations was reviewed in 2020, there are no further changes anticipated at this time.

The planning committee meets at least once per month and most meetings are limited to around 4-6 applications for consideration due to time restraints. A reserve meeting is scheduled for each month should it be needed for any additional application which need consideration or for a 'special meeting'. There is only a single, council wide planning committee. Redditch does not have any area planning committees and there are no plans to do so.

Special meetings are scheduled to consider any particularly large or controversial planning applications, or applications that would attract significant public interest. The actual time spent considering applications varies depending on the number of public speakers and objections etc. Most applications which reach planning committee take around 30 minutes to be considered. However, smaller more straightforward ones can take around 10-15 minutes.

		<p>The time commitment for councillors who are on the planning committee is considerable. As well as attending the meetings themselves, time is also taken by members of the committee to review reports prior to meetings and carry out site visits when required.</p>
Licensing	<i>Key lines of explanation</i>	<ul style="list-style-type: none"> ➤ <i>How many licencing panels will the council have in the average year?</i> ➤ <i>And what will be the time commitment for members?</i> ➤ <i>Will there be standing licencing panels, or will they be ad-hoc?</i> ➤ <i>Will there be core members and regular attendees, or will different members serve on them?</i>
	Analysis	<p>The Council has one overarching licensing committee which is politically balanced and comprises of 11 members. The Committee meets approximately three times a year. The primary role of the Licensing Committee is to provide a pool of Councillors to sit on Sub-Committees that consider licensing applications and conduct hearings relating to taxi licensing and related matters.</p> <p>The Licensing Sub-Committee A for matters within the scope of the Licensing Act 2003 and Gambling Act 2005 (i.e. premises licenses, personal licenses, reviews of existing licenses and so forth) are established on an ad hoc basis and comprise three Councillors.</p> <p>The Licensing Sub-Committee B (Taxis) comprises three councillors and 1 reserve member and meets monthly. Only those Councillors who have undertaken appropriate training may sit on the Licensing Sub-Committee.</p> <p>In the last 12 months many of the licensing committee meetings have been cancelled in light of government restrictions. However, licensing sub-committee meetings have resumed since October 2021. Prior to this there was a temporary delegation in place for officers to make decisions on taxi licensing applications during the covid-19 pandemic</p>

Other Regulatory Bodies	<i>Key lines of explanation</i>	<ul style="list-style-type: none"> ➤ <i>What will they be, and how many members will they require?</i> ➤ <i>Explain the number and membership of your Regulatory Committees with respect to greater delegation to officers.</i>
	Analysis	Redditch is one of the partners in the Worcestershire Regulatory Services Board. The board has provision to operate and manage shared services.
External Partnerships	Service delivery has changed for councils over time, and many authorities now have a range of delivery partners to work with and hold to account.	
<i>Key lines of explanation</i>	<ul style="list-style-type: none"> ➤ <i>Will council members serve on decision-making partnerships, sub-regional, regional or national bodies? In doing so, are they able to take decisions/make commitments on behalf of the council?</i> ➤ <i>How many councillors will be involved in this activity? And what is their expected workload? What proportion of this work is undertaken by portfolio holders?</i> ➤ <i>What other external bodies will members be involved in? And what is the anticipated workload?</i> 	
Analysis	<p>Council Members are appointed to many external organisations, including partnerships, as ‘Outside Bodies’. Member appointments to outside bodies are agreed at a meeting of full Council, usually the Annual Council meeting held in May. Where Members are appointed to an external partnership’s Committee, they can participate in the decision-making process of those committees on behalf of the Council. In some cases, the partnership Committee may not have the authority to make decisions on behalf of partner authorities and would instead make recommendations back to the Council.</p> <p>The number of Councillors appointed to each partnership varies according to the requirements of each outside body and the number of Committees relating to that partnership. The number of Councillors in general appointed to external partnership bodies is quite significant and the workload varies between the different partnerships and the roles of their varying Committees.</p> <p>A significant number of outside body appointments, including to partnerships, involve Portfolio Holders acting in an ex officio capacity, or as a result of their status as Portfolio Holders. This may be because there is a requirement in the partner authority’s constitution/terms of reference for the relevant Portfolio Holder to be appointed. In addition, sometimes Members are appointed to an external body because the work of that partnership relates to their portfolio, though it is not a requirement of that body.</p> <p>A full list of the external partnerships and bodies can be found in Appendix 1. The council has a significant membership of external bodies and recognises that this is a significant aspect of the role of councillor in Redditch Borough Council.</p>	

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Community Leadership

The Commission understands that there is no single approach to community leadership and that members represent, and provide leadership to, their communities in different ways. The Commission wants to know how members are required to provide effective community leadership and what support the council offers them in this role. For example, does the authority have a defined role and performance system for its elected members? And what support networks are available within the council to help members in their duties? The Commission also wants to see a consideration of **how the use of technology and social media by the council as a whole, and by councillors individually, will affect casework, community engagement and local democratic representation. Responses should demonstrate that alternative council sizes have been explored.**

