

# Public Document Pack

Daneshill House  
Danestrete  
Stevenage  
Hertfordshire

16 July 2019

Dear Sir/Madam

Notice is hereby given that a meeting of the Stevenage Borough Council will be held in the Council Chamber, Daneshill House, Danestrete, Stevenage on Wednesday, 24 July 2019 at 7.00pm and you are summoned to attend to transact the following business.

Yours faithfully

Matthew Partridge  
Interim Chief Executive

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## AGENDA

**1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

**2. MINUTES - 22 MAY 2019 AND 12 JUNE 2019**

To approve as a correct record the Minutes of the Annual Meeting of the Council held on 22 May 2019 and the Extraordinary Meeting of Council held on 12 June 2019.

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**3. MAYOR'S COMMUNICATIONS**

To receive any communications that the Mayor may wish to put before Council.

**4. MAIN DEBATE - PUBLIC HEALTH IN STEVENAGE**

To receive a presentation on Public Health in Stevenage.

**5. PETITIONS AND DEPUTATIONS**

None.

**6. QUESTIONS FROM THE YOUTH COUNCIL**

None.

**7. QUESTIONS FROM THE PUBLIC**

None.

**8. LEADER OF THE COUNCIL'S UPDATE**

In accordance with the Council's Standing Orders, the Leader of the Opposition shall be given the opportunity to raise one matter relevant to the Borough that has arisen since the last meeting of the Council. The Leader of the Council shall then have the opportunity to advise the Council of matters relevant to the Borough that have arisen since the last meeting.

**9. NOTICE OF MOTIONS**

To consider the following Motion submitted by Councillor Robin Parker, CC:

"That Council notes that:

- (a) A number of other local authorities have adopted the policy of planting or encouraging wild flowers, and other alternative methods of managing highway verges, which improve biodiversity without increasing the cost of highway verge maintenance.
- (b) Growing concern about the possible health impacts and effect on biodiversity by the widespread use of glyphosate weed killers.

With the aim of improving biodiversity and the street scene, along with reducing any undesirable environmental impacts, Council agrees to ask for an officer report within the next 6 months about the feasibility of a change in the policy on highways verge maintenance and cutting, to allow many further areas to be left free for wildflower self and initiated seeding, where appropriate, safe and with particular need to ensure safety and visibility, including financial implications and consequences for the current Agency agreement with HCC."

**10. QUESTIONS FROM MEMBERS TO COMMITTEE CHAIRS / PORTFOLIO HOLDERS**

In accordance with Standing Orders, written answers to the following questions will be tabled at the Council meeting:

- (A) Question from Councillor Stephen Booth

"What costs have been incurred and how many staff working hours were disrupted during Monday 17 and Tuesday 18 June when online access was limited across the Council's workforce and the Civica payments system was unavailable, following the previous weekend's relocation of the CCTV control room at Cavendish Road and the unavailability of the hosted desktop system from 6 pm on Friday 14 June?"

(B) Question from Councillor Robin Parker, CC

“Will SBC consider webcasting, electronic timing indicators and electronic voting at SBC meetings, similar to those now in use at HCC?”

(C) Question from Councillor Graham Snell

“Does the Council have any plans to refurbish and repair the High Street entrance to King George Park which is in very poor condition and an important access point into the park and the Millennium Garden?”

(D) Question from Councillor Tom Wren

“On the SBC website a policy is stated that when a tree is felled by the council, where possible, a replacement tree will be planted nearby. Please could figures be provided for the last 3 years of the number of trees felled and replanted in the town? “

(E) Question from Councillor Andy McGuinness

“How much did the Council spend in the last financial year on food and drink for (a) Councillors (b) Mayoral events (c) Civic Events (non-mayoral)?”

#### **11. UPDATE FROM SCRUTINY CHAIRS**

To receive updates from the Chairs of the Scrutiny Committees on the recent activities of those committees.

#### **12. ANNUAL SCRUTINY REPORT 2018/19**

To note the annual report from the three Scrutiny Committees on their activities during the 2018/19 Municipal Year.

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#### **13. 4TH QUARTER CAPITAL MONITORING REPORT 2018/19 GENERAL FUND AND HOUSING REVENUE ACCOUNT**

The report circulated at Item 13 was considered by the Executive on 10 July 2019 when the following recommendation to Council was agreed:

“2.8 That Executive recommend to Council the approval of budget of £1.5million for Registered Provider grants, in line with the reasoning in Paragraph 4.3.4. of the report.”

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**14. GAMBLING ACT 2005 - STATEMENT OF GAMBLING PRINCIPLES**

The report circulated at Item 14 was considered by the Executive on 10 July 2019 when the following recommendation to Council was agreed:

“2.1 That Council adopts the Stevenage Borough Council draft Gambling Act 2005 Statement of Principles, as attached at Appendix A to the report.”

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**15. AUDIT COMMITTEE MINUTES**

To note the Minutes of the Audit Committee meetings held on 19 March 2019 and 11 June 2019.

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**16. EXCLUSION OF PUBLIC AND PRESS**

To consider the following motions –

1. That under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as described in paragraphs 1 – 7 of Part 1 of Schedule 12A of the Act as amended by Local Government (Access to Information) (Variation) Order 2006.
2. That Members consider the reasons for the following reports being in Part II and determine whether or not maintaining the exemption from disclosure of the information contained therein outweighs the public interest in disclosure.

**17. PROCUREMENT OF A PRINCIPAL CONTRACTOR AT NORTH ROAD**

The Part II report circulated at Item 17 was considered by the Executive on 10 July 2019 when the following recommendation to Council was agreed:

“2.4 That Executive recommends to Full Council approval of General Fund Capital budgets detailed in the Part II report for the year 2020/21 to facilitate the General Fund aspect of the development.”

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**18. APPOINTMENT OF CHIEF EXECUTIVE**

To consider a Part II Officer report concerning the appointment of the Chief Executive.

