

Public Document Pack

A MEETING OF THE BOROUGH OF TELFORD & WREKIN

Will be held at THE PLACE, LIMES WALK, OAKENGATES, TELFORD,
TF2 6EP
on THURSDAY, 18 NOVEMBER 2021
at 6.00 pm

All Members are summoned to attend for the transaction
of the under mentioned business



Associate Director: Policy & Governance

AGENDA

1. **Prayers and Reflections**
2. **Apologies for Absence**
3. **Declarations of Interest**
4. **Minutes of the Previous Meeting** (Pages 5 - 14)
To confirm the minutes of the last meeting of the Council.
5. **Leader's Report & Announcements**
The Leader of the Council may give an oral report on matters of significance to the Borough, comment upon the Cabinet decisions or make any announcements.
6. **Mayor's Announcements** (Pages 15 - 20)
To note the Mayoral Engagements undertaken since the previous Council meeting.

7. **Public Questions**

To receive any questions from the public which have been submitted under Council Procedure Rules 7.11 and 7.12. The session will last no more than 15 minutes with a maximum of 2 minutes allowed for each question and answer. Questions can be asked of the Leader and Cabinet Members.

- 7.1 **The following question has been submitted by Kate Barnes**
“In a mailshot from the council on 13th September, £2 million was pledged to parks. On behalf of the residents of Aqueduct Ward, can we ask how this funding will be allocated across the borough for play-parks and can the cabinet member ensure that the right allocation is rewarded to the Dawley Hamlets' play parks so they reach the standard of others across the borough?”

8. **Cabinet Decisions Made Since the Last Meeting of the Council** (Pages 21 - 24)
To receive the report on the Cabinet decisions made since publication of the last Council meeting agenda. Cabinet Members may speak on these decisions and Members may ask questions about key decisions of the relevant Cabinet Member for the purposes of clarification only. Members are asked to note the additional delegations to officers granted at those meetings.

9. **Recommendations from Cabinet**

CABINET - 4 NOVEMBER 2021

- 9.1 **2021/22 Financial Monitoring** (Pages 25 - 28)
10. **Recommendations from Boards and Committees**

AUDIT COMMITTEE - 28 SEPTEMBER 2021

- 10.1 **Appointment of External Auditors for April 2023 Onwards** (Pages 29 - 34)
At its meeting held on 28 September 2021, the Audit Committee made the following recommendation to Council:
- a) the information and options available as set out in section 4 of the report be noted;
 - b) that the Council use option 3, the national Sector Led Body (SLB) appointed by the Government – Public Sector Audit Appointments Ltd to undertake the procurement;
 - c) full Council the approve the proposal to opt into the PSAA for the purpose of appointing External Auditors for the audit of the financial years 2023/24 onwards;
 - d) delegated authority should be granted to the Chief Finance

Officer (or their delegated officer) to take all appropriate actions to opt into the PSAA procurement process and engages with the PSAA to inform their specifications and proposed supplier; and

e) delegated authority should be granted to the Associate Director: Policy & Governance (or their delegated officer) to take all actions needed to enter into all necessary legal documentation required to give effect to this decision.

LICENSING COMMITTEE - 12 OCTOBER 2021

10.2 **Gambling Act 2005 – Statement of Licensing Principles**

(Pages 35 - 50)

At its meeting held on 12 October 2021, the Licensing Committee made the following recommendation to Council:

the Statement of Gambling Licensing Policy for the Gambling Act 2005 be presented to Full Council for approval on 18th November 2021.

11. **Councillor Questions On Notice**

To answer questions received under Council Procedure Rule 6.2.

NB In accordance with the provisions of Council Procedure Rule 6.2.9 there will be a maximum of 30 minutes allowed for questions and answers. Any question not answered within the 30 minute time limit will receive a written reply within 5 working days.

12. **Notices of Motion**

12.1 **Councillor S Davies will propose the following Motion :-**

“This Council notes, with grave concern, the intense pressure that our local hospital is under and this will be compounded by a difficult winter ahead for the NHS. The recent stories of ambulances queuing outside our A&E at PRH for hours with patients desperate to be treated or waiting for ambulances to arrive is unacceptable. Our NHS staff are working flat out, feeling demoralised and exhausted. Shropshire Future Fit hospital shakeup remains not fit for purpose, with escalating costs now pitched at £533million from its original budget of £312m. Never has it been more apparent that Telford needs to keep a 24/7 A&E Service and a fully functioning Women’s and Children’s Centre.

“It is clear that our NHS is in crisis both locally and nationally. It cannot go on and this Council therefore requests an urgent meeting with the new Secretary of State for Health & Social Care, Savid Javid and calls on him to intervene urgently to ensure our PRH retains its much needed 24/7 A&E and Women’s & Children’s Centre.”

The Motion will be seconded by Councillor R A Overton.

- 12.2 **Councillor N A Dugmore will propose the following motion :-**
“This Council strongly advises all residents to listen to the advice of medical experts and take the opportunity of a COVID 19 and flu vaccination both for the protection of themselves, friends and families and also to reduce the risk of transmission of the viruses.

We also urge our NHS leaders to work with this Authority to provide more walk-in vaccination centres in order to reduce waiting times to administer more vaccinations which we consider to be essential in protecting frontline medical provision.”

The Motion will be seconded by Councillor S Bentley.

FILMING, RECORDING & PHOTOGRAPHY

The Council supports the principle of transparency and encourages filming, recording and taking photographs at its meetings that are open to the public. It also welcomes the use of social networking websites (such as Twitter and Facebook) and micro-blogging to communicate with people about what is happening, as it happens.

There is no requirement to notify the Council in advance, but it should be noted that the Chairman of the meeting will have absolute discretion to terminate or suspend any of these activities if, in their opinion, continuing to do so would prejudice proceedings at the meeting. Full details of the Council’s protocol on audio/visual recording and photography at meetings can be accessed via the following link:

http://www.telford.gov.uk/info/20243/council_meetings/365/filming_photography_recording_and_use_of_social_networking_at_meetings

PUBLIC QUESTIONS

At each Ordinary meeting of the Council a period of 15 minutes will be allocated for public questions. Questions can be asked of The Leader and Cabinet Members. Details of the protocol for public questions can be accessed via the following link:

http://www.telford.gov.uk/info/20243/council_meetings/364/public_questions_at_council_meetings

FULL COUNCIL

Minutes of a meeting of the Full Council held on Thursday, 22 July 2021 at 6.00 pm in The Place, Limes Walk, Oaken gates, Telford, TF2 6EP

Present: Councillors S Bentley, K T Blundell, M Boylan, A J Burford, S P Burrell, E M Callear, L D Carter, E J Carter, G H Cook, S Davies, N A Dugmore, A J Eade, A R H England, R C Evans, V A Fletcher, I T W Fletcher, E J Greenaway, C Healy, V J Holt, M B Hosken, A S Jhavar, J Jones, R T Kiernan, J E Lavery, A Lawrence, J Loveridge, A D McClements, R Mehta, K Middleton, T J Nelson, G L Offland, R A Overton, S J Reynolds, G C W Reynolds, S A W Reynolds, H Rhodes, K S Sahota, P J Scott, J M Seymour, C F Smith, M J Smith, B J Thompson, W L Tomlinson, K T Tomlinson, C R Turley, P Watling, D R W White and D Wright

Apologies: Councillors C Cassar, N A M England, T L B Janke and L A Murray

144 Prayers and Reflections

Les Pointer, representing the Church of Jesus Christ of Latter-Day Saints, said prayers.

145 Declarations of Interest

Councillors V A Fletcher and I T W Fletcher declared an interest in minute number 153b Response to review of Parliamentary Boundaries as it affected the ward they represented.

146 Minutes of the Previous Meeting

RESOLVED – that the minutes of the meeting held on 29 April 2021 be confirmed and signed by the Mayor.

147 Leader's Report & Announcements

The Leader welcomed newly elected Councillors I Preece and J Gough to their first Council meeting. The Leader reflected on the coronavirus pandemic and stated that everyone had been impacted by the virus, which had not gone away and noted that the pandemic was not over.

The Leader discussed the fire at the recycling centre in Ketley and expressed his thanks to partners in the fire and rescue service. Thanks to the efforts of the Council and partners the fire took weeks to extinguish not months. He noted that the Council had, on multiple occasions, refused planning permission on the site, but this had been overturned by the planning inspectorate.

The Leader noted that he had written to the Secretary of State for Local Government in regards to the Levelling Up Fund. Telford had been placed in tranche 3, behind places like Oxford, Shropshire and parts of Essex and expressed his frustration with this.

The Council had secured £22.3m from the Towns Fund and the Leader thanked all partners and staff involved in the bid for this. All the funding would be spent in the Borough and the Council had managed to secure £100m of matched funding.

The Leader announced that the Council had been awarded the Cooperative Council of the Year award and was a finalist in the Local Authority of the Year awards with the MJ.

148 Mayor's Announcements

The Mayor noted his engagements since the last meeting. He noted that he had been delighted to attend many events around the Borough, including BikeFest in Wellington, National Armed Forces Day in Donnington and the opening of the new Veterinary Education Centre at Harper Adams University where Her Royal Highness, Princess Anne was in attendance.