Topic		Description
Community Leadership	Key lines of explanation	<ul style="list-style-type: none"> ➤ <i>In general terms how do councillors carry out their representational role with electors?</i> ➤ <i>Does the council have area committees and what are their powers?</i> ➤ <i>How do councillors seek to engage with their constituents? Do they hold surgeries, send newsletters, hold public meetings or maintain blogs?</i> ➤ <i>Are there any mechanisms in place that help councillors interact with young people, those not on the electoral register, and/or other minority groups and their representative bodies?</i> ➤ <i>Are councillors expected to attend community meetings, such as parish or resident's association meetings? If so, what is their level of involvement and what roles do they play?</i> ➤ <i>Explain your approach to the Area Governance structure. Is your Area Governance a decision-making forum or an advisory board? What is their relationship with locally elected members and Community bodies such as Town and Parish Councils? Looking forward how could they be improved to enhance decision-making?</i>
	Analysis	<p>There are a range of options available to Members in terms of liaising with the residents living in their wards and a lot of this would come down to personal choice as well as the direction of their political groups.</p> <p>All Members attend full Council meetings, and some are appointed to committee meetings at which they are effectively representing their electors as well as acting on behalf of their groups.</p>

Most Councillors carry out casework but the amount of casework they undertake on behalf of residents and the way they approach this varies according to their personal preferences. The need to be able to communicate with residents in a variety of ways has become more prevalent during the pandemic and taking a less prescriptive approach has assisted with access to Councillors for residents.

Some members may also represent their wards on particular outside bodies, to which they may be appointed by Council, in cases where the work of that outside body has implications for their wards.

In addition, there can be occasions where Members may choose to represent their ward/residents at particular Committee meetings. For example, the Council's Planning Procedure Rules in the constitution make provision for ward Councillors to register to speak at Planning Committee meetings on planning applications for developments in their wards.

The council does not have any area committees. However, there may be area committees which councillors attend hosted by other organisations such as the PACT meetings (Police and Communities Together) in some wards, but these meetings are organised by the Police and not the council.

The way in which councillors engage with residents is not prescribed by the council and varies between Councillors depending on their personal preferences. Some prefer to engage with residents via email or on the phone. Others hold regular surgeries in their wards or may maintain their own written communications in some other form.

There is no formal requirement from the Council for Councillors to attend community meetings or residents' association meetings. However, Members often choose to attend such meetings in order to have contact with their residents. They would organise this independently from the Council.

There is only one Parish Council in the Borough, Feckenham Parish Council. Whilst there is no formal requirement from the Council for the two ward Councillors for Astwood Bank and Feckenham ward to attend meetings of the Parish Council they often choose to do so. There is also a Redditch Community Forum which councillors are invited to attend.

The Council engages with its one Parish Council and invites Parish Councillors to attend Member training and offering a co-optee position on the Audit, Governance and Standards Committee so that they have a chance to speak on changes to the Code of Conduct. The council accepts that there have been some challenges in terms of encouraging the Parish Councillors to participate in these processes. It would be

		helpful to the decision making process to achieve a position where Parish Councillors engage more in these areas moving forward.
Casework	Key lines of explanation	<ul style="list-style-type: none"> ➤ <i>How do councillors deal with their casework? Do they pass it on to council officers? Or do they take a more in-depth approach to resolving issues?</i> ➤ <i>What support do members receive?</i> ➤ <i>How has technology influenced the way in which councillors work? And interact with their electorate?</i> ➤ <i>In what ways does the council promote service users' engagement/dispute resolution with service providers and managers rather than through councillors?</i>
	Analysis	<p>The council does not have a formal casework management system. If Councillors are unable to resolve the query directly then they are able to contact a link officer at the council or key people in other agencies (the council provides a list of key contacts within partner agencies). Members are responsible for undertaking their own casework. There are no political assistants in Redditch and Democratic Services do not help Members with their casework. However, any officer who is approached for advice about an issue, such as who the lead officer might be for a particular service area or for clarification on a particular area of legislation, would try to provide the information requested.</p> <p>Members are offered Council IT equipment (though can opt to use their own device) and are provided with a Council email address. In Redditch, Members are also provided with the opportunity to apply to receive a Council phone to use for Council business. Members can apply for stationery (business cards and headed paper) from the Council to help them undertake their work.</p> <p>The political groups are provided with group rooms in the Town Hall, which they can use as premises to host meetings with groups or individuals. (Group rooms are only provided to political groups of 2 or more Councillors so there is currently one non-aligned councillor who does not have access to a group room).</p> <p>All Members receive at least a basic allowance of £4,437 per annum which they can use to cover expenses incurred in the course of their Council work. Those Members who are appointed to particular positions, such as Chairs of Committees, may also be eligible to receive additional Special Responsibility Allowances (SRAs) on top of the basic allowance, which varies in value according to the role of the Member.</p> <p>Members can claim travel expenses for attending Committee meetings and meetings with officers organised by the Officers, though this does not cover expenses for ward work.</p>

		<p>Over the last 18 months computer technology has revolutionised the way that committee meetings have been held. Under the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392 councils were able to hold committee meetings virtually during the Covid-19 pandemic up to 6th May 2021. Since 7th May 2021, councils were legally required to return to holding Committee meetings in person for formal Committees where the meetings would usually be held in public. However, this legal requirement does not apply to informal meetings, such as task group meetings and Chairs' Briefings and we are therefore continuing to hold informal meetings with Members remotely. Consequently, the skills members (and officers) have built up over the last 18 months in terms of participating in virtual meetings have changed the way the Members participate in a lot of informal council business. Technology, particularly in light of the pandemic has had much influence on the way in which councillor's work.</p> <p>As part of the council workload survey, councillors were asked how they feel technology has influenced the way in which they work and interact with the electorate. Many respondents said that it has helped streamline communication and provide a range of different opportunities and ways to connect with their constituents. The use of virtual meetings has also helped councillors communicate with officers and organisations in an easier and more accessible way. Whilst many of the implications of technology were positive it was also noted that it can raise the expectations on councillors from their constituents in regards to their availability to communicate.</p>
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Other Issues

Respondent may use this space to bring any other issues of relevance to the attention of the Commission.