[REPORT TO FOLLOW]

## STEVENAGE BOROUGH COUNCIL

### COUNCIL MINUTES

Date: Wednesday, 22 May 2019

Time: 7.00pm

Place: Council Chamber, Daneshill House, Danestrete

**Present:** The Mayor (2018/19) Councillor Margaret Notley and Councillors Doug Bainbridge, Sandra Barr, Philip Bibby CC, Stephen Booth, Lloyd Briscoe, Rob Broom, Adrian Brown, Jim Brown, Teresa Callaghan, Laurie Chester, David Cullen, Michael Downing, Alex Farquharson, John Gardner, Michelle Gardner, Jody Hanafin, Liz Harrington, Richard Henry, Jackie Hollywell, Lizzy Kelly, Graham Lawrence, Mrs Joan Lloyd, John Lloyd, Sarah-Jane McDonough, Adam Mitchell CC, Maureen McKay, Lin Martin-Haugh, John Mead, Sarah Mead, Robin Parker CC, Claire Parris, Loraine Rossati, Graham Snell, Simon Speller, Sharon Taylor OBE CC, Jeannette Thomas and Tom Wren

**Start / End**      Start Time:    7.00pm  
**Time:**            End Time:      9.15pm

#### 1      **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillor A McGuinness.

There were no declarations of interest.

The Mayor announced that she had accepted as urgent the report at Item 10 on the agenda – Constitutional Issues, as without consideration of this report the Council would not have a political decision making structure for 2019/20.

#### 2      **MINUTES - 27 FEBRUARY 2019**

It was **RESOLVED** that the Minutes of the Council meeting held on 27 February 2019 are approved as a correct record and signed by the Mayor.

At this juncture, the outgoing Mayor informed Members that it was a privilege serving as Mayor of Stevenage. She had carried out over 261 engagements ranging from visiting new-born babies at Lister hospital, meeting residents of care homes and interacting with faith groups within Stevenage. The Mayor had also attended events in support of other Mayors and Chairmen. Other highlights of the mayoral term included:

- Raising more than £13,000 for the Mayor's Charities
- Visiting Autun, France for the annual Town Twinning Reunion
- Inaugural Mayoral Garden Party

- Quiz Night
- Carol Service
- Mayoral Charity Concert
- Mayoral Civic Service
- Big Girls Don't Cry Show
- Mayoral May Ball
- Stevenage Pride Awards

The outgoing Mayor thanked the Mayoress (Cllr Laurie Chester), the Deputy Mayor and Deputy Mayoress (Simon and Bridy Speller), Hilary Spiers, Tracey Frost (Mayor's PA), Maureen Nicholson, Mervyn Terrett (Chaplain), Andy Smith, Roy Nicholson, Ashley Mansfield (Elvis impersonator at Stevenage Pride Awards), Stevenage Male Voice Choir, Mayor's charities (Stevenage District Scouts, Carers in Hertfordshire and TRACKS Autism), SBC Communications and Member Services teams, officers, family and friends and SBC Councillors for their support.

On behalf of Members, the Leader of the Council thanked the outgoing Mayor for a successful year in office, and her commitment to the role and the Borough.

### 3 **ELECTION OF MAYOR**

The Mayor asked for nominations for the Office of Mayor for 2019/20.

Councillor S Taylor OBE CC nominated Councillor Simon Speller for the Office of Mayor. Councillor Taylor highlighted Councillor Speller's vast knowledge of local government as an officer and a Member and huge interest in the history of Stevenage, volunteering, scouting and sports.

The nomination was seconded by Councillor L Martin-Haugh.

There being no other nominations a vote was taken and it was **RESOLVED** that Councillor Simon Speller be elected as a Mayor for the 2019/20 Municipal Year. Councillor Speller then made the statutory declaration of office.

The Mayor announced that Bridy Speller would be the Mayoress for 2019/20.

Councillors P Bibby CC and R Parker CC congratulated the new Mayor and echoed similar sentiments to those expressed by the mover and seconder of the nomination.

In his speech the Mayor indicated that it was a special privilege to serve two terms as Mayor of Stevenage. The Mayor announced that the theme of his term was to engage and empower young people and promote their physical, mental and emotional wellbeing. He announced that Stevenage District Scouts would be the partner for the year and his charities for the year would be the Stevenage Community Trust, Stevenage and North Herts Child Contact Centres, Stevenage Haven for the Homeless and Just Be a Child. The Mayor challenged Members to support the chosen charities, young people, schools and local arts and sports groups.

The Mayor then presented awards to the following Members:

- For 20 years' service – Councillor G Snell
- For 35 years' service – Councillor R Parker CC
- Life Vice-Presidents of Stevenage District Scouts – Councillors M Notley and L Chester

#### 4 **ELECTION OF DEPUTY MAYOR**

The Mayor asked for nominations for the Office of Deputy Mayor for 2019/20.

Councillor Loraine Rossati nominated Councillor Jim Brown for the Office of Deputy Mayor. Councillor Rossati cited Councillor Brown's work in local government and active participation in the cycling, marathon running and community activities.

The nomination was seconded by Councillor Mrs J Lloyd.

There being no other nominations a vote was taken and it was **RESOLVED** that Councillor Jim Brown be appointed Deputy Mayor for the 2019/20 Municipal Year.

Councillor Brown then made the statutory declaration of acceptance of office. The Deputy Mayor announced that Penny Schenkel would be his Deputy Mayoress for the 2019/20 Municipal Year.

#### 5 **APPOINTMENT OF YOUTH MAYOR**

The Mayor thanked the outgoing Youth Mayor, Ugonna Umunnakwe, for his work as a representative for the young people of Stevenage and as an ambassador for the town. Ugonna Umunnakwe thanked Councillors, Member Services officers, the Youth Council, family and friends for their support. He informed Council that some of the highlights of his term were the visit to twin town of Autun, Stevenage Cycling Festival and judge at the Pride of Stevenage.

Councillor Richard Henry thanked the outgoing Youth Mayor for his work. He informed Members that he was proud that Stevenage had an active Youth Council and was the only authority in Hertfordshire that had a Youth Mayor. Councillor Henry announced that the Youth Council had recently introduced a number of initiatives including formal meetings, debating sessions, a new logo and an increase in online presence.