The Mayor announced that his chosen charities for this year would be Telford Crisis Support and the Midlands Air Ambulance.

149 Public Questions

No questions were received.

150 Cabinet Decisions Made Since the Last Meeting of the Council

Members received the report on the Cabinet decisions made since the last meeting of the Council.

Telford & Wrekin Council Becoming Carbon Neutral Action Plan Annual Review

Councillor N A Dugmore asked if there was a target for the number of electric vehicle charging points to be provided.

Councillor D Wright responded that he would provide a written response with the exact figures. He stated that the Council would be producing a comprehensive strategy and would look to identify priority sites.

151 Councillor Questions On Notice

The following questions were asked under Council Procedure Rule 6.2.2:-

(a) Councillor T J Nelson asked the following question of Councillor S Davies, Leader:

'With the announcement that the Council has submitted over a million pages of evidence to the Telford Child Sexual Exploitation Inquiry, does the leader and his fellow councillors still claim that the CSE Inquiry was not needed?'

Councillor S Davies responded that it was too early to say if the inquiry had achieved what the Council had wanted it to. The administration had asked for a Government Led Inquiry, which was declined, so it was felt that a council commissioned inquiry was better than no inquiry at all. The Council commissioned inquiry did not have statutory powers and could not compel witnesses to attend or answer questions.

Councillor Nelson asked a supplementary question in regards to the amount of evidence submitted by the Council.

Councillor Davies stated that the way the inquiry had been run was managed by the Chair of the Inquiry as it is completely independent. The Council had released all information it had been asked to do so. The Leader stated that he would be asking questions of who didn't provide evidence or attend the inquiry.

(b) Councillor N A Dugmore asked the following question of Councillor D Wright, Cabinet Member for Economy, Housing, Transport and Infrastructure:

'What changes have been made following the review of the relationship between APT and the planning authority announced in January?'

Councillor Wright responded that the report was due to conclude within the next few weeks and would be brought before Scrutiny.

(c) Councillor S Bentley asked the following question of Councillor C Healy, Cabinet Member for Climate Change, Green Spaces, Natural and Historic Environment:

'Since the publication of the Boroughs' climate change strategy the Shropshire Star reported that there has been a 33 percent reduction in carbon emissions across the Borough in the last 12 months. What is the largest contributing factor to this reduction?'

Councillor Healy indicated she would provide a written reply.

- (d) Councillor S Bentley asked the following question of Councillor D Wright, Cabinet Member for Economy, Housing, Transport and Infrastructure :

‘What tonnage of freight has the Donnington Rail Freight terminal handled during the 12 months leading up to lockdown?’

Councillor Wright advised he would provide a written reply.

- (e) Councillor S Bentley will ask the following question of Councillor S Davies, Leader:

‘Following the £1.3m investment in 110 homes within the Borough to create a social rented arm of NuPlace ,can the leader guarantee these properties will provide accommodation to residents of the Borough whose limited opportunities for social housing have existed for many years? ’

Councillor Davies stated he would provide a written response.

- (f) Councillor Eric Carter asked the following question of Councillor D Wright, Cabinet Member for Economy, Housing, Transport and Infrastructure :

‘Could I ask the Cabinet Member for Transport why neither he nor any officers attend the most effective and influential rail organisation in the Area, namely the Marches Strategic Rail Group?’

Councillor Wright would provide a written response.

152 Recommendations from Cabinet

- (a) 2020/21 Financial Outturn Report

Councillor R C Evans, Cabinet Member for Council Finance & Governance, presented the report of the Director: Finance & Human Resources (Chief Financial Officer).

RESOLVED - that:

- a) The revenue outturn position for 2020/21 which remains subject to audit by the Council’s external auditors, and related virements in Appendix 3 of the report be approved**
- b) The transfers and changes to reserves and associated approval to the relevant members of the Senior Management Team (as determined by the Chief Executive) and after consultation with the relevant Cabinet Member to spend the reserves detailed in Section 5 and Appendix 5 of the report be approved**

- c) The Capital outturn position and related supplementary estimates, re-phasing and virements shown in Appendix 4 of the report and as summarised in the report be approved
- d) Authority be delegated to the Director: Finance and HR to make any changes required as the outturn is finalised, in consultation with the Cabinet Member for Council Finance and Governance
- e) The performance against income targets be noted
- f) The 2021/22 Public Health Grant be approved and the 2021/22 budget strategy be updated accordingly.

(b) 2021/22 Financial Monitoring

Councillor R C Evans, Cabinet Member for Council Finance & Governance, presented the report of the Director: Finance & Human Resources (Chief Financial Officer).

RESOLVED – that the changes to the capital programme as detailed in Appendix 1 of the report be approved.

153 Recommendations from Boards and Committees

(a) Annual Scrutiny Update

The Lead Scrutiny Member, Councillor Derek White, presented the Annual Report for information.

RESOLVED – that the Annual Scrutiny Report 2018/19 be noted.

(b) Response to review of Parliamentary Boundaries

Councillor Richard Overton, Deputy Leader and Cabinet Member for Enforcement, Community Safety and Customer Services presented the report of the Associate Director: Policy & Governance.

RESOLVED- that:

- a) A representation is made to the Boundary Commission for England ('BCE') that the title of the proposed Newport and Wellington constituency does not properly reflect local identity and that the constituency should retain the name of 'The Wrekin'
- b) Representations to be made to the BCE that the Council supports the initial proposals for the neighbouring constituencies of North Shropshire, Shrewsbury and Ludlow & Bridgnorth
- c) Representations to be made to the BCE that the Council agrees that The Wrekin constituency should incorporate the areas of Cheswardine and Hodnet from the existing North Shropshire constituency.
- d) Representations to be made to the BCE that the Council agrees with the majority of the proposals in relation to the boundaries for the

Telford and The Wrekin (Newport & Wellington) constituencies save that the Council proposes:-

- i- That the area of Priorslee should comprise part of The Wrekin constituency; and**
- ii- That the area of Hadley & Leegomery should comprise part of the Telford constituency with both of these proposals being made to better reflect community ties.**

e) Authority be delegated to the Chair of the Boundary Review Committee to write to the BCE in the terms set out above.

(c) Adoption of Member Development and Support Strategy

Councillor R C Evans, Cabinet Member for Council Finance & Governance, presented the report of the Associate Director: Policy & Governance.

RESOLVED- that the Member Development and Support Strategy as attached at Appendix A of the report be adopted with immediate effect.

(d) Code of Conduct

Councillor R C Evans, Cabinet Member for Council Finance & Governance, presented the report of the Associate Director: Policy & Governance.

RESOLVED- that the Code of Conduct as attached at Appendix A of the report be adopted with immediate effect.

154 Notices of Motion

(a)

Councillor W L Tomlinson formally moved, in accordance with Council Procedure Rule 7, the following Motion:

‘Council resolves to:

- Ask the Chief Executive to write to the Secretary of State for Transport requesting that the Government’s response to the ‘Pavement Parking: Options for Change’ consultation now be published as promised over 3 months ago.
- Ask the relevant officer to conduct a survey amongst the elected members of this Council asking members to identify streets within their ward where nuisance pavement parking occurs.
- Ask the relevant Cabinet Member to bring to a future meeting of this Council a report with the findings of this survey and details of the enforcement action that this Council proposes to take, taking account of any new powers the Government promises to make available to local authorities in their published response to the consultation’

The Motion was formally seconded by Councillor K T Tomlinson.

Following a robust debate, the Motion was approved by a majority vote.

RESOLVED - that the motion be approved.

(b)

Councillor A D McClements formally moved, in accordance with Council Procedure Rule 7, the following Motion:

‘This Council joins the growing opposition against phasing out of the £20 uplift in Universal Credit in September and calls on the Government for the uplift to remain in place permanently. This funding has been a life saver for many families during the pandemic, many of whom are in work or want to be in work. The Government’s plans to cut Universal Credit will hit the lowest paid hardest and hurt our economic recovery. Over six million families, which include 6,205 families in Telford & Wrekin, are set to lose £1,000 a year, with 16 of our 29 wards in Telford and Wrekin seeing an over 100% increase in claimants from March 2020, whilst out of work support has been left at its lowest level in decades.’

The Motion was formally seconded by Councillor K Middleton.

Following a robust debate, the Motion was approved by a majority vote. In accordance with Committee Procedure Rule 9.5, a recorded vote on the motion was taken, the voting being as follows:

For: Councillors A J Burford, E Callear, L D Carter, G H Cook, S Davies, A R H England, R C Evans, C Healy, V Holt, A S Jhawar, J Jones, J E Lavery, J Loveridge, A D McClements, R Mehta, K Middleton, G Offland, R A Overton, G C W Reynolds, S A W Reynolds, S J Reynolds, H Rhodes, K S Sahota, P J Scott, C F Smith, M J Smith, B J Thompson, K T Tomlinson, W L Tomlinson, C R Turley, P R Watling, D R W White, D Wright.

Against: 0

Abstain: Councillors S Bentley, S P Burrell, E J Carter, N A Dugmore, A J Eade, I T W Fletcher, V A Fletcher, E J Greenaway, M B Hosken, R T Kiernan, A Lawrence, T J Nelson, J M Seymour.