Rubicon Leisure

Rubicon Leisure Limited is Redditch Borough Council's LATC. The leisure company runs some of Redditch's leisure services such as the Redditch Palace Theatre, the Abbey Stadium, Pitcheroak Golf Course, Forge Mill Needle Museum and Bordesley Abbey, as well as some of the town's community centres.

Rubicon Leisure delivers its services in line with the council's strategic purposes, underpinned by a set of service specifications designed by the council. It is required to conduct most of its business on behalf of the council, and it has some room to provide extra services.

Its business plan is approved by the council each year. It is governed by a board of directors including four non-executive directors and councillors are appointed by the borough council as sole shareholders to the Shareholders Committee to influence its strategic direction.

Summary

In following this template respondents should have been able to provide the Commission with a robust and well-evidenced case for their proposed council size; one which gives a clear explanation as to the governance arrangements and number of councillors required to represent the authority in the future.

Use this space to summarise the proposals and indicate other options considered. Explain why these alternatives were not appropriate in terms of their ability to deliver effective Strategic Leadership, Accountability (Scrutiny, Regulation and Partnerships), and Community Leadership.

The Council is recommending a decrease of two councillors taking the overall number of councillors for Redditch to 27.

The council feels that 27 councillors is enough to provide a strong council in terms of Strategic Leadership, Accountability and Community Leadership.

The Councils case for this decrease in size is as follows:

- 1) This would enable the 12 existing wards to be re-organised into 9, three member wards. Three of the current wards are at -5% or below the electoral ratio for the borough
- 2) Options are available under the Constitution to review numbers sitting on the Executive Committee and still maintain the same number of portfolio holders. It would also enable the appropriate number of councillors to sit on the Overview and Scrutiny and Audit, Governance and Standards Committees.
- 3) Councillors in Redditch currently play an active role in committees, and it is expected that this can be managed with a council size of 27 when analysing the number of seats.
- 4) This would allow for some financial saving in comparison to an increase in council size. Whilst this is not a key driver for change, it contributes to the efficient running of the council.
- 5) Three member wards would allow for a combined approach to engagement with constituents providing for more evenly distributed work. This would ensure that councillors are able to carry out their role as councillor alongside other commitments and encourage a wide range of councillors.
- 6) There is no population growth projected in Redditch and therefore no clear need for additional members. Technological progress has made communication more effective and streamlined processes for engaging with residents. With the streamlining of communication and no expected growth, the council feels that 27 will be enough to communicate effectively with residents.

With this decrease the council believes it will achieve the right balance to support the efficient discharge of all necessary functions in accordance with the councils current and future governance arrangements. Further information on the analysis of the council size proposal can be found in the Context section of this submission.

Appendix 1 – List of External Partnerships and Outside Bodies

Organisation	Appointment Requirements
Local Government Association	1 Representative (usually Leader) must be a Councillor Term : 1 year No liability issues identified.
West Mercia Police and Crime Panel	1 representative (Relevant Portfolio Holder) and 1 substitute Term: 1 year No liability issues identified
Assembly of the District Councils' Network	1 Nomination To represent the Council on the Assembly of this body which is a voice for District Councils within the Local Government Association. The Assembly of the DCN comprises the Leaders of the Member Authorities or equivalent. Term : 1 year No liability issues identified.
Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) [Also referred to as the LEP Board]	1 (plus 1 Substitute) representing the 3 North Worcestershire District Councils.
GBSLEP – Joint Committee (Local Supervisory Board)	1 Member (Leader) from each constituent Authority plus substitute
GBSLEP - Local Enterprise Partnership - EU Structural and Investment Fund Strategy Committee (ESIF)	1 Representative and 1 Substitute from the three North Worcestershire Districts.
Worcestershire Local Transport Board (WLTB)	2 representatives from North Worcestershire Councils plus one substitute. 2 representatives not to be drawn from the Council supplying the “main” representative on Worcestershire LEP

Corporate Parenting Board (Worcestershire County Council)	1 RBC Representative (elected) <u>Must be relevant Portfolio Holder</u> Until next RBC Annual Meeting. (Monthly meetings – approx. 2 hrs each time – generally Friday mornings – 9.30a.m. start) No liability issues identified.
Redditch Partnership (Local Strategic Partnership)	1 Member Representative Leader Term : 1 year No liability issues identified.
Redditch Partnership Business Leaders Group (formerly an Economic Theme Group)	Following changes this group is now operating under a new title and promoting greater links with local business leaders. For 2020/21 representatives required, by office: Leader Economic Development Portfolio Holder
Redditch BID Limited (Company number 11964088)	1 RBC Representative to act as a Director of the company Term: to be confirmed No liability issues identified
North Worcestershire Community Safety Partnership	1 representative and one named substitute Term: 1 year Terms of Reference indicate the representative should be the relevant Portfolio Holder. Each district Council has a place on the Partnership Board as an Invitee to Participate. No liability issues identified.
Waste Management Board (Lead Officer – Guy Revans)	1 representative Representative must be a Councillor and relevant Portfolio Holder Term : 1 year <u>Note: Meets Friday mornings</u> - 4 times per year No liability issues identified
Worcestershire Health and Wellbeing Board	1 representative and 1 substitute from North Worcestershire Councils