The Leader thanked the outgoing Youth Mayor. She commended the Youth Council for highlighting mental health of young people.

Council was informed that following an election the Youth Council had nominated William Sarenden as the 2019/2020 Youth Mayor.

It was moved, seconded and **RESOLVED** that William Sarenden be elected as Youth Mayor for the 2019/2020 Municipal Year.

William Sarenden then signed the declaration of acceptance of office. In his acceptance speech the Youth Mayor thanked those that had supported him during

his campaign. He added that he would focus on mental health awareness and anti-bullying.

## 6 **APPOINTMENT OF LEADER OF THE COUNCIL**

It was moved, seconded and **RESOLVED** that Councillor Sharon Taylor OBE CC be appointed Leader of the Council for 2019-2023.

In her speech of thanks Councillor Taylor informed the Council that Councillor Mrs Joan Lloyd would be the Deputy Leader and that she would also be the Portfolio Holder for Resources.

The other Members of the Executive and their Portfolios would be as follows:

- Councillor Mrs Joan Lloyd – Resources
- Councillor Jackie Hollywell – Communities, Community Safety and Equalities
- Councillor Richard Henry – Children, Young People and Leisure
- Councillor John Gardner – Environment and Regeneration
- Councillor Lloyd Briscoe – Economy, Enterprise and Transport
- Councillor Rob Broom – Neighbourhoods and Co-operative Working
- Councillor Jeannette Thomas – Housing, Health and Older People

Councillor Taylor thanked the now retired former councillor Ralph Raynor, who had represented St Nicholas Ward, and had served as Portfolio Holder for Economy, Enterprise and Transport. The Leader also paid tribute to Scott Crudgington (former SBC Chief Executive), the Senior Leadership Team, Gill Harrison (Leader's PA) and Member Services officers.

## 7 **BOROUGH COUNCIL ELECTIONS 2019**

Council considered a report that detailed the results of the Borough Council Elections that were held on 2 May 2019.

The Leader thanked Matt Partridge (Returning Officer), Luke Fattorusso (Local Land Charges and Electoral Services Manager) and the elections team for the excellent and smooth management of the Election process. She also thanked local police officers for their reassuring presence on polling days. Councillor Taylor criticised some political activists for distributing campaign leaflets that contained inaccurate information about Council finances.

Councillor R Parker CC thanked the elections team for the efficient running of the elections. He also reiterated the criticism of the use of inaccurate information for campaign purposes and the failure by political parties to correct the inaccuracies.

It was moved, seconded and **RESOLVED** that the results of the Stevenage Borough Council Elections 2019 be noted.

## 8 **APPOINTMENT OF LEADER AND DEPUTY LEADER OF THE OPPOSITION**

The Interim Chief Executive advised the Council that the Leader of the Opposition



would be Councillor Phil Bibby CC and that Councillor Graham Lawrence would be his deputy.

9 **APPOINTMENT OF LEADERS AND DEPUTY LEADERS OF THE POLITICAL GROUPS ON THE COUNCIL**

The Interim Chief Executive advised the Council that Councillors Sharon Taylor OBE CC, Phil Bibby CC and Robin Parker CC had been appointed as Leaders of the Labour, Conservative and Liberal Democrat Groups respectively. It was noted that Councillors Mrs Joan Lloyd, Graham Lawrence and Andy McGuinness would be Deputy Leaders of the Labour, Conservative and Liberal Democrat Groups respectively.

10 **CONSTITUTIONAL ISSUES**

Council considered a report relating to the Member level decision making structure of the Council and the Council's Constitution for the 2019/20 Municipal Year which had been circulated on the Supplementary Agenda.

It was moved, seconded and **RESOLVED:**

1. That the Terms of Reference, as detailed in the appendices to the report; and the size and political composition for the following bodies that form the non-Executive Member level decision making structure of the Council be approved subject to the rules of proportionality where appropriate for the 98 Committee places where applicable (relevant Committees are identified thus\*) –
  - Overview and Scrutiny Committee\* (Appendix A) – 14 Members (10 Labour Group, 2 Conservative Group, 2 Liberal Democrat Group)
  - Community Select Committee\* (Appendix B) – 10 Members (7 Labour Group, 2 Conservative Group, 1 Liberal Democrat Group)
  - Environment and Economy Select Committee\* (Appendix C) – 11 Members (7 Labour Group, 3 Conservative Group, 1 Liberal Democrat Group)
  - Planning & Development Committee\* (Appendix D) – 13 Members (8 Labour Group, 3 Conservative Group, 2 Liberal Democrat Group)
  - Licensing Committee (Appendix E) – 14 Members (9 Labour Group, 3 Conservative Group, 2 Liberal Democrat Group)
  - General Purposes Committee\* (Appendix F) – 14 Members (9 Labour Group, 3 Conservative Group, 2 Liberal Democrat Group)
  - Appointments Committee\* (Appendix G) - 8 Members (6 Labour Group, 1 Conservative Group, 1 Liberal Democrat Group)
  - Standards Committee\* (Appendix H) – 8 Members (6 Labour Group, 1 Conservative Group, 1 Liberal Democrat Group)

- Audit Committee\* (Appendix I) – 8 Members (6 Labour Group, 1 Conservative Group, 1 Liberal Democrat Group) + 1 Co-opted non-elected member
- Statement of Accounts Committee\* (Appendix J) – 8 Members (6 Labour Group, 1 Conservative Group, 1 Liberal Democrat Group)
- Joint Consultative Committee\* (Appendix K) – 4 Members ( 3 Labour Group, 1 Conservative Group)

\* Indicates where those bodies covered by the rules of proportionality for the purposes of the Local Government (Committees and Political Groups), Regulations 1990 – total Committee places being 98

2. That the dates for Council meetings for the Municipal Year, as shown at Paragraph 4.4 of the report, are approved, and that the draft dates for other meetings, as shown at Appendix L to the report, are noted
3. That 5 Members be appointed to the Housing Management Advisory Board (4 Majority Group, 1 Opposition Member)
4. That the amendments to the Constitution detailed in Paragraphs 4.10 - 4.11 of the report be approved

## 11 APPOINTMENTS TO COMMITTEES OF THE COUNCIL

Details of the individuals nominated to serve on each Committee had been circulated at the meeting. It was stated that where no Vice-Chair was appointed, the appointment would be made at the first meeting of the Committee.