RESOLVED - that the motion be approved.

(c)

Councillor D Wright formally moved, in accordance with Council Procedure Rule 7, the following Motion:

‘This Council believes that local democracy should be at the heart of the planning system which includes the rights of communities to object to individual planning applications.

The Government already exercise major control over local planning matters, often overturning locally made decisions on appeal. We are therefore concerned that these new proposals announced by the Government in the

Queen's Speech aim to change both the current and strategic approach to the planning system.

This Council believes that the Government reforms will lead to a further loss of local control and will give local residents less opportunity to actively participate in and directly influence the planning process. The planning reforms will lead to remote, standardised and formula based decision making led from Whitehall and in that context this Council calls on the government to abandon its existing proposals and ensure that the principle of local decision making is restored to the whole planning process.'

The Motion was formally seconded by Councillor C F Smith.

Following a robust debate, the Motion was approved unanimously.

RESOLVED - that the motion be approved.

(d)

Councillor E Callear formally moved, in accordance with Council Procedure Rule 7, the following Motion:

'This Council wishes to again put on record our heartfelt thanks and appreciation for all of our frontline key workers from doctors, nurses, the armed services, carers, teachers, police, council staff, including all our volunteers across Telford and Wrekin and so many, many more local heroes who have worked tirelessly on the frontline to care for all our residents during the pandemic. They have and continue to be truly inspirational and we have been humbled by the selflessness and dedication during these unprecedented and challenging times for our borough – thank you to each and every one of them! This Council also recognises the incredible achievement of our England Football team. Their leadership, determination, generosity and performance has brought our community together after one of the most difficult years our country has faced in peacetime.'

In the spirit of cross-party co-operation, Councillor Callear agreed that the following sentence would also be included in the motion:

'This Council also deplores the actions of those individuals who choose to use social media to make derogatory comments against individuals on the grounds of their ethnic background.'

The Motion was formally seconded by Councillor G Offland.

Following a robust debate, the Motion was approved unanimously.

RESOLVED - that the motion be approved.

(e)

The Motion proposed at agenda item 12(e) was withdrawn by Councillor N A Dugmore with the agreement of Councillor S Bentley (seconded).

The meeting ended at 8.44 pm

Chairman:

Date: Thursday, 18 November 2021

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MAYORAL ENGAGEMENTS 23 July 2021 – 18 November 2021

JULY	24	M	Exotic Zoo Official Opening
	24	M	Opening A Taste of Caribbean Community Café
	25	M	TAARC Windrush Day Celebration 2021
AUGUST	2	M	PODS Charity, annual 'Picnic in the Park' for families with disabled children.
	5	M	Bright Star celebration evening
	6	M	Madeley Wood Co. Outdoor Adventure Opening
	7	M	Ketley Parish Council Summer Fete - Ketley Community Centre
	11	M	Gala Dinner following the annual conference and Reunion of the British Nuclear Test Veterans Association
	14	M	Dance World Cup – Telford International Centre
	15	M	Flag Hoisting Ceremony - 75th Indian Independence Day 2021 - Birmingham
	18	M	Closing Celebration Event South Asian Heritage Month – Teams (Virtual)
	21	DM	Historic Rally Event – Telford Town Park
	22	DM	Picnic in the Park Community Event – St Georges
	26	M	Cheque Photo with Mayor of Newport – Pretty Puds, Newport
	28	M	Telford Balloon Fiesta – Telford Town Park
	29	M	Telford Balloon Fiesta Carnival Parade – Southwater, Telford Town Centre

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SEPTEMBER	8	M	Flag Hoisting Reception ahead of 999 Emergency Service Day – Addenbrooke House
	9	M	RAF Cosford Annual Reception – Cosford
	9	M	999 Emergency Services Day - Shrewsbury
	10	M	Secret Severn Arts - Art Trail - Jackfield
	11	M	Stirchley and Brookside Parish Council – family fun and music day - Stirchley
	11	M	Closing World Suicide Prevention Day – Southwater, Telford Town Centre
	12	M	Pitch Opening – St. Georges
	13	M	Shropshire Scouts AGM - Roden
	15	M	Leader and Mayor MOD visit – Dawley Bank
	15	DM	UK Dairy Day – Telford International Centre
	15	M	Aviramp Ltd The Queen's Awards Celebratory Lunch - Shrewsbury
	17	M	Premier Jules Convenience Store In store raffle for Macmillan - Hadley
	17	M	University of Wolverhampton Chancellor's Graduation Dinner - Wolverhampton
	18	M	Opening of the new annexe to Dawley Baptist Church
	20	M	Visit to 12G Centre Ironbridge Powerstation
	22		Citizenship Ceremony - Wellington
	25	M	British Empire Medal Ceremony – Blists Hill Victorian Town
	26	M	Service of Thanksgiving and Commemoration - Shrewsbury
	27	M	Telford Samaritans AGM – Zoom (Virtual)

B

	28	M	Staff 5k event – Telford Town Park
	29	M	Recovery Tow Show – Telford International Centre
OCTOBER	5	M	Telford & Wrekin Council Employee Awards – The Place Theatre, Oakengates
	6	M	IRRV Opening of conference & exhibition – Telford International Centre
	7	M	IRRV Awards Dinner – Telford International Centre
	8	M	Grand Opening Telford Interfaith Community Hub - Wellington
	10	M	Memorial and Thanksgiving Service - Shrewsbury
	11	DM	Horsehay Village Golf Club Refurbishment
	11	M	Let's Dine Team Presentation of Books – Meadows Primary School and Nursery
	18	M	West Midland RFCA Regional Briefing – Zoom (Virtual)
	20	M	Citizenship Ceremony - Wellington
	21	M	Black History Month: Adult Mental Health Launch Event – Calm Café, Meeting Point House, Southwater, Telford Town Centre
	21	M	The launch of The Community Foundation in Shropshire - Coalbrookdale
	23	M	Brookside Big Local c/o Brookside Central Community Centre
	27	M	Foodi Takeaway Grand Opening - Trench
	29	M	Black History Month Closing Ceremony - Wolverhampton
	30	M	Ultimate Stance Car Show – Telford International Centre

B

NOVEMBER

- 30 **DM** Guest Judge Halloween Party – Woodside Allotments
- 2 **M** Invitation to Priorslee House - Ribbon Cutting Event
- 2 **M** Launch Day Opening All Nations Community Grocery
- 5 **M** Virtual Remembrance Service from The Pan African Ahmadiyya Muslim Association
- 11 **M** UK – Zoom (Virtual)
- 11 **DM** Armistice Remembrance Parade – Telford Priory School, Wrockwardine Wood
- 11 **M** Armistice Day Service – Telford Town Park
- 12 **M** SYA Annual General Meeting – Zoom (Virtual)
- 13 **M** Polish Saturday School 10th Anniversary - Wellington
- 13 **M** SW1 Christmas Light Switch-On – Southwater, Telford Town Centre
- 14 **M** Madeley Remembrance Day Event
- 14 **DM** Dawley Remembrance Parade and Service
- 14 **M** Festival of Remembrance 2021 – The Place Theatre, Oakengates

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TELFORD & WREKIN COUNCIL

COUNCIL – 18 NOVEMBER 2021

MATTERS DETERMINED BY THE CABINET

REPORT OF CABINET – FOR INFORMATION ONLY

1.0 INTRODUCTION

This report sets out those matters determined by the Cabinet at its meetings held on 23 September 2021, 7 October 2021, and 4 November 2021.

2.0 CABINET BUSINESS

Matters that have been determined by Cabinet are listed below:

- | | | |
|------|-------|---|
| | 2.1 | <u>23 September 2021</u> |
| K | 2.1.1 | Learning Disability Strategy |
| K | 2.1.2 | Tibberton & Cherrington Neighbourhood Development Plan – Approval to go to Referendum |
| NK | 2.1.3 | Annual Customer Feedback and Complaints Report |
| NK | 2.1.4 | Councillors Pride Fund – Update Report |
| NK | 2.1.5 | Local Government Association Corporate Peer Review |
| NK | 2.1.6 | Telford Hockey Club – Supporting Investment in Pitch Facilities |
| | 2.2 | <u>7 October 2021</u> |
| K | 2.2.1 | Telford & Wrekin Indoor Sports & Leisure Strategy |
| NK | 2.2.2 | Creating a better Borough – The Telford Land Deal – Annual Report |
| NK | 2.2.3 | Equality & Diversity Update |
| | 2.3 | <u>4 November 2021</u> |
| K | 2.3.1 | Empty Property Strategy and Action Plan |
| K | 2.3.2 | Donnington & Muxton Neighbourhood Development Plan – Approval to go to Referendum |
| K | 2.3.3 | Telford and Wrekin Borough Climate Change Action Plan and Consultation |
| K PC | 2.3.4 | 2021/22 Financial Monitoring |

Key

K	= Key Decisions
NK	= Non-Key Decisions
E	= Exempt Items
PE	= Part Exempt Item
C	= Council
PC	= Part Recommendation to Council

3.0 DELEGATION OF POWERS GRANTED BY THE CABINET

REPORT HEADING	DELEGATION GRANTED TO	DETAIL OF DELEGATION GRANTED
Learning Disability Strategy	Director: Adult Social Care in consultation with the Lead Cabinet Member for Adult Social Care and the Telford and Wrekin Learning Disability Partnership Board	To take the necessary steps to implement the recommendations.
Tibberton & Cherrington Neighbourhood Development Plan – Approval to go to Referendum	Chief Executive	To exercise all the relevant powers and duties and undertake all necessary arrangements for the Tibberton & Cherrington Parish Neighbourhood Development Plan (Referendum Version) to now proceed to Referendum and for the Referendum to take place asking the question whether the voter wants Telford & Wrekin Council to use this neighbourhood development plan for the Tibberton & Cherrington Parish Neighbourhood Development Plan area to help it decide planning applications in this neighbourhood area.
Annual Customer Feedback and Complaints Report	Director for Communities, Customer & Commercial Services in consultation with the Lead Cabinet Member for Enforcement, Community Safety and Customer Services	To make amendments to these policies going forward in line with changes to the appropriate legislation.
Councillors Pride Fund - Update Report	Group Manager of Community Services in consultation with the relevant ward Member(s)	To assess and approve or refuse applications for funding in accordance with the grant criteria.
Telford Hockey Club - Supporting Investment in Pitch Facilities	Associate Director: Policy & Governance	To execute all legal and other documentation and undertake all procedural steps necessary to enable completion of the loan and its repayment.