Worcestershire Local Enterprise Partnership	1 representative on behalf of the 3 North Worcestershire authorities Plus substitute(s)
Worcestershire Local Enterprise Partnership - European Structural and Investment Funds Strategy Committee (ESIF)	1 representative from the North Worcestershire Councils and 1 substitute
Health Improvement Group	1 RBC Representative (Elected) Relevant Portfolio
West Midlands Combined Authority Board	1 nomination and one substitute Leader by office
West Midlands Combined Authority Housing and Land Delivery Board	1 RBC Representative (Elected) Relevant Portfolio <u>Must be relevant Portfolio Holder (function to include Housing and/or Land Use</u>
West Midlands Combined Authority Audit Committee	1 nomination and one substitute Must be members of the majority group
West Midlands Combined Authority Overview and Scrutiny Committee	1 nomination and one substitute Must be members of the majority group and ideally members of O&S
Greater Birmingham & Solihull Local Enterprise Partnership (GBSLEP) – Joint Scrutiny Board	1 representative and 1 substitute Term: 1 year
Health Overview and Scrutiny Committee (Worcestershire County Council)	1 representative (Must be a member of Redditch Borough Council’s Overview and Scrutiny Committee). Term: 1 year. Comprises 8 County Councillors and 6 District Councillors who scrutinise the local NHS and are consulted by the NHS on any proposed substantial changes to local health services.

Redditch Highways & Transportation Forum Members Discussion Group (Worcestershire County Council)	Up to 2 Representatives (Must be Councillors) Term: To RBC AGM Role is that of non-voting observers only. No liability issues identified.
Worcestershire Local Access Forum (Worcestershire County Council)	1 nomination from north Worcestershire District Councils (must be a Councillor) Term : 1 year (Note: Would be beneficial if the representative had a keen interest in countryside access and recreation issues.) No liability issues identified.
Redditch Eastern Gateway Steering Group (Contact Officer Simon Jones)	1 Representative to be a ward member for Winyates Ward Term : 1 year Group of local stakeholders set up by Stratford on Avon District Council to consider proposals regarding the Eastern Gateway Development as to reserved matters and routing strategy/survey. No liability issues identified.
PATROL Traffic Penalty Tribunal (Civil Parking Enforcement)	1 Representative plus 1 Deputy (must be Councillors) Term: AGM to AGM No liabilities identified / unlikely to be any liabilities.
'Where Next' Association	2 Representative must be Councillors – 2 places variation previously agreed Term: 1 year to Council's AGM Nature of representation: to represent the Borough Council. Liability appears to be limited.
Eadie Mews Trust	1 representative. Term: 4 years (current term of office expiring in May 2021) This organisation is registered as a charity and governed in accordance with the Charity Commission Scheme.
Tardebigge Relief in Need and Sickness Charities	2 representatives. One new appointment is required to replace the vacancy left by the late Cllr Pattie Smith Term: 4 years

	<p>This organisation is registered as a charity and governed in accordance with the Charity Commission Scheme.</p>
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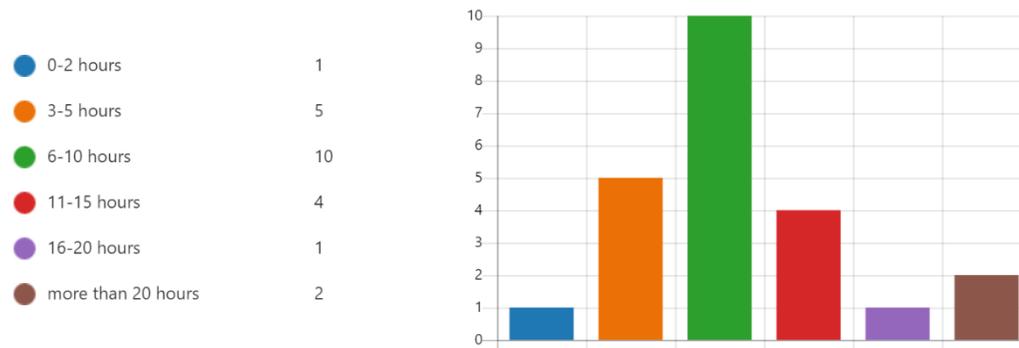
Appendix 2 – Summary of Councillor Survey Results

Survey of Councillors

23 of the 29 Councillors responded to a recent workload survey. An overview of the results follows:

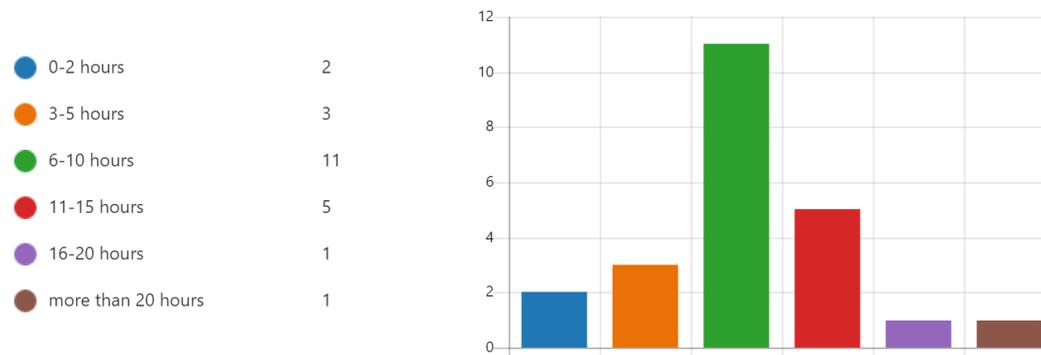
1. How many hours per **month** do you spend at official Council meetings (such as scrutiny and planning meetings)?