The Interim Chief Executive advised of an error in the order of business for this item which quoted the “2018/19 Municipal Year” when, of course it should read “2019/20 Municipal Year”.

During the debate, Councillor R Parker CC acknowledged the appointment of Committee Vice-Chairs as indicated on papers that were circulated to Members. He noted with concern that in recent years there had been a departure from the practice of allocating at least one Select Committee Vice-Chair position to a Member from the Liberal Democrat Group. The Leader of the Council advised Councillor Parker CC to discuss this issue with the Leader of the Opposition.

It was moved, seconded and **RESOLVED:**

1. That the membership of Committees, together with the Chairs and Vice-Chairs, where detailed, are appointed for the 2019/20 Municipal Year as follows:

OVERVIEW AND SCRUTINY COMMITTEE  
14 Members - (10-2-2)

Councillors – L Martin-Haugh (Chair), P Bibby CC (Vice-Chair), S Barr, J Brown, L Chester, M Downing, M Gardner, J Mead, S Mead, A McGuinness, S-J McDonough, A Mitchell CC, C Parris, R Parker CC

#### COMMUNITY SELECT COMMITTEE

10 Members - (7-2-1)

Councillors – S Mead (Chair), M Notley (Vice-Chair), S Booth, A Brown, T Callaghan, A Farquharson, L Harrington, J Mead, C Parris and L Rossati

#### ENVIRONMENT AND ECONOMY SELECT COMMITTEE

11 Members - (7-3-1)

Councillors – M Downing (Chair), A Mitchell CC (Vice-Chair), D Bainbridge, S Barr, S Booth, A Brown, J Brown, T Callaghan, D Cullen, J Hanafin and L Rossati

#### PLANNING AND DEVELOPMENT COMMITTEE

13 Members – (8-3-2)

Councillors – D Cullen (Chair), D Bainbridge, S Barr, M Gardner, J Hanafin, L Harrington, L Kelly, G Lawrence, J Lloyd, S-J McDonough, M McKay, G Snell and T Wren

#### LICENSING COMMITTEE

14 Members – (9-3-2)

Councillors – L Chester (Chair), D Bainbridge, S Barr, J Brown, M Downing, J Hanafin, L Harrington, R Henry, G Lawrence, J Lloyd, M McKay, A McGuinness, L Rossati and G Snell

#### GENERAL PURPOSES COMMITTEE

14 Members – (9-3-2)

Councillors – L Chester (Chair), D Bainbridge, S Barr, J Brown, M Downing, J Hanafin, L Harrington, R Henry, G Lawrence, J Lloyd, M McKay, A McGuinness, L Rossati and G Snell

#### APPOINTMENTS COMMITTEE

8 Members – (6-1-1)

Councillors – S Taylor OBE, CC (Chair), P Bibby CC, M Downing, J Gardner, R Henry, Mrs J Lloyd, R Parker CC and J Thomas

#### STANDARDS COMMITTEE

8 Members – (6-1-1)

Councillors – Mrs J Lloyd (Chair), T Callaghan, M Downing, L Martin-Haugh, J Mead, M Notley, L Rossati and T Wren

#### AUDIT COMMITTEE

8 Elected Members – (6-1-1) + 1 Independent Co-opted Member (G Gibbs)

Councillors – M McKay (Chair), S Barr, S Booth, L Chester, D Cullen, J Gardner, L Kelly and G Lawrence

#### STATEMENT OF ACCOUNTS COMMITTEE

8 Members – (6-1-1)

Councillors Mrs J Lloyd (Chair), P Bibby CC, R Broom, L Chester, J Hollywell,

J Mead, S Mead and G Snell

2. That 5 Members (4 Majority Group, 1 Opposition Member) be appointed to the Housing Management Board as agreed at Minute 10, resolution 3, as follows:

Councillors L Harrington, L Kelly, J Lloyd, L Martin-Haugh and M Notley

## 12 **APPOINTMENTS TO OUTSIDE BODIES**

Council considered the list of individuals nominated to serve on Outside Bodies which had been circulated at the meeting.

It was moved, seconded and **RESOLVED** that the following individuals are appointed to represent the Council on the various bodies detailed below for one year, unless otherwise stated:

COUNCIL FOR THE PROTECTION OF RURAL ENGLAND THE  
HERTFORDSHIRE SOCIETY – Portfolio Holder for Environment and Regeneration

EAST OF ENGLAND LOCAL GOVERNMENT ASSOCIATION – The Leader of the  
Council

EAST OF ENGLAND REGIONAL PLANNING - Portfolio Holder for Environment and  
Regeneration

HCC JOINT WASTE MANAGEMENT GROUP - Portfolio Holder for Environment  
and Regeneration

HERTFORDSHIRE INFRASTRUCTURE PLANNING AND POLICY GROUP -  
Portfolio Holder for Environment and Regeneration

HERTFORDSHIRE LOCAL AUTHORITIES LEADERS GROUP – The Leader of the  
Council

HERTFORDSHIRE SUPPORTING PEOPLE COMMISSIONING BODY MEMBERS  
OVERVIEW GROUP – Portfolio Holder for Housing, Health and Older People

HERTFORDSHIRE SUSTAINABILITY FORUM STEERING GROUP - Portfolio  
Holder for Environment and Regeneration

LOCAL GOVERNMENT ASSOCIATION - The Leader of the Council

RESPONSIBLE AUTHORITY GROUP (COMMUNITY SAFETY) – Portfolio Holder  
Communities, Community Safety and Equalities