REPORT HEADING	DELEGATION GRANTED TO	DETAIL OF DELEGATION GRANTED
Telford & Wrekin Indoor Sports & Leisure Strategy	<p>Director: Customer, Community & Commercial Services in consultation with the Cabinet Member for Leisure, Libraries & Culture</p> <p>Associate Director: Policy & Governance</p>	<p>To finalise a brief and procure the services of consultants to produce an Indoor Sports Strategy for the borough.</p> <p>To negotiate and execute any necessary contractual agreements required in respect of above.</p>
Equality & Diversity Update	Director: Communities, Customer and Commercial Services in consultation with the lead Cabinet Member for Co-operative Communities, Engagement and Partnerships	To update the Council's policies.
Empty Property Strategy and Action Plan	Director: Housing, Employment & Infrastructure in consultation with the Cabinet Member for Economy, Housing, Transport & Infrastructure and the Director: Finance & H.R	To allocate funding
Donnington & Muxton Neighbourhood Development Plan – Approval to go to Referendum	Chief Executive	To exercise all the relevant powers and duties and undertake all necessary arrangements for the Donnington & Muxton Parish Neighbourhood Development Plan (Referendum Version) to now proceed to Referendum and for the Referendum to take place asking the question whether the voter wants Telford & Wrekin Council to use this neighbourhood development plan for the Donnington & Muxton Parish Neighbourhood Development Plan area to help it decide planning applications in this neighbourhood area.

REPORT HEADING	DELEGATION GRANTED TO	DETAIL OF DELEGATION GRANTED
Telford and Wrekin Borough Climate Change Action Plan and Consultation	Director: Finance and Human Resources	To agree terms and any documentation to give effect to the implementation of the bond and any projects as detailed in this report.

LEGAL COMMENT FINANCIAL COMMENT LINKS WITH CORPORATE PRIORITIES RISKS AND OPPORTUNITIES ENVIRONMENTAL IMPACT EQUALITY & DIVERSITY WARD IMPLICATIONS	As described in each report considered by Cabinet. Copies of all reports have been previously circulated to all Members of the Council.
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TELFORD & WREKIN COUNCIL

COUNCIL – 18 NOVEMBER 2021

2021/22 FINANCIAL MONITORING REPORT

REPORT OF THE DIRECTOR: FINANCE & H.R. (CHIEF FINANCIAL OFFICER)

LEAD CABINET MEMBER: CLLR RAE EVANS

PART A) – SUMMARY REPORT

1.0 SUMMARY OF KEY ISSUES

- 1.1 The financial monitoring report to Cabinet on 4 November 2021 provided an update on the revenue budget and progress relating to the capital programme. The report included some changes to the capital programme and recommended use of balances which now require formal approval by Full Council.
- 1.2 The detailed approvals required are attached at Appendix 1.

2.0 RECOMMENDATIONS

Members are asked to:-

- (i) Approve the changes to the capital programme and use of balances detailed in Appendix 1

3.0 SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Co-operative Council priorities?	
	Yes	Delivery of all priorities depend on the effective use of available resources. Regular financial monitoring in the financial management reports helps to highlight variations from plan so that action can be taken to effectively manage the Council's budget.
	Will the proposals impact on specific groups of people?	
	No	
TARGET COMPLETION/DELIVERY	To outturn within the budget set for 2021/22 at 31/3/22.	

DATE		
FINANCIAL/VALUE FOR MONEY IMPACT	Yes	The financial impacts are detailed in the report.
LEGAL ISSUES	No	None directly arising from this report. The S151 Officer has a statutory duty to monitor income and expenditure and ensure that the Council takes action if overall net overspends /shortfalls emerge.
OTHER IMPACTS, RISKS & OPPORTUNITIES	No	Budget holders actively manage their budgets and the many financial risks and challenges that council services face, examples include the risk of a particularly harsh winter which would impact adversely on the winter gritting and adult social care budgets, the increasing dependency on income from a wide range of activities and the risk of interest rate movements. The Council has comprehensive risk management arrangements in place, which are reviewed and updated by the Senior Management Team.
IMPACT ON SPECIFIC WARDS	No	

4.0 PREVIOUS MINUTES

04/03/2021 Council, Service & Financial Planning Strategy
10/06/2021 Cabinet, 2020/21 Outturn Report
08/07/2021 Cabinet, 2021/22 Financial Monitoring Report
22/07/2021 Council 2021/22 Financial Monitoring Report
04/11/2021 Cabinet, 2021/22 Financial Monitoring Report

5.0 BACKGROUND PAPERS

2021/22 Budget Strategy / Financial Ledger reports

Report Prepared by:

Ken Clarke, Director: Finance & HR (Chief Financial Officer) – 01952 383100;

Pauline Harris, Corporate Finance Manager – 01952 383701

Capital Approvals - by Service Area

Slippage						
Scheme	Service Area	Funding Source	21/22	22/23	23/24	Later Yrs
			£	£	£	£
Managing the Funding of the Capital Programme	Corporate Items	Capital Receipts	3,520,286.00	(8,270,286.00)	4,750,000.00	
Managing the Funding of the Capital Programme	Corporate Items	Prudential	(3,520,286.00)	8,270,286.00	(4,750,000.00)	
All Other School Schemes	Education & Skills	Grant	(3,383,446.19)	3,383,446.19		
All Other School Schemes	Education & Skills	External	(34,923.00)	34,923.00		
Land Deal Board Schemes	Prosperity & Investment	External	(545,000.00)	1,224,397.00	(679,397.00)	
Housing Investment Company	Prosperity & Investment	Prudential	(2,800,000.00)	(600,000.00)	5,300,000.00	(1,900,000.00)
Property Investment Portfolio	Prosperity & Investment	Prudential	(3,277,768.00)	3,277,768.00		
Property Investment Portfolio	Prosperity & Investment	Capital Receipts	(130,286.00)	130,286.00		
A442 Challenge Project	Neighbourhood & Enforcement Services	Prudential	(1,600,000.00)	1,600,000.00		
A442 Challenge Project	Neighbourhood & Enforcement Services	Prudential	(280,000.00)	280,000.00		
Advertising	Customer & Commercial Services	Prudential	(258,000.00)	258,000.00		
Total			(12,309,423.19)	9,588,820.19	4,620,603.00	(1,900,000.00)

New Allocations						
Scheme	Service Area	Funding Source	21/22	22/23	23/24	Later Yrs
			£	£	£	£
Managing the Funding of the Capital Programme	Corporate Items	Capital Receipts	(37,884.00)	(700,000.00)		
Managing the Funding of the Capital Programme	Corporate Items	Prudential	37,884.00	700,000.00		
The Place	Customer & Commercial Services	Prudential	130,000.00			
ICT/ eGov	Customer & Commercial Services	Revenue	20,683.00			
All Other School Schemes	Education & Skills	Grant	1,303,858.00			
The Wharfage Ground investigations	Neighbourhood & Enforcement Services	Grant	47,700.00			
Flooding Repair & Renew Grants	Neighbourhood & Enforcement Services	Grant	16,303.23			
Housing	Housing, Employment & Infrastructure	Grant	350,000.00			
Housing	Housing, Employment & Infrastructure	Capital receipts	2,100,000.00			
Stalled sites	Prosperity & Investment	Capital receipts		890,000.00		
Playing Pitch investment	Prosperity & Investment	Capital receipts		3,000,000.00		
Public Rights of Way	Prosperity & Investment	Revenue	100,000.00	100,000.00	100,000.00	
Public Rights of Way	Prosperity & Investment	External	4,000.00			
Land Deal Board Schemes	Prosperity & Investment	External		765,000.00		
Stronger Communities	Prosperity & Investment	Grant	685,950.00			
Stronger Communities	Prosperity & Investment	Capital Receipts	500,000.00			
Towns Fund	Prosperity & Investment	Grant	898,125.00	12,208,750.00	8,668,125.00	
Towns Fund	Prosperity & Investment	Capital Receipts			750,000.00	
Highways / Footpaths	Neighbourhood & Enforcement Services	Revenue	4,000.00			
Telford Growth Package	Neighbourhood & Enforcement Services	Prudential		(67,141.25)		
Telford Growth Package	Neighbourhood & Enforcement Services	External		(181,033.95)		
Cemetries	Communities, Customer and Commercial Services	Revenue	54,000.00	192,000.00		
Housing	Housing, Employment & Infrastructure	Prudential	1,000,000.00			
Total			7,214,619.23	16,907,574.80	9,518,125.00	0.00