[More Details](#)



2. How many hours per **month** do you spend reading reports and preparing for official Council meetings (such as scrutiny and planning meetings)?

[More Details](#)

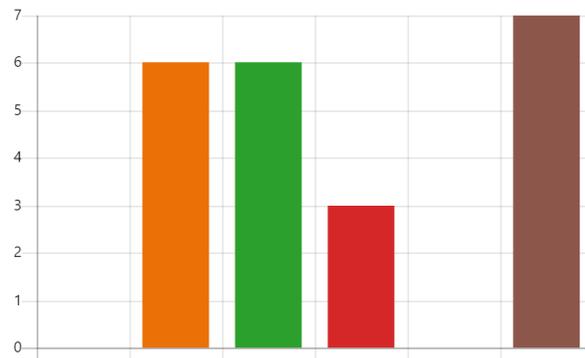


4. How many hours per **month** do you spend communicating with residents? (this could be via telephone, email or in person)

[More Details](#)

[Insights](#)

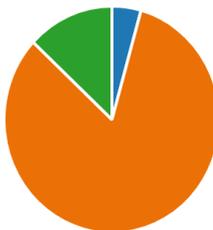
● 0-2 hours	0
● 3-5 hours	6
● 6-10 hours	6
● 11-15 hours	3
● 16-20 hours	0
● more than 20 hours	7



7. Which statement best describes the way you feel about your current workload as a councillor?

[More Details](#)

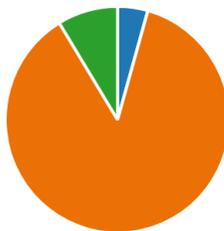
● I could take on a bigger workl...	1
● I feel my workload is about rig...	19
● I feel my workload is too large	3



8. Do you feel that the number of councillors in Redditch Borough Council is:

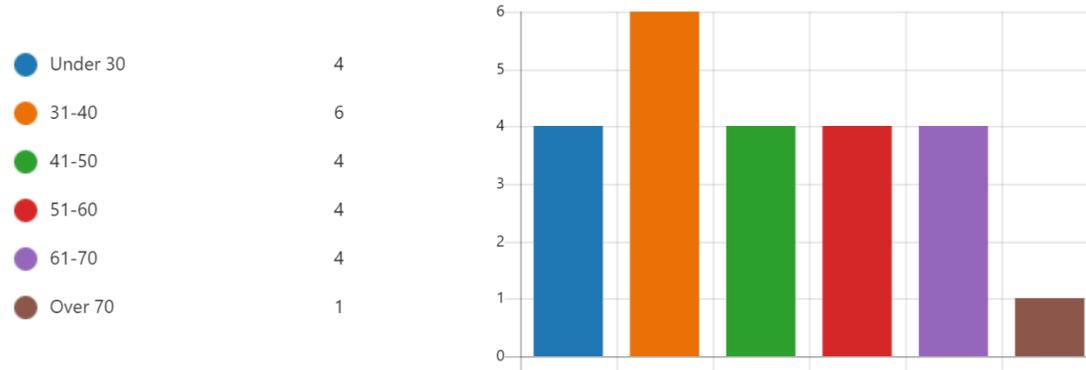
[More Details](#)

● too few	1
● about right	20
● too many	2



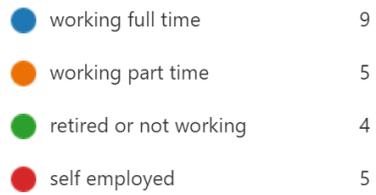
9. Please indicate which age bracket you are in:

[More Details](#)



10. What is your employment status (outside of your role as a councillor)?

[More Details](#)



Other relevant comments:

<p>The Council can't financially afford to have more councillors.</p>
<p>I feel that the way it's structured is fine at present. New housing developments will add to certain wards, potentially creating more workload, which I think most of us will have capacity to buffer.</p>
<p>Three councillors to a ward for Borough matters is too much. Add to this the County Council and you've got 5 Councillors active in one ward across two councils. It's too much. Redditch Borough Council does not need to be as large as it currently is and could operate effectively with 1-2 members per ward.</p>
<p>Politically, I would say the numbers are satisfactory.</p>
<p>I think the amount of Councillors should be increased by two because the population in Redditch is increasing all over the town.</p>
<p>I think you could have less councillors if they were able to give more hours - however this might result in people of working age or with young families not coming forward.</p>
<p>My worry if it is decided to reduce the number of councillors in Redditch is that the role of councillor will require almost full-time effort. We are supposed to be volunteers (agreed, we receive a modest allowance) and capable of pursuing careers, if still of working age. At least having 29 councillors spreads the load a bit, from the frustration perspective</p>
<p>The current size is adequate for both official functions like meeting but also being present in the ward.</p>

I do believe we can make the correct changes to the number of councillors without affecting the general effectiveness of the day to day running of the council or the time required by ward councillors to devote to their constituents

I don't believe the residents would want a bigger council. If the number of councillors must be divisible by 3 then the optimal amount would be 27.