SOSTEVENAGE PARTNERSHIP - The Leader of the Council and Deputy Leader

STEVENAGE COMMUNITY SAFETY PARTNERSHIP - Portfolio Holder  
Communities, Community Safety and Equalities

STEVENAGE LEISURE LIMITED – The Leader of the Council and Portfolio Holder  
Children, Young People and Leisure

AGE CONCERN STEVENAGE – Councillor J Lloyd

BEDWELL COMMUNITY ASSOCIATION – Councillor L Harrington

BRAGBURY CENTRE – Councillor J Lloyd

CHELLS MANOR COMMUNITY CENTRE – Councillor A McGuinness

CROSSROADS CARE (tbc) – Councillors J Gardner and Mrs J Lloyd

DOUGLAS DRIVE SENIOR CITIZENS ASSOCIATION – Councillor J Lloyd

HOME-START STEVENAGE – Councillor J Gardner

KADOMA LINK ASSOCIATION – Councillor J Gardner and G Snell

LIVING ROOM PROJECT – Councillor J Hollywell

OLD STEVENAGE COMMUNITY ASSOCIATION – Councillor J Brown

OVAL COMMUNITY ASSOCIATION – Councillor L Briscoe

PIN GREEN COMMUNITY ASSOCIATION – Councillor J Thomas

SHEPHALL COMMUNITY ASSOCIATION – Councillor J Mead

ST. NICHOLAS COMMUNITY ASSOCIATION – Councillor S Barr

STEVENAGE CITIZENS ADVICE BUREAU – Councillor M Downing

STEVENAGE COMMUNITY TRUST – Councillors R Henry and M McKay

STEVENAGE CREDIT UNION LIMITED – Councillor L Chester

STEVENAGE FURNITURE RECYCLING SCHEME – Councillor J Lloyd

STEVENAGE HAVEN – Councillor R Broom

STEVENAGE / AUTUN / INGELHEIM ASSOCIATION – Councillors R Henry and S  
Speller

STEVENAGE WORLD FORUM FOR ETHNIC COMMUNITIES – Councillor J  
Gardner

SYMONDS GREEN COMMUNITY ASSOCIATION – Councillor L Chester

TIMEBRIDGE COMMUNITY ASSOCIATION – Councillor J Hollywell

TURN THE TIDE – Councillor L Kelly

EAST OF ENGLAND LGA IMPROVEMENT AND EFFICIENCY PANEL – Councillor R Henry

HCC HEALTH SCRUTINY COMMITTEE – Councillor M McKay

LOCAL GOVERNMENT INFORMATION UNIT – Councillor J Brown

LUTON AIRPORT CONSULTATIVE COMMITTEE – Councillor J Gardner

STEVENAGE CONSOLIDATED CHARITIES (FOUR YEAR PERIOD) – One vacancy; C Latif (to 2020), Councillors M McKay and J Mead (both to 2021)

### 13 **STEVENAGE BOROUGH LOCAL PLAN: ADOPTION**

The Council considered a report seeking the adoption of the Stevenage Borough Local Plan.

The Interim Chief Executive advised that this matter had been discussed by both the Executive and the Overview and Scrutiny Committee on a number of occasions. The options before the Council were to adopt the Local Plan as submitted or to not adopt it – there was no provision to make any amendments.

Councillor J Gardner moved the recommendations. He informed Council that the holding direction on the Stevenage Borough Local Plan was lifted on 25 March 2019 by Secretary of State for Ministry of Housing, Communities and Local Government (MHCLG) after being in place for more than 400 days. It was indicated that the process to adopt the Plan was initiated in 2012 and was followed by several phases of internal and external consultation. Members were informed that the holding direction was lifted after Stevenage Borough Council had launched Judicial Review proceedings to address the delay and obtain a clear response from the government.

Councillor M Downing seconded the recommendations. He pointed out that one of the objectives of the Local Plan was to provide more housing while protecting the environment.

The following points were raised during the debate:

- There was a huge demand for housing in Stevenage
- The local Member of Parliament was instrumental in recommending the issuing of the holding direction
- The Liberal Democrat Group broadly supported the Local Plan though it had minor reservations about some parts of the Plan
- SBC had followed all procedures required for the approval of a Local Plan
- In October 2017, an independent Planning Inspector had concluded that, subject to the Main Modifications proposed, the Stevenage Borough Local Plan was sound and capable of being adopted

- The holding direction had resulted in missed opportunities for the Town and unnecessary legal costs
- Any concerns about the environmental impact of the Local Plan would be addressed. This was due to the fact that Herts and Middlesex Wildlife Trust had a strong aim to influence policy and planning decisions to ensure positive outcomes for local wildlife
- The Council must review Community Infrastructure Levy rates so as to ensure that developers and landowners were charged at least the market rate

Members thanked the substantive and Interim Assistant Directors of Planning and Regulation and all officers who had worked on the Stevenage Local Plan. Councillor J Gardner indicated to Council that all issues raised during the debate would be taken on board.

It was **RESOLVED**:

1. That the outcomes of the Main Modifications (and associated Sustainability Appraisal) consultation be noted (responses summary attached as Appendix A to the report)
2. That the content of the Inspector's Report be noted (attached as Appendix B to the report)
3. That the firm proposal of Executive, having had regard to the outcomes following consultation with the Overview and Scrutiny Committee, be noted
4. That the Inspector's recommendation to adopt the Stevenage Borough Local Plan, incorporating main and minor modifications (attached as Appendix C to the report), and associated Policies Map, be accepted, and that the District Plan Second Review 2004 (BD1) be revoked

#### 14 **EXCLUSION OF PRESS AND PUBLIC**

It was **RESOLVED**:

1. That, under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as described in Paragraphs 1 to 7 of Schedule 12A of the Act, as amended by SI 2006 No. 88.
2. That, having considered the reasons for the following items being in Part II, it be determined that maintaining the exemption from disclosure of the information contained therein outweighed the public interest in disclosure.