Virements						
Scheme	Service Area	Funding Source	21/22	22/23	23/24	Later Yrs
			£	£	£	£
Housing	Housing, Employment & Infrastructure	Prudential	536,809.00			
Stalled Sites	Prosperity & Investment	Prudential	(536,809.00)			
Total			0.00	0.00	0.00	0.00

Use of Balances

	21/22	22/23	23/24	Later Yrs
	£	£	£	£

Use of Special Fund Balances - expansion of Castle Green Cemetery

54,000

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TELFORD & WREKIN COUNCIL

FULL COUNCIL 18 NOVEMBER 2021

APPOINTMENT OF EXTERNAL AUDITORS FOR APRIL 2023 ONWARDS

REPORT OF THE CHIEF FINANCIAL OFFICER

1. Purpose of Report

- 1.1. This report summarises the requirements for the Council to appoint external auditors for the appointing period commencing the audit of the financial year 2023/24.
- 1.2. The Audit Committees terms of reference state that the “Committee recommend the appointment of the external auditors to the Council”.
- 1.3. The Audit Committee, at the meeting of 28 September 2021, agreed to recommend to Full Council that option 3, the national Sector Led Body appointed by the Government, was adopted.
- 1.4. This report:
 - a) sets out the options available for the future appointment of external auditors under the relevant legislation
 - b) seeks the agreement of Full Council for the Council to opt into the Sector Led Body (Public Sector Audit Appointment Ltd - PSAA) procurement route and recommends that Full Council approves opting into the PSAA for the procurement of the external auditors

2. Recommendations

2.1 It is recommended that Full Council:

- a) Notes the information and options available as set out in section 4 of the report;**
- b) Agrees that the Council uses option 3, the national Sector Led Body (SLB) appointed by the Government – Public Sector Audit Appointments Ltd to undertake the procurement;**
- c) Approval of the proposal to opt into the PSAA for the purpose of appointing External Auditors for the audit of the financial years 2023/24 onwards;**
- d) That delegated authority should be granted to the Chief Finance Officer (or their delegated officer) to take all appropriate actions to opt into the PSAA procurement process and engages with the PSAA to inform their specifications and proposed supplier.**
- e) That delegated authority should be granted to the Associate Director: Policy & Governance (or their delegated officer) to take all actions needed to enter into all necessary legal documentation required to give effect to this decision.**

Background

- 2.2 The Local Audit and Accountability Act 2014 (“the Act”) brought to a close the Audit Commission and established transitional arrangements for the appointment of external auditors and the setting of external audit fees for a period of 20 years for Government and NHS bodies in England.

- 2.3 The Council's current external auditor is Grant Thornton, this appointment having been made through the Public Sector Audit Appointment Ltd (PSAA) procurement route as previously agreed by the Audit Committee.
- 2.4 The current agreement with Grant Thornton ends after the audit of the financial year, 2022/23, has been completed. Therefore the Council will need to appoint new external auditors for the audit of the financial year 2023/24 accounts onwards.
- 2.5 There are three options by which this can be achieved, each with varying risks and opportunities.
- 2.6 In accordance with Regulation 19 of the Local Audit (Appointing Person) Regulations 2015, a principal authority will need to make the decision to opt in to the sector led body at full Council.

3. Options for local appointment of External Auditors

- 3.1. There are three options open to the Council under the Act:

Option 1 - To make a stand-alone appointment

- 3.2. In order to make a stand-alone appointment the Council will need to set up an Auditor Panel. The members of the panel must be wholly or a majority of independent members as defined by the Act. Independent members for this purpose are independent appointees, this excludes current and former elected members (or officers) and their close families and friends. This option means that the current Audit Committee/elected members will not have a majority input to assessing bids and choosing which firm of suitably qualified accountants to award a contract for the Council's external audit to. A new independent auditor panel established by the Council would be responsible for selecting/recommending the auditor appointment to the Council. This is because we do not have an existing independent committee suitably constituted to do this.

Advantages/benefit

- 3.3. Setting up an auditor panel allows the Council to take maximum advantage of the new local appointment regime and have local input to the decision.

Disadvantages/risks

- 3.4. Recruitment and servicing of the Auditor Panel, running the bidding exercise and negotiating the contract is estimated by the LGA to cost at least £16,000 plus on going expenses and allowances
- 3.5. The Council will not be able to take advantage of reduced fees that may be available through joint or national procurement contracts and indeed may not attract many bids from the relatively small number of firms that are suitably experienced to provide a high quality specialist local authority audit.
- 3.6. The assessment of bids and decision on awarding contracts will be taken by independent appointees and not solely by elected members. It may be difficult for the Council to find suitably qualified people to perform this role.

Option 2 - Set up a Joint Auditor Panel/local joint procurement arrangements

- 3.7. The Act enables the Council to join with other authorities to establish a joint auditor panel. Again this will need to be constituted of wholly or a majority of independent appointees (members). Further legal advice will be required on the exact constitution of such a panel having regard to the obligations of each Council under the Act and the Council need to liaise with other local authorities to assess the appetite for such an arrangement which may be unlikely given the very high proportion of authorities that have previously opted for the PSAA procurement route. Authorities contacted by the Council have indicated they will not be following this procurement route and will likely follow the route outlined in option 3 below.

Advantages/benefits

- 3.8. The costs of setting up the panel, running the bidding exercise and negotiating the contract will be shared across a number of authorities.
- 3.9. There is an opportunity for negotiating some economies of scale by being able to offer a larger combined contract value to the firms.

Disadvantages/risks

- 3.10. The decision making body will be further removed from local input, with potentially no input from elected members where a wholly independent auditor panel is used or possibly only one elected member representing each Council, depending on the constitution agreed with the other bodies involved.
- 3.11. The choice of auditor could be complicated where individual Councils have independence issues. An independence issue occurs where the auditor has recently or is currently carrying out work such as consultancy or advisory work for the Council. Where this occurs some auditors may be prevented from being appointed by the terms of their professional standards. There is a risk that if the joint auditor panel choose a firm that is conflicted for this Council then the Council may still need to make a separate appointment with all the attendant costs and loss of economies possible through joint procurement.

Option 3 - Opt-in to a sector led body

- 3.12. The Council can decide to 'opt-in' to a Sector Led Body (SLB) which is the Public Sector Audit Appointments Ltd (PSAA) (an independent company limited by guarantee incorporated by the Local Government Association). This is how the Council's current external auditors, Grant Thornton, were appointed.
- 3.13. The PSAA will be able to negotiate contracts with the firms nationally, maximising the opportunities for the most economic and efficient approach to procurement of the specialist external audit service required on behalf of the whole sector. The benefits to members of joining the PSAA are listed in Appendix A.
- 3.14. In accordance with Regulation 19 of the Local Audit (Appointing Person) Regulations 2015, a principal authority will need to make the decision to opt into the PSAA at a full council meeting. The Audit Committee would therefore need to recommend this option for the decision to be made by full council.

Advantages/benefits

- 3.15. The costs of setting up the appointment arrangements and negotiating fees would be shared across all opt-in authorities
- 3.16. By offering large contract values the firms would be able to offer better rates and lower fees than are likely to result from local packages and negotiation

- 3.17. Any conflicts at individual authorities would be managed by the PSAA who would have a number of contracted firms to call upon.
- 3.18. The Council will not need to set up an Auditor Panel and so the process of appointing local independent members would not be required. Instead the PSAA will act in the collective interests of the 'opt-in' authorities.

Disadvantages/risks

- 3.19. Individual elected members will have less opportunity for direct involvement in the appointment process other than through the PSAA and/or stakeholder representative groups.
- 3.20. In order for PSAA to be placed in the strongest possible negotiating position they may need Councils to indicate their intention to opt-in before final contract prices are known.
- 3.21. All options comply with the Councils Contract Procedure Rules.

4. CONCLUSION

- 4.1 Taking into account all of the information contained within this report, it is considered that option 3 above would provide better value for the Council and more certainty that a suitably qualified and experienced external auditor can be appointed within the required timescales.