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Electoral Matters Committee

Monday, 18th October, 2021

MINUTES

Present:

Councillor Matthew Dormer (Chair), Councillor Gemma Monaco (Vice-Chair) and Councillors Aled Evans, Andrew Fry and Mike Rouse

Officers:

Melissa Bassett, Kevin Dicks, Sue Hanley and Darren Whitney

Senior Democratic Services Officer:

Jess Bayley-Hill

1. APOLOGIES FOR ABSENCE AND NAMED SUBSTITUTES

There were no apologies for absence.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF THE LAST MEETING

RESOLVED that

the minutes of the meeting of the Electoral Matters Committee held on 22nd October 2019 be approved as a true and correct record and signed by the Chair.

4. LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND PRELIMINARY STAGE BOUNDARY REVIEW FOR REDDITCH - COUNCIL SIZE SUBMISSION

The Electoral Services Manager introduced a report on the subject of the Local Government Boundary Commission for England's Preliminary Stage Boundary Review for Redditch. Members were advised that at this stage the focus was on the size of the Council, or the total number of Councillors that there should be at Redditch Borough Council moving forward. The Boundary Commission for England was paying for the review, so this process would be completed at no financial cost to the Council. The subsequent stage of the process would focus on the location of the wards in the

Chair

Electoral Matters Committee

Monday, 18th October, 2021

Borough and what these should be called. The Electoral Matters Committee would again be consulted as part of that process.

The Senior Electoral Services Officer subsequently presented the report in detail and in doing so highlighted the following matters for Members' consideration:

- In preparing the Council's submission, Officers had reviewed the governance arrangements in place at the Council and the existing number of Councillors and it was noted that there had been no changes made to these since 2002.
- During the review process, Members had been invited to complete a survey and the responses provided had helped to inform the content of the submission. In total, 18 Councillors had completed this survey.
- In the feedback provided in the completed copies of this survey, Members had reported that technology was increasingly important as a tool for liaising with local residents and for resolving case work.
- The impact of the Covid-19 pandemic on Council working practices, including Committee meeting arrangements, had been taken into account. It had also been highlighted within the submission that the Council's strategic purposes were in the process of being reviewed due to the impact of the pandemic.
- There was an average electoral ratio of 2,199 electors per Councillor. However, three wards varied by more than 10% from this ratio: Abbey, Church Hill and Lodge Park. West ward was also close to this point. The Boundary Commission was clear that there should not be a variance over 10% and preferred variances to be less than 5%
- Comparative data for other Councils in Worcestershire, in respect of the electoral ratio and numbers of Councillors, had been considered. Members were asked to note that the Council had the smallest number of Councillors in Worcestershire, though both Malvern Hills District Council and Wychavon District Council were in the process of undertaking a boundary review.
- Similarly, Redditch Borough Council had a lower number of Councillors compared to the authority's nearest neighbours by population and other demographic data rather than geographic location.
- Statistical information provided by Worcestershire County Council had been analysed during the review and, based on the data provided, no overall growth in the voting population in Redditch was anticipated.

Electoral Matters Committee

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- Some anticipated changes in population by ward had been identified, based on information that had been provided by the Planning Department in respect of large planning applications.
- The statistical information provided revealed that the number of young people living in the Borough was similar to the national average, though higher than the Worcestershire average.
- The proportion of residents in the Borough from black and minority ethnic communities (BAME) was also higher than the county average.
- Redditch was ranked 107 out of 317 local authority areas in England in terms of deprivation levels and weekly pay was lower than the national average.
- The Council was keen to continue to have a system of elections by thirds. The Boundary Commission had suggested that in order to continue with this system the Council should consider the introduction of three-Member wards for all wards in the Borough.
- The requirement for three-Member wards meant that the overall number of Councillors, or size of the authority, needed to be divisible by three. Two options, both divisible by three, had therefore been identified for the overall number of Councillors: 27 or 30.
- In terms of the option to have 27 Councillors, it was anticipated that there would be a sufficient number of Councillors to participate in Committee business. The Council would also secure a small financial saving from a reduction in the overall number of Councillors, as all Members were entitled to receive the basic allowance, currently set at £4,437 per annum.
- Should there be 27 Councillors in total at the Council, this would mean that the Borough would have nine wards.
- The option of 30 Councillors, by contrast, would result in an increase in expenditure on Members' allowances, due to the introduction of an additional Councillor. Furthermore, there was a risk that if there were an even number of Councillors there might be challenges at a political level in terms of the appointment of an administration to run the Council.

Following the presentation of the report Members discussed a number of points in detail:

- The population growth figures provided by Worcestershire County Council in respect of the Borough. Members expressed some surprise that no population growth was anticipated.

Electoral Matters Committee

Monday, 18th October, 2021

- The extent to which planning applications for particular wards had been taken into account, with Members noting that large planning applications were anticipated for Church Hill and West wards which did not appear to be reflected in the figures. Officers explained that the Boundary Commission's criteria in respect of the planning applications that could be taken into account as part of this process were quite strict, though officers undertook to check the figures before the report was considered at a meeting of Council.
- The number of Councillors who had responded to the Member survey. The Chair expressed some disappointment that only 18 out of 29 Councillors had responded to this survey and Members requested that the survey be circulated again prior to the Council meeting.
- The typographical error in the report which referred to Worcestershire County Council as Worcestershire City Council. Members commented that Worcestershire County Council provided services to the whole of the county not just Worcester.
- The impact that Covid-19 had had on Councillors' work and the uncertainty that Members had about what the new normal would look like for Councillors' work once the pandemic ended.
- The next stage of the process, whereby wards would be reviewed and the possible changes that might be made. Officers suggested that Members needed to remain open minded and to consider the proposals that were brought forward on their own merits rather than through reference back to the existing wards.
- The potential for local districts to be kept in the same wards when wards were reviewed.
- The support that Councillors could provide to each other should all wards be represented by three Councillors.
- The need to attract candidates from a range of backgrounds, including people with work commitments and young families, to serve as elected Members. It was suggested that three-Member wards would potentially help to attract candidates as they would be able to share the workload with their colleagues.
- The software that would be used in the next stage to identify the location of the wards. Officers explained that this software was in the process of being installed.