#### 15 **FUNDING FOR A WHOLLY OWNED HOUSING DEVELOPMENT COMPANY**

The Council considered a Part II report in respect of the recommendations made by the Executive surrounding General Fund finances and loans required to set up the wholly owned housing development company to enable it to purchase properties, as

set out in its Business Plan.

It was moved, seconded and **RESOLVED** that the recommendations set out in the report are approved.

**CHAIR**



## STEVENAGE BOROUGH COUNCIL

### COUNCIL MINUTES

Date: Wednesday, 12 June 2019

Time: 7.00pm

Place: Council Chamber, Daneshill House, Danestrete

**Present:** The Mayor Councillor Simon Speller and Councillors Doug Bainbridge, Sandra Barr, Stephen Booth, Lloyd Briscoe, Rob Broom, Adrian Brown, Jim Brown, Teresa Callaghan, Laurie Chester, David Cullen, Michael Downing, Alex Farquharson, John Gardner, Michelle Gardner, Jody Hanafin, Liz Harrington, Richard Henry, Jackie Hollywell, Lizzy Kelly, Graham Lawrence, John Lloyd, Mrs Joan Lloyd, Lin Martin-Haugh, Sarah-Jane McDonough, Maureen McKay, John Mead, Sarah Mead, Adam Mitchell CC, Margaret Notley, Robin Parker CC, Claire Parris, Graham Snell, Sharon Taylor OBE CC, Jeannette Thomas and Tom Wren

**Start / End**      Start Time:    7.00pm  
**Time:**            End Time:       9.40pm

#### 1      **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were submitted on behalf of Councillors P Bibby, A McGuinness and L Rossati and the Youth Mayor - W Sarenden.

There were no declarations of interest.

At this juncture, the Mayor made the following announcements:

- A group of volunteers based in Stevenage, Irish Network Stevenage (INS), had won the Queen's Award for Voluntary Service, Britain's highest award for a voluntary group. The award will be presented to members of INS later this summer by the Lord Lieutenant of Hertfordshire
- The 60th anniversary of Stevenage Day, held on 9 June 2019, had been a great success
- Events marking the 25th anniversary of Stevenage Arts Festival were held on 1 June 2019. This coincided with the launching of the new Cultural Strategy called Stevenage Re-imagined. Stevenage Festival events were scheduled to run until 29 June
- Climate change was the subject of discussion at the Schools Parliament event in the Council Chamber on 11 June. Pupils from several local primary schools had recently taken part in climate change awareness activities

- Several events had been organised by Cycling UK Stevenage as part of Bike Week 2019 (8 to 16 June)

The Mayor welcomed everyone to the Extraordinary Council meeting and acknowledged the presence of members of the Youth Council, UK Student Climate Network, Extinction Rebellion, school children and residents.

## 2 **MOTION TO COUNCIL - CLIMATE CHANGE EMERGENCY**

The Mayor welcomed the two speakers, Dr Susan Parham (Head of Urbanism and Planning, University of Hertfordshire) and Mr Jonathan Gilbert (Technical Consultant - Building Research Establishment Environmental Assessment Method [BREEAM]).

Dr Parham's presentation was titled "The Climate Change Emergency – Placemaking Issues and Opportunities". The presentation covered a background on climate change, decarbonising and emissions; facts and figures relating to greenhouse emissions for housing and transport; implications for planning strategy, policy and placemaking/design; examples in practice and options for Stevenage. In response to questions, Dr Parham informed Council that:

- Statistics on car manufacture carbon emissions were not readily available
- Electric cars were a transitional measure and not a complete solution to climatic change issues
- Car sharing incentives were a positive signal but this had to be combined with measures to encourage walking and cycling
- There was scope to do more research on the greenhouse gas emissions at county and town levels
- The provision of reliable and affordable (and even free) public transport would have a profound effect on behavioural change and go a long way towards reducing the use of private cars
- There was need for a focussed national discussion on the climate change emergency and a political commitment to provide and improve cycle routes and pathways
- Grassroots pressure was a vital component of the climate change agenda

Mr Jonathan Gilbert (Technical Consultant - BREEAM) gave a presentation on planning for sustainable development. Mr Gilbert informed Council that BREEAM sets standards for the environmental performance of buildings through the design, specification, construction and operation phases. BREEAM standards can be applied to new developments or refurbishment schemes. He then focussed on climate trends; the housing growth imperative; sustainable development and planning legislation and how local authorities can respond to the climate change challenge. Mr Gilbert acknowledged that eco-homes (environment-friendly homes) were slightly more expensive than standard houses. However, the environmental benefits of the eco-homes outweighed the extra cost. Members were informed that the cost of eco-homes was falling due to improvements in the quality of modular building blocks and solar panel technology. Mr Gilbert confirmed that BREEAM was involved in the testing of building materials and building fire investigations.

Council welcomed the Government's decision to amend the Climate Change Act in

2008 and commitment to reducing greenhouse gas emissions in the UK to almost zero by 2050. It was indicated that there was no requirement to suspend the recently adopted Stevenage Local Plan so as to align it to the Climate Change Act amendments.

Councillor J Gardner moved the motion and expressed concerns about delays in addressing the climate change emergency. He indicated that the climate change problem was not beyond our capacity. Council was informed that the Paris Agreement on Climate Change set targets for cutting carbon dioxide emissions by about 45% from 2010 levels by 2030 and to net zero by 2050. The objective of the Agreement was to limit the global temperature rise to between 1.5 degrees and the politically agreed 2 degrees above pre Industrial Age. There was overwhelming scientific evidence that illustrated the catastrophic effects of failure to meet the Paris Agreement targets. Cllr Gardner highlighted the recent upsurge in climate change activism involving groups such as Extinction Rebellion and school children.