5. OTHER CONSIDERATIONS

AREA	COMMENTS
Equal Opportunities	Any procurement and ensuing external audit work will comply with equalities and diversity legislation.
Environmental Impact	Any procurement and contracts established will encompass appropriate sustainability issues.
Legal Implications	Section 7 of the Local Audit and Accountability Act 2014 ("the Act") requires a relevant authority to appoint a local auditor to audit its accounts for a financial year not later than 31 December in the preceding year. In the event that an authority fails to do so then the Secretary of State has the power to direct an authority to appoint a specified auditor or to make an appointment on behalf of the authority. The sector-led body, PSAA, was nominated to undertake the local auditor selection process on behalf of authorities pursuant to s.17 of the Act with associated Regulations requiring an authority to confirm its auditor appointment at a meeting of its full Council. AL 23/08/2021.
Links with Corporate Priorities	Independent External Auditors contribute to the good governance arrangements of the Council and serving the community in the most cost effective way.
Risks and Opportunities	There is no immediate risk to the Council; however, early consideration by the Council of its preferred approach will enable detailed planning to take place so as to manage the risks and achieve successful transition to the new arrangement in a timely and efficient manner.
Financial Implications	<p>External audit is a statutory requirement for local authorities.</p> <p>It is anticipated that the Sector Led Body option will result in a lower fee than could be negotiated by an individual authority locally, through economies of scale from the large scale contracts negotiated by PSAA Ltd. PSAA consults annually with key stakeholders on the audit fee scales and also agrees any fee variations where there is a change in circumstances and any additional work is required.</p> <p>The external audit fee for 2020/21 has been set at £144,182 which is an increase of £43,000 from the agreed 2019/20 fee and is due to additional work</p>

	<p>required by the auditors to comply with requirements of the new Code of Audit Practice and increased reporting requirements of the Financial Reporting Council.</p> <p>There have been a number of recent independent reviews of the role of external audit commissioned by Government, including the Redmond Review. These focus on improving audit quality and timeliness of the audit opinion and reform is already underway. Within this context, PSAA's intention is to evaluate tenders using an 80% weighting for quality and 20% for price. Actual audit fees will not be known until the procurement process is complete and any increase will be included in the Service & Financial Planning Strategy.</p> <p>Following the findings of the Redmond Review the Government have announced £15m additional funding in 2021/22 to support local bodies meet anticipated rises in fees in 2021/22 (TWC's allocation of this is £0.046m). It is currently unclear whether any additional ongoing funding will be provided.</p> <p>PSAA operates on a not-for-profit basis and any surplus funds are returned to opted-in bodies. The council received re-distributed surpluses in 2017, 2019 and 2021.</p> <p>Following this option the Council will also avoid the costs of running a separate procurement process and the costs associated with having an independent Auditor Panel.</p> <p>PH 23/8/2021</p>
Ward Implications	The work of the external auditor encompasses all Council activities and all Council locations. Therefore all Council Wards could be affected by its operations.

4. BACKGROUND PAPERS

Local Audit and Accountability Act 2014

Local Audit (Appointing Person) Regulations 2015 (SI 192)

PSAA Ltd – Developing the option of a national scheme for local auditor appointments

Report by:

Rob Montgomery, Audit & Governance Lead Manager 383103

Richard Philips, Legal & Democracy SDM 383255

Pauline Harris, Finance SDM 383701

PSAA - Developing the National Scheme for Local Auditor Appointments

Benefits for participating bodies include:

- assured appointment of a qualified, registered, independent auditor
- appointment, if possible, of the same auditors to bodies involved in significant collaboration/ joint working initiatives or combined authorities, if the parties believe that it will enhance efficiency and value for money
- on-going management of independence issues
- securing highly competitive prices from audit firms
- minimising scheme overhead costs
- savings from one major procurement as opposed to a multiplicity of small procurements
- distribution of surpluses to participating bodies
- a scale of fees which reflects size, complexity and audit risk
- a strong focus on audit quality to help develop and maintain the market for the sector
- avoiding the necessity for individual bodies to establish an auditor panel and to undertake an auditor procurement
- enabling time and resources to be deployed on other pressing priorities
- setting the benchmark standard for audit arrangements for the whole of the sector



Telford & Wrekin

C O U N C I L

Public Protection

Statement of Gambling Licensing Policy

**To be approved by Full Council on 18th November 2021
To be implemented on the 31st January 2022.**

1. Introduction

The purpose of the Statement of Gambling Licensing Policy is to set out the principles that the Council propose to apply when determining licences, permits and registrations under the Gambling Act 2005.

The Gambling Act 2005 (the “Act”) requires this Licensing Authority to draft, consult on and publish a policy in relation to its responsibilities under the Act. Once published, this Policy Statement will be kept under constant review and, in any case, will be re-published after every three years. Before any revision of the Statement of Gambling Licensing Policy is published this Authority will carry out a full consultation exercise on the relevant sections. This version of the Statement of Gambling Licensing Policy has been published following the 3 year review and is for the period 2022 – 2025.

In carrying out its licensing functions under the Act, the Licensing Authority will act in accordance with the relevant legislation, adopt the principles of better regulation, regulate gambling in the public interest and aim to permit the use of premises for gambling as it thinks fit so long as it is:-

- in accordance with any relevant Codes of Practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives and
- in accordance with this Statement of Principles

In preparing this Statement of Principles, the following key organisations and agencies were consulted in accordance with Section 349(3) of the Act:-

- Chief Officer of Police West Mercia Police, Telford
- Association of British Bookmakers
- BACTA
- Gam Care

The consultation for this Statement of Principles took place between 1st July 2021 and 31st August 2021.

The full list of comments made and the consideration by the Council of those comments will be available once the consultation process has ended by request to: Licensing Service, Telford & Wrekin Council, Addenbrooke House, Ironmasters Way, Telford, TF3 4NT and by email to licensing@telford.gov.uk.

Information provided in response to the Consultation will be dealt with in accordance with the access to information regimes. These are primarily the Freedom of Information Act 2000 (FOIA), the General Data Protection Regulations and the Environmental Information Regulations (2004).

2. Local Area Profile

Telford & Wrekin Council (the Council) is situated in the ceremonial County of Shropshire which contains one other Unitary Council, Shropshire Council. The borough has a population of 179,900 living in 78,130 households, covering 112 square miles. It is made up of a mixture of urban and rural areas.

Telford & Wrekin is a place of socio-economic contrasts with parts of the borough amongst the most deprived nationally - comparable with inner cities – and other areas amongst the least deprived nationally.

More information on Local Area Profiles can be found on the [Council's website](#).

Telford & Wrekin Council is a Co-operative Council, working with local communities to create “Telford & Wrekin – the Place of Partnership, Enterprise and Innovation”. More information on the Council's Plan and Priorities can be found [here](#).

3. The Gambling Commission

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
- by protecting children and vulnerable people

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.

The Commission has issued Guidance under Section 25 of the Act regarding the manner in which local authorities exercise their licensing functions under the Act and in particular, the principles to be applied by local authorities.

The Commission has issued a number of codes of practice under Section 24 of the Act about the manner in which facilities for gambling are provided, including the advertising of gambling facilities.

The Gambling Commission is responsible for issuing operating and personal licences.

For applicants further information can be accessed by using the following link :
www.gamblingcommission.gov.uk

4. The Licensing Authority Responsibilities

Authorised Activities

- “Gambling” is defined in the Gambling Act 2005 as either gaming, betting, or taking part in a lottery (a lottery is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance).
- 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 other event or process; the likelihood of anything occurring or not occurring, or whether anything is true or not

Licensing Authority Functions

- Grant premises licences for gambling activities
- Grant permits for gambling and gaming machines in 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
- Consider notices given for the temporary use of premises for gaming
- Consider occasional use notices for betting at tracks
- Register small societies lotteries

Spread betting is regulated by The Financial Conduct Authority.

Remote Gambling is regulated by the Gambling Commission.

The National Lottery is regulated by the National Lottery Commission.

5. General Statement of Principles

The Licensing Authority recognises the wide variety of premises which require a licence or a permit. These include casinos, betting shops, tracks, bingo halls, pubs, clubs and amusement arcades.

In carrying out its licensing functions, the Licensing Authority will have regard to any guidance issued by the Gambling Commission.

It is recognised that the statutory principles of good regulation and the Regulator's Code apply to Local Authorities and as such the Licensing Authority will have regard to them when fulfilling its regulatory functions under the Act.

The Licensing Authority will not seek to use the Act to resolve matters more readily dealt with under other legislation.

To ensure the licensing objectives are met the Licensing Authority has established a good working relationship with the Gambling Commission and will continue to conduct joint inspection visits with the Commission and other responsible authorities as appropriate.

Where children, young persons and other vulnerable people are allowed access to premises where gambling takes place, the Licensing Authority may take whatever steps are considered necessary to either limit access generally or by introducing measures to prevent under age gambling where it believes it is right to do so for the prevention of their physical, moral or psychological harm, especially where it receives representations to that effect.

Applicants seeking 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.

However, overriding principle is that all applications and the circumstances prevailing at each premises will be considered on their own individual merits.

6. The Licensing Objectives

In exercising their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives.

The licensing objectives are:

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

Preventing gambling from being a source of crime or disorder

The Gambling Commission plays the leading role in preventing gambling from being a source of crime and maintains rigorous licensing procedures that aim to prevent criminals from providing facilities for gambling.

Anyone applying to the Licensing Authority for a premises licence will have to hold an operating licence from the Commission before a licence can be issued, (unless the premises is a “track” for which an operating licence is not necessary). Therefore, the Licensing Authority is not generally concerned with the suitability of an applicant and where concerns about a person’s suitability arise, the Licensing Authority will bring those concerns to the attention of the Commission.