The Committee concluded by discussing the total number of Councillors that would ideally serve on the Council in future. Members agreed that three-Member wards would be preferable. It was noted that the Council had always had 29 Councillors and

Electoral Matters Committee

Monday, 18th October, 2021

either 27 or 30 Councillors was a similar figure to this. However, there was general consensus that an odd number of Councillors would be preferable in order to provide some certainty in terms of identifying the majority political group at any one time. Concerns were also raised about the difficult position of the Mayor, and choice of who should serve as Mayor, should there be an even number of Councillors with an equal number representing opposing political groups. For these reasons, the Committee agreed to recommend that there should be a total of 27 Councillors.

RECOMMENDED that

subject to the amendments detailed in the preamble above, Council put forward the Council Size Submission to the Local Government Boundary Commission for England, including a proposal for there to be a total of 27 Councillors at Redditch Borough Council.

The Meeting commenced at 2.06 pm
and closed at 2.43 pm

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REDDITCH BOROUGH COUNCIL

RECORD OF DECISION TAKEN UNDER URGENCY PROCEDURES**SUBJECT: WORCESTERSHIRE BUSINESS RATES POOL 2022/23****BRIEF STATEMENT OF SUBJECT MATTER:**

To request approval of Redditch Borough Council joining the Worcestershire Business Rates Pool for 2022/23.

Briefing note below

DECISION:

That Redditch Council joins the Worcestershire Business Rates Pool for 2022/23 and authority for the decision on the 2022/23 final arrangements be delegated to the Head of Finance and Customer Services in agreement with the Portfolio Holder for Finance and the Leader.

(Council / Executive decision)

GROUNDS FOR URGENCY:

The current Worcestershire Pool will not continue automatically into 2022/23 and therefore a decision needs to be made urgently to join the Worcestershire Pool to ensure that any share of Business Rates growth for 2022/23 is not returned to Central Government but remains in Worcestershire. Financial projections are still being calculated to estimate the potential benefit to the Council and the wider County area.

BACKGROUND

The Ministry of Housing, Communities and Local Government has invited Councils to indicate their preferred pooling arrangements for the financial year, 2022-23, with the deadline for submission of proposals for 2022-23 pools being 8th October 2021. Therefore the Council needs to make an urgent decision as to the option of joining the Worcestershire Pool.

The Council was previously part of the Worcestershire Pool so this would be a continuation. The other option the council has is:

- to not be in a Business Rates Pool and return a higher proportion of business rates growth (levy) to Central Government.

It is understood from other Districts across Worcestershire that they will be entering the Worcestershire Pool for 2022-23, enabling volatility risks to be shared with other councils and also additional financial benefits in terms of levy on business rates growth that was retained locally rather than paid over to the Government.

KEY ISSUES

The Council therefore needs to determine whether it wishes to continue to participate in a Worcestershire wide pool for the year 2022/23 only.

Pool membership also allows for a degree of risk sharing between Pool members, provided losses are not significant and that there are sufficient resources within the overall retained levy to compensate councils with business rate losses. In summary, Pool membership benefits are:

- To drive forward economic growth through increased collaboration amongst members;
- To allow local retention of levy on business rates growth which would otherwise be paid to Government;
- To provide a degree of protection against business rates through a provision in the Governance Arrangements

As a general principle the Worcestershire Pool and other Pools locally operate on the principle that no council is worse off in the Pool than outside the Pool. This means that the amounts paid into the Pool by councils are limited to the levy amount that they would have otherwise paid to the Government. However in the event of significant losses, as in the case of the revaluation of GP surgeries, then the amount available from the Pool may be less than would be available from the Government National safety net facility.

The most significant factor in the Council's decision regarding Pool membership from 1 April 2022 is our view on the probability of further significant business rate losses in Redditch. Based on current appeals outstanding we have no reason to suspect there will be such losses, however there is material uncertainty with regards to the impact of Covid on businesses and their viability. We have already made reasonable provision for outstanding appeals and we are not aware of any changes which would lead to further significant losses.

The proposal for the governance arrangements is that there is a similar position for the shares of the retained levy as for the former WBRP but without a Risk Reserve as this Pooling arrangement is for one year only. However there will be provision within the governance arrangements to ensure there is protection for Pool Members to ensure that there is no detriment to their position comparative to had they not joined the pool.

FINANCIAL IMPLICATIONS

The arrangements for the business rates pool will continue to mitigate some but not all of the financial risk of the current business rates system. Based on information known at this point in time the pooling arrangements (if approved) remain of overall financial benefit to this Council. The precise impact on Council finances cannot be known as this will vary depending on a range of factors including whether business rates grow or contract, future appeals and mandatory reliefs.