It was announced that the objective of the motion was to spell out the background to climate change in global terms and the Stevenage context. Council was informed that Stevenage had acted on its 2009/11 Climate Strategy. This Strategy provided a basis for the more urgent action that is required now. It was announced that the Council's priorities were:

- To update the Council's Climate Change Strategy and Action Plan
- To establish a Stevenage Climate Charter
- To establish a People's Climate Assembly to consider options and monitor progress

Cllr Gardner stated that the climate change emergency required large-scale government intervention to revitalise industries, direct investment and boost research and development in the green technologies of the future. It was noted that the devastating effects of extreme weather disproportionately affected developing countries (particularly those in Africa) even though they contributed around 4% to global carbon emissions. In the United Kingdom, the working class suffered the worst effects of air pollution.

In seconding the motion, Councillor S-J McDonough highlighted the significant impacts of climate change such as changing weather patterns, rising sea level, melting glaciers, widespread forced migration of birds and animals and more extreme weather events. She emphasised the significance of collective responsibility in the fight against climate change. She hailed the success of an earlier climate change agreement – the Montreal Protocol – that protected the ozone layer by phasing out the production of numerous substances that are responsible for ozone depletion. As a result of this international agreement, the ozone hole in Antarctica was slowly recovering.

Cllr McDonough pointed out that it was now time to start implementing local measures to combat climate change. She reminded Council that Stevenage had a co-operative Council and therefore residents would be consulted and involved in the delivery of the town's climate change agenda.

The Leader of the Council, Councillor S Taylor, OBE, CC welcomed the motion and emphasised that the Council had a significant role to play in the fight against climate change. She contrasted the involvement of young people in recent high profile climate change against the general reluctance by a lot of politicians to do more in the fight to reduce greenhouse gas emissions. Cllr Taylor welcomed the proposed changes to the Climate Change Act but was wary of possible resistance by some corporate bodies. She was pleased to note that Stevenage was one of about 85 local authorities that had a motion on the climate change emergency. Councillor Taylor highlighted Council initiatives such as the Biodiversity Action Plan, the electric car and bike schemes and Code 4 and 6 homes (sustainable homes). It was pointed out that Stevenage aimed to become the first sustainable transport town in Hertfordshire. The Council was open to introducing preferential car parking fees for electric cars. The Leader of the Council announced that Stevenage would take a leadership role on climate change and work with partners such as residents, volunteer groups, businesses and academics. She also confirmed plans to introduce a representative People's Assembly against climate change.

The Deputy Leader of the Opposition, Cllr G Lawrence, thanked Council for introducing the motion. He indicated that his political group supported the motion in principle. Councillor Lawrence then moved and Councillor A Farquharson seconded that the motion be amended as follows:

Delete "- Ban fracking" and insert "- Working towards removing the need for fracking."

Upon being put to the vote the amendment was lost.

The Leader of the Liberal Democrats Group, Councillor R Parker CC, spoke in support of the motion. He reported that according to the Intergovernmental Panel on Climate Change (IPCC), there was consensus among actively publishing climate scientists that humans are causing global warming. Cllr Parker then moved and Cllr S Booth seconded an amendment of the motion to add the following statement to the final paragraph: "- Call on the government to develop and support carbon capture and storage schemes."

Council unanimously voted in support of the amendment.

The Mayor expressed regret that due to the lateness of the meeting, members of the Youth Council had left before contributing to the debate. The Leader of the Council and the Portfolio Holder (Children, Young People and Leisure) indicated that Council was considering arranging a Youth Assembly meeting on climate change and how to engage the young people at a more convenient time.

The debate continued with contributions from Councillors and those in the public gallery. Speakers agreed that climate change action was long overdue and that the motion was a useful step towards addressing this issue. It was noted that Stevenage had well-established cycle routes. It was stated that 95% of scientists affiliated to the Intergovernmental Panel on Climate Change (IPCC) agreed that there was a link between man's activities and global warming. Speakers referred to the evidence provided by the scientist, John Tyndall in 1859, James Hansen (former NASA

scientist), Sir David Attenborough (broadcaster and historian), IPCC and the independent non-departmental public body, Committee on Climate Change. Most of this evidence was largely ignored by politicians and industrialists.

Contributors also raised the following points:

- Sweden, Norway and the Netherlands were some of the leading countries in the fight against climate change
- Significant numbers of commuters resort to private transport because public transport is generally expensive and unreliable
- The replacement for Stevenage's 2009 Climate Strategy should include realistic and verifiable outcome measuring clauses
- The government should work with local authorities on tax incentives for electric cars and infrastructure such as charging points
- Government and local authorities should also consider introducing disincentives such as tax on short haul flights and workplace car parking levies if cheap and reliable public transport is available
- Individuals can reduce their carbon footprint by avoiding short haul flights
- All Council reports, policies and strategies should include an Environment Impact Assessment section
- There should be an annual Climate Change performance report to Council
- The Council will consider recycling out-of-date ICT equipment
- Council will also consider increasing opportunities for home working by staff so as to reduce travelling distance and gas emissions
- Council will consider facilitating virtual meeting arrangements so as to reduce officer and Member travel to meetings. This can be achieved via the introduction of tele-conference, video and web conference facilities

Councillors and members of the public suggested the following actions:

- Planting more trees
- Improving cycling infrastructure, facilitating the setting up of cycling clubs and cycle hire schemes in schools, facilitating the opening of bike recycling centres, increasing the number of cycle storage spaces across the town and improving security at cycle stores
- Raising awareness of climate change in schools and involving young people in climate change discussions at a local level
- Providing clarity on arrangements for the People's Assembly
- Introducing solar-powered street lights

In a reply to a member of the public, the Leader of the Council confirmed that the Council's target for zero carbon emissions was 2030 and not 2050. The People's Assembly would be community-driven. Council was looking at the People's Assembly arrangements in Oxford City Council and other local authorities. The Climate Change motion would be presented to the Stevenage Partnership of businesses, volunteer organisation and members of the public. Council will try to influence climate change actions of local businesses.

In his reply, the Portfolio Holder (Environment and Regeneration) assured Council that all issues raised during the debate would be taken into consideration. He stated

that official government statistics were used to draft the motion.

After a full debate, it was moved, seconded and **RESOLVED:**

“That this Council notes that:

- Human activities are changing our planet and the need for everyone to take action on climate change is more urgent and immediate than ever.
- According to the Intergovernmental Panel on Climate Change’s (IPCC) Special Report in 2018, human activities are estimated to have caused approximately 1°C of global warming above pre- industrial levels, with a likely range of 0.8°C to 1.2°C.
- The Paris Agreement sets out a global action plan to put the world on track to avoid dangerous climate change by “limiting global warming to well below 2c and pursuing efforts to limit it to 1.5c”. · In order to prevent further global warming of more than 1.5°C, the IPCC states that this would require global net human-caused emissions of carbon dioxide (CO2) to fall by about 45% from 2010 levels by 2030, reaching ‘net zero’ around 2050 and that they would need to peak within 12 years (by 2030) to increase the chances of limiting global warming to 1.5 degrees.
- Stevenage Borough Council set an aspiration in its Climate Change Strategy 2016-21 for Stevenage to achieve zero carbon status by 2050.
- The latest statistics produced by the Department for Business, Energy and Industrial Strategy (BEIS) shows total emissions in Stevenage have declined steadily over the last 11 years. From 2005-2016, total emissions from the town have reduced by almost 34%.
- Emission reductions in the UK, including Stevenage, since 2012 have primarily come from the decarbonisation of electricity generation in the power sector at a national level, which is shifting progressively from fossil fuels to low carbon and renewable generation.
- To maintain the current rate of emissions reduction and reach zero carbon by 2050, further changes to national policy and infrastructure would be required in all sectors, including industry and commercial, transport and domestic sources.
- Emissions would need to reduce much more rapidly to reach net zero carbon by an earlier date, requiring rapid and wide scale changes in energy production, supply and usage at the national level.
- The latest statistics for the source of Stevenage’s carbon dioxide emissions are for 2016 and are; 42% from industry and commercial, 33% from domestic sources and 25% from transport.

This Council welcomes the new building control regulations requiring all new buildings to be nearly zero carbon from 31 December 2020 but note the damage done by scrapping Labour’s original 2016 deadline.

This Council will update its Climate Change Strategy and Action Plan to reflect the targets in this Motion.

This Council declares a climate emergency and we:

- Will continue to reduce the council's building and fleet emissions through developing and investing in carbon reduction projects and we will update our Carbon Management Plan regularly.
- Will continue to support residents and businesses in Stevenage to reduce their emissions using the powers and funding currently available to the Council.
- Will establish a Stevenage Climate Charter calling on all organisations, businesses and individuals in the town to each establish their own Carbon Management Plans and to commit to reducing their carbon emissions which will help us to work towards our towns net carbon-zero aspiration
- Will establish a Stevenage People's Assembly to monitor the Towns progress on Climate Emergency Actions against targets set by both the Council and other stake holders.
- Will continue to work with the Hertfordshire Sustainability Forum, the Hertfordshire Waste Partnership and Hertfordshire Infrastructure & Planning Partnership to promote and advocate joint measures and actions to meet our aspirational targets for carbon emissions reduction and sustainable transport solutions

We want and we need to be doing more to tackle this climate emergency, and know that with Government leadership (that is currently absent) we could be achieving zero carbon far sooner.

To enable Stevenage and the rest of the UK to reach net zero carbon by 2030, we call on government, industry and regulators to implement the necessary changes with funding, transformed national infrastructure, policy, new technologies and legislation, including:

- Invest in clean, efficient renewable energy and end CO2 emissions from electricity generation.
- Ban fracking.
- Call on the government to develop and support carbon capture and storage schemes.
- Invest in energy-efficient public transport across the country, including the introduction of electric buses.
- End the sale of all new petrol and diesel cars and vans from 2030 and make cleaner vehicles more affordable and accessible.
- Establish a long-term nationwide Warm Homes strategy with adequate investment

for energy-saving and energy-efficiency measures.

- Support a sustainable food revolution ensuring sustainable, fresh food for all whilst reducing food waste.

- Develop a strategy for all UK businesses to be net zero carbon by 2030.

This will reduce the damage caused by climate change and will also create a strong green economy with new jobs, less waste and with sustainable growth.”

## **CHAIR**



**Meeting: COUNCIL**

**Date: 24 JULY 2019**

## **ANNUAL SCRUTINY REPORT 2018/2019**

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### **1. PURPOSE**

- 1.1 To report on the work undertaken by the Overview & Scrutiny Committee and the Select Committees during the 2018/19 Municipal Year and to outline the Work Programme for the three Committees for 2019/20.

### **2. RECOMMENDATIONS**

- 2.1 That the work undertaken by Overview & Scrutiny Committee and the Select Committees during 2018/19 be noted.

### **3. BACKGROUND**

- 3.1 Under the provisions of the Local Government Act 2000 Overview and Scrutiny's role is to operate as an independent function of the Council's decision making process, by having overview of the Council's decision making, holding the Executive to account, having the power to "call in" decisions for reconsideration and undertake internal and external scrutiny reviews.
- 3.2 The Council's Constitution requires that there be an annual report to Council on the scrutiny activity over the past Municipal Year (see Article 6.3 of the Constitution).
- 3.3 This report is a retrospective look at the scrutiny review work undertaken by the Overview & Scrutiny Committee and the two Select Committees during the 2018-19 Municipal Year.
- 3.4 In accordance with the Constitution the Overview and Scrutiny Committee was also charged with scrutinising the Executive's proposals on Budget & Policy Framework items that go before Council for decision. In addition the Committees considered updates on Scrutiny studies that had been undertaken previously, examining the progress of recommendations and where appropriate following up on matters raised.
- 3.5 The Committees have also worked with their relevant Executive Portfolio Holders on a number of separate policy development meetings developing

policies and considering reports before their submission to the Executive. This report, however, focuses on the Committees' Scrutiny role.

#### **4. SUMMARY OF SELECT COMMITTEE REVIEWS FOR 2018/2019**

4.1 Each Select Committee review made formal recommendations to the relevant Executive Member, officers and external partners. The following is a summary of the outcomes