If an application for a licence or a 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 conditions being put on the licence, such as a requirement for door supervisors, although this would only be considered in cases where there is clear evidence that the premises in question are not being adequately supervised and door supervision is considered both necessary and proportionate.

This Licensing Authority is aware of the distinction between disorder and nuisance. Issues of disorder would normally only be dealt with under the Act if the disorder amounts to activity which is more serious and disruptive than mere nuisance and it can be shown that gambling is the source of that disorder. A disturbance might be serious enough to constitute disorder if police assistance was required to deal with it. Another factor which could be taken into account is how threatening the behaviour was to those who could see or hear it and whether those people live sufficiently close to be affected or have business interests that might be affected.

Ensuring gambling is conducted in a fair and open way

The Gambling Commission does not expect local authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will either be a matter for the management of the gambling business or will relate to the suitability and actions of an individual. Both issues are adequately addressed by the Commission through the operating and personal licensing regime.

Betting track operators do not need an operating licence from the Commission, the Licensing Authority may, if the circumstances warrant it, require conditions to be applied to the licence relating to the suitability of the environment in which the betting activity takes place.

Protecting children and other vulnerable people from gambling

With limited exceptions, the intention of the Act is that children and young persons should not be allowed to gamble and should therefore be prevented from entering gambling premises which are “adult only” environments.

It is noted that the Gambling Commission does not seek to offer a definition for the term “vulnerable persons” but states that “it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.” This Licensing Authority will consider this licensing objective on a case by case basis.

In accordance with the Gambling Commission’s Guidance for Licensing Authorities, this Licensing Authority expects operators of gambling premises to have in place policies and measures to ensure children and other vulnerable people are protected from being harmed or exploited by gambling. Harm in this context is not limited to harm from gambling but includes wider child protection considerations, including the risk of child sexual exploitation.

This Licensing Authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises. For example, this Authority will pay particular attention to measures proposed by operators to protect children from harm in Adult Gaming Centres and Family Entertainment Centres.

Appropriate measures may include supervision of entrances / machines, segregation of areas, training for staff as regards suspected truanting school children on the premises, training covering how staff would deal with unsupervised very young children being on the premises etc.

7. Premises licences

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

- Casino premises
- Bingo premises
- Betting premises, including betting tracks
- Adult gaming centres
- Family entertainment centres

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 genuinely regarded as being separate “premises”. With regard to “splitting” premises the Licensing Authority has particular regard to the Commission’s Guidance. Applicants will need to satisfy the Licensing Authority that premises are genuinely “different” and “separate” in each case.

Any entrances and exits from parts of a building covered by one or more licences need to be separate and identifiable so that the separation of the premises is not compromised and that people are not allowed to “drift” accidentally into a gambling area from one licensed activity to another.

Applicants will need to satisfy the Licensing Authority that, in the case of “split” premises, the mandatory conditions can be complied with at all times. Where the Licensing Authority has

concerns about the use of premises for gambling these will generally be addressed through additional licence conditions.

Other than an application for a betting premises licence in respect of a track, the Licensing Authority is not able to issue a premises licence unless the applicant holds the relevant operating licence from the Gambling Commission.

When considering applications for premises licences the Licensing Authority will consider each case on its own individual merits without regard to demand. With regard to primary gambling activity issues, the Licensing Authority will take into account any representations made by the Commission.

The Licensing Authority will maintain a register of premises licenses issued which will be available for public inspection on request. Please contact the Licensing Service by email: licensing@telford.gov.uk

8. Responsible Authorities

These are generally public bodies that must be notified of all applications and who are entitled to make representations to the Licensing Authority if those representations are relevant to the licensing objectives.

Section 157 of the Act defines those authorities; for our purposes they are as follows:-

- The Gambling Commission
- The Chief Officer of Police
- Shropshire Fire & Rescue Service
- The Local Planning Authority
- Environmental Health
- Telford and Wrekin Safeguarding Children Board (SCB)
- HM Revenue and Customs
- A Licensing Authority in whose area the premises are wholly or partly situated

Any concerns expressed by a Responsible Authority in relation to their own functions cannot be taken into account unless they are relevant to the application itself and to the licensing objectives. In this regard the Licensing Authority will not generally take into account representations which are deemed to be irrelevant, for example:

- there are too many gambling premises in the locality
- planning permission has not been obtained for the premises
- the location of the premises is likely to lead to traffic congestion
- the premises will cause crowds to congregate in one area causing noise and nuisance

Each representation will be considered on its own individual merits.

9. Interested Parties

Interested parties can make representations about licence applications or apply for a review of an existing licence.

An interested party is someone who:-

- lives sufficiently close to the premises 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

The Licensing Authority is required by Regulations to state the principles it will apply in exercising its powers under the Act to determine whether a person is an Interested Party.

Each case will be determined upon its merits, however, 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 nature of the complaint
- the potential impact of the premises

In determining whether a person has a business interest which could be affected the Licensing Authority will consider, among other things:-

- the size of the premises
- the catchment area of the premises (how far people travel to visit the premises)
- whether the person making the representation has business interests in the catchment area that might be affected

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 normally 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.

The Licensing Authority may, in certain circumstances, consider a representation to be either frivolous or vexatious. 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 a “relevant” issue or not, or
- whether it raises issues specifically to do with the premises which are the subject to the application

Location

This Licensing Authority will have regard to this Statement of Licensing Principles, having, upon receipt of any relevant representation, to look at specific location issues which include:

- the possible impact that a gambling premises may have on any sensitive premises that provide services to children or young people or vulnerable people; for example a school or vulnerable adult centre;
- the possible impact a gambling premises may have on a residential area where there is a high concentration of families with children;
- the nature and size of the gambling activities taking place;
- any levels of crime in the area

10. Local Area Risk Assessments

All operators with Premises Licences now have an obligation to produce a local area risk assessment. This is to assist the local Licensing Authority when considering applications. This is a new requirement and therefore, constitutes a mandatory condition for licensees. This Licensing Authority expects that a copy of the Local Area Risk Assessment shall be kept on the premises.

Licensees will be required to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in the Licensing Authority's Statement of Licensing Principles.

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

- to take account of significant changes in local circumstances, including those identified in a Licensing Authority's Statement of Licensing Principles
- when there are significant changes at a licensee's premises that may affect their mitigation of local risks
- when applying for a variation of a premises licence
- when applying for a new premises licence.

This Licensing Authority will expect the Local Area Risk Assessment to consider as a minimum:

- the location of services for children such as schools, playgrounds, leisure/community centres and other areas where children will gather;
- the demographics of the area in relation to vulnerable groups;
- whether the premises is in an area subject to high levels of crime and/or disorder.

Local area risk assessments should show how vulnerable people, including people with gambling dependencies are protected.

Further information on Local Area Risk Assessments is available on the [Gambling Commission's website](#).

11. Conditions of Licence

Premises licences are subject to specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

The Licensing Authority will ensure that any conditions are:-

- relevant to the need to make the premises suitable as a gambling facility
- directly related to the premises and the type of licence applied for
- fairly and reasonably related to the scale and type of premises
- reasonable in all other respects

The Licensing Authority will not consider imposing conditions:

- which make it impossible to comply with an operating licence condition imposed by the Gambling Commission
- relating to gaming machine categories, numbers or methods of operation
- which specify that membership of a club or other body is required
- in relation to stakes, fees, winnings or prizes

Conditions relating to the good conduct of gambling premises will primarily be set as mandatory or default conditions by the Secretary of State. The Licensing Authority will only consider imposing conditions in this regard in the light of local circumstances, especially where there are specific risks or problems associated with a particular locality, a specific premises or class of premises.

Duplication with other statutory or regulatory regimes will be avoided as far as possible. Each case will be assessed on its own individual merits.

12. Gaming Machines

The Licensing Authority considers that a gaming machine is 'available for use' if a person can take steps to play it without the assistance of the operator.

More than the permitted number of machines may be physically located on a premises but the onus is on licensees to demonstrate that no more than the permitted number are 'available for use' at any one time.

13. Types of Premises Licences

Any person or business that wishes to offer gambling for which an operating licence from the Gambling Commission is required and/or which is premises based, must apply to the Licensing Authority for a premises licence.

Premises licences can authorise the provision of facilities on:

- casino premises,
- bingo premises,
- betting premises including tracks and premises used by betting intermediaries,
- adult gaming centre premises, or
- family entertainment centre premises.

For each premises type the Act makes it clear that the primary activity should be that described in the premises licence type. It is this Licensing Authority's opinion that all gambling premises, whether subject to application or currently licensed, must operate primarily in the use of the licence type applied for or issued.

Casinos

This Licensing Authority has passed a 'no casino' resolution on the basis that there was no requirement to consider such a resolution in accordance with Section 166 Gambling Act 2005 and in line with advice provided by the Local Authorities Co-ordinators of Regulatory Services. Potential licence applicants should note that as a 'no-casino' resolution has been passed by this authority, no applications for casino premises licences will be considered. Any

applications received will be returned with a notification that a 'no-casino' resolution is in place.

This resolution came into effect on 31st January 2010.

Bingo

The holder of a bingo operating licence will be able to provide any type of bingo game including cash and prize bingo.

Commercial bingo halls will require a bingo premises licence from the Licensing Authority.

It is important that where children are allowed to enter premises licensed for bingo, they are not allowed to participate in any bingo game. When considering applications of this type, the Licensing Authority will therefore take into account, among other things, the location of the games or machines, access to those areas, general supervision of the premises and the display of appropriate notices.

A limited number of gaming machines may also be made available at bingo licensed premises.

Bingo is classed as equal chance gaming and it will be permitted in alcohol licensed premises and in clubs provided it remains below a certain threshold, otherwise it will be subject to a bingo operating licence which will have to be obtained from the Gambling Commission.

As with the previous section in relation to bettering premises, if an application for variation is made to extend the licensing hours of bingo premises, the Licensing Authority will want to establish that the primary purpose of the premises throughout the extended period remains the provision of bingo facilities. Gaming machines may only be made available for use in licensed bingo premises on days when sufficient facilities for playing bingo are also available for use.

In this regard, in cases where bingo is being offered exclusively by means of electronic bingo terminals (EBTs) there must be more individual player positions made available for bingo than there are gaming machines available for use.

Where playing is permitted, on the licensed premise, using mobile electronic devices, then it should only be permitted within the licensed area.

Betting Premises

Anyone wishing to operate a betting office will require a betting premises licence from the Licensing Authority. Children and young persons will not be able to enter premises with a betting premises licence.

Betting premises will be able to provide a limited number of gaming machines and some betting machines.

The Licensing Authority has powers under the Act to restrict the number of betting machines, their nature and the circumstances in which they are made available. It will not normally exercise this power unless there is clear evidence that such machines have been, or are likely to be used in a way, which adversely affects the promotion of the licensing objectives. In such cases the Licensing Authority will consider, among other things, the size of the

premises, the level of management and supervision especially where children, young persons and vulnerable people are concerned and also the ability of staff to closely monitor the use of such machines.

It is not possible for an operator to offer gaming machines on premises which are licensed for betting without offering sufficient facilities for betting. The Gambling Commission and the Licensing Authority take the view that customers need to be offered a balanced mix of betting and gaming machines, in line with the licensing objective of protecting vulnerable persons from being harmed or exploited by gambling. "Betting" should therefore remain the primary element of the gambling facilities being offered. Betting may be provided by way of betting terminals or over a counter (i.e. face to face).

If the Licensing Authority receives an application to vary a betting premises licence in order to extend the opening hours, it will need to satisfy itself that the reason for the application is in line with the need for operators to ensure that the main gambling activity associated with the licence type is actually going to be offered at the premises and not replaced merely by making gaming machines available.

In other words, applicants will need to demonstrate that the extension of hours is not designed solely to benefit from the gaming machine entitlement and that the use of gaming machines remains ancillary to the "primary" purpose of the licence, i.e. to provide betting on the premises.

In all cases, each application will be considered on its own individual merits.

Tracks

Only one premises licence can be issued for any particular premises at any time unless the premises are a "track". A track is a site where races or other sporting events take place.

Track operators are not required to hold an "operator's licence" granted by the Gambling Commission, therefore premises licences for tracks issued by the Licensing Authority may contain requirements for premises licence holders about their responsibilities in relation to the proper conduct of betting. Indeed, track operators have an important role to play, for example, in ensuring that betting areas are properly administered and supervised.

Unlike betting shops, a betting premises licence in respect of a track does not give an automatic entitlement to use gaming machines.

When considering whether to exercise its powers to restrict the number of betting machines at a track the Licensing Authority will consider the circumstances of each individual application and among other things, will consider the potential space for the number of machines requested, the ability of track staff to supervise the machines, especially if they are scattered around the site and the ability of the track operator to prevent children and young persons and vulnerable people betting on the machines.

Adult Gaming Centres

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

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

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

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

Family Entertainment Centres (Licensed)

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

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

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

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

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

14. Permits

The Licensing Authority will treat every application for a permit on its own merits, regardless of the number of machines applied for

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

Applicants for permits in respect of alcohol licensed premises may be asked to provide additional information, for example in the form of a plan, in order to satisfy the Licensing

Authority that the premises are suitable for the purpose and will not result in the “primary” use of the premises being changed to one of gambling.

This Licensing Authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from being harmed or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also help.

In considering applications for Prize Gaming Permits the applicant should set out the types of gaming that he or she is intending to offer and demonstrate the following:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- that the gaming offered is within the law
- that they have clear policies that outline the steps to be taken to protect children from harm.

It should also be noted that the holder of a permit must comply with the following Codes of Practice :

Code of Practice for gaming machines in alcohol licensed premises
Code of Practice for equal chance gaming in alcohol licensed premises.

15. Small Society Lotteries

The Licensing Authority will refuse applications for registration where it considers that:

- the society in question cannot be deemed to be non-commercial, or
- a person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence, or
- the information provided in or with the application for registration is false or misleading, or
- an operating licence held by the applicant for registration has been revoked or, an application for an operating licence made by the applicant for registration has been refused, within the past five years.

The Licensing Authority will revoke the registered status of a society if it thinks that it would have had to, or would be entitled to, refuse an application for registration if it this Licensing Authority being made at that time.

16. Exchange of Information

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.

Subject to the provisions of the General Data Protection Regulations, this Licensing Authority will share any information it receives through the application process with the Gambling Commission and any relevant Responsible Authority. In doing so this 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. Further information about the Council’s Data Protection

Statement of Principles, including how people can access personal information that this Licensing Authority hold about them is available on the Council's [website](#).

This Licensing Authority are committed to being open about what this Licensing Authority do and how this Licensing Authority come to our decisions in accordance with the spirit of the Freedom of Information Act 2000(FOIA). Further information including how to make a request for information under the Freedom of Information Act is available on the Council's [website](#).

Unless restricted by the Gambling Act, details about applications and licences will be made available in our public register. Representations that this Licensing Authority accept 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.

Operators/premises are requested to share relevant information with the Licensing Authority about test purchasing (subject to primary authority agreements) and such information as the number of self-exclusion and underage attempts to gamble, in order to help the Licensing Authority develop its understanding about the risk of gambling in its area. The Authority may seek information from operators/premises for this purpose.

Details of applications and representations which are referred to the Licensing Sub Committee may be published in reports that are made publicly available in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000. The personal details of those making representations may be disclosed to applicants and other parties to a Hearing and will normally only be withheld on the grounds of personal safety where the Licensing Authority is specifically requested to do so.

17. Enforcement Protocols

The Licensing Authority is required by Regulations under the Act to state the principles to be applied by it in exercising the functions under Part 15 of the Act in respect of the inspection of premises and powers under 346 of the Act to institute criminal proceedings in respect of the offences specified.

The Licensing Authority will have regard to the principles of better regulation and any Regulators' Code in force at the time. In addition, the Licensing Authority will act in accordance with the relevant legislation, be guided by the Commissioner's Guidance and will endeavour at all times to be:-

- proportionate – the Licensing Authority will only intervene when necessary and any remedies will be appropriate to the risk posed and costs identified and minimised
- accountable – decisions will be justified and subject to public scrutiny
- consistent – any rules and standards will be implemented fairly
- transparent – the Licensing Authority will be open and any licence conditions will be kept simple and user friendly
- targeted – regulation will be focused on the problem with the aim of minimising side effects

The Licensing Authority is committed to the principles of good enforcement and its [Enforcement Policy](#) sets out how it will go about achieving that aim.

Compliance with the Enforcement Policy will ensure that the Licensing Authority will strive to be fair, impartial, independent and objective and will not be influenced by issues such as ethnicity or national origin, gender, religious beliefs, political views or the sexual orientation

of the suspect, victim, witness or offender. Decisions will not be influenced by improper or undue pressure from any source.

The purpose of the Licensing Authority's Enforcement Policy is to provide a framework to ensure that it works in an equitable, practical and consistent manner.

The Licensing Authority aims to prioritise and direct its regulatory effort effectively. It will aim to balance the need to protect the public from harm against the human rights of the individual and have regard to relevant Codes of Practice.

The Licensing Authority will work with the Commission, the police and other enforcing authorities 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. The Licensing Authority will actively use the review process to deal with problem premises.

Test purchasing is one method by which the Licensing Authority, in partnership with the Gambling Commission can measure the compliance of licensed operators. In conducting test purchasing, the Licensing Authority may work in partnership with the Gambling Commission which have the primary responsibility for issues related to individual gambling premises. Test purchasing is also a means by which operators themselves can demonstrate the effectiveness of their policies and procedures.

18. The Licensing Process

The Licensing Authority's licensing functions under the Act will be carried out by the Licensing Committee and Licensing Sub Committee and by officers acting under the delegated authority of the Licensing Committee.

Where there are relevant representations in respect of an application the matter will be determined by the Licensing Sub Committee, as will any application for the review of a licence.

This Statement of Licensing Principles 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.

Declaration

In producing this Statement, the Licensing Authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, any guidance issued by the Gambling Commission and any responses received from those consulted prior to the preparation of this Statement.

Those wishing to find information out about fees and the application process can visit the Council's [website](#), or contact the Licensing Service by telephoning 01952 381818 or by emailing licensing@telford.gov.uk.