Based on the information available to date, the Council's position together with the overall position of the wider Worcestershire family will be best protected by joining the proposed WBRP.

The proposed pool is only concerned with the money which is generated through the levy which would have been paid to central Government if the Pool members were not in the pool.

The Pool is designed to continue to protect member authorities from the ups and downs that are likely to arise in Business Rate income in the future. These will have a direct impact on the amount of funding for the Council. By remaining in a pool, the Council can better protect against these variations and thus provide some protection to its base funding.

DECISION APPROVED BY:

(Deputy) CHIEF EXECUTIVE

EXECUTIVE DIRECTOR FINANCE & RESOURCES
(if financial implications)

.....
(Signature) (Sue Hanley / Kevin Dicks - (D)CX)

.....
(Signature) (James Howse)

Date: Month 2021

PROPOSED ACTION SUPPORTED (amend as appropriate)				
..... (Signature) (Signature)	 (Signature) (Signature) (Signature)
(Block Capitals)	(Block Capitals)	ANDREW FRY (Block Capitals)	(Block Capitals)	(Block Capitals)
MAYOR *	PF HOLDER	LEADER / LABOUR Group	LEADER / LDR CONSERVATIVE Group	CHAIR O&S Committee
Date:	Date:	Date: 7.10.21	Date:	Date:

Notes:

* In addition to the Executive decision above regarding the matter under consideration, the Mayor is signing to agree both that the Executive decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. This is to ensure that the call-in procedures as set out in Part 8 of the Constitution shall not apply where an Executive decision being taken is urgent.

REDDITCH BOROUGH COUNCIL

RECORD OF DECISION TAKEN UNDER URGENCY PROCEDURES

SUBJECT: Domestic Waste Collection Service – Additional Funding

BRIEF STATEMENT OF SUBJECT MATTER:

Environmental Services have had a prolonged period with high levels of sickness and frequent requirements for staff to isolate, which has significantly impacted on service delivery and has now reached a high level of service risk.

Changes have been proposed and implemented to support service delivery in the short term by:

1. suspending the garden waste service for four weeks.
2. writing to all garden waste customers to notify them of the suspension and the reasons.
3. Fast track recruitment to recently vacated roles, and long-term sick positions that are being progressed through capability.
4. taking on additional short-term agency for a period of four-five weeks to support services whilst recruitment is finalised.

To support services in the medium term it has also been proposed to recruit three new driving posts to the shared Environmental Services as an additional revenue expense to secure the service.

The associated costs of the short-term arrangements are proposed to be funded from the General Fund, as there is no available Covid Grant Funding to support this. This will cover the short-term agency costs, and the costs of our direct mailout to customers. (£6,519)

The new salary costs are an additional pressure, and as such, additional revenue funding is being sought to support the service during 2021/22 and 2022/23 as per the table of costings below:

It is expected that this would not be a permanent increase to the staffing levels of the service, and will be considered as future drivers leave employment as to whether service levels can be returned to pre-covid levels, and the additional expense removed.

DECISION:**RESOLVED that**

additional revenue funding, as detailed in the table below, be allocated to the Environmental Services budget in 2021/22 and 2022/23 to fund the recruitment of three new staff posts:

	2021/22	2022/23
Additional Revenue requirement (RBC)	£18,547	£44,513

(Council decision)

Staff absences have been high throughout the last 18 months, but have increased significantly during July, August, and September.

Even with support from other areas of Environmental Services, refuse crews have been regularly operating short-handed due to isolation requirements, and this has driven increases in physical injuries as a result of the physical nature of the role, but has also seen an increase in mental health issues due to the challenges of maintaining services.

It has been identified that the service is on the verge of failure, and is unlikely to be able to continue provision of waste collection services over the coming winter without additional investment and support for the team. This is partly due to on-going pressures arising from Covid 19, and also the fact that sickness is normally higher in the winter months due to the impact of cold wet weather on a highly physical outdoor role.

The current pressures nationally on HGV drivers is well documented, and there are no agency drivers available locally to support the service if we lose further drivers, so recruitment of additional driver/loader positions will significantly reduce the risk of service failure, and support more consistent staffing levels that can withstand the current and expected sickness levels over the coming months.

Waste Team Absence statistics for the 2021 Calendar Year to date:

685 Staff days lost through Isolation YTD
 1067 Staff Days lost through Sickness

DECISION APPROVED BY:

(Deputy) **CHIEF EXECUTIVE**

EXECUTIVE DIRECTOR FINANCE & RESOURCES
(if financial implications)

.....
(Signature) (Sue Hanley / Kevin Dicks - (D)CX)

.....
(Signature) (James Howse)

Date: October 2021

PROPOSED ACTION SUPPORTED <i>(amend as appropriate)</i>				
..... <i>(Signature)</i> <i>(Signature)</i> <i>(Signature)</i> <i>(Signature)</i> <i>(Signature)</i>
<i>(Block Capitals)</i>	<i>(Block Capitals)</i>	<i>(Block Capitals)</i>	<i>(Block Capitals)</i>	<i>(Block Capitals)</i>
MAYOR *	PF HOLDER	LDR of the LABOUR Group	LEADER / LDR CONSERVATIVE Group	CHAIR O&S Committee
Date:	Date:	Date:	Date:	Date:

* In addition to the Executive decision above regarding the matter under consideration, the Mayor is signing to agree both that the Executive decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. This is to ensure that the call-in procedures as set out in Part 8 of the Constitution shall not apply where an Executive decision being taken is urgent.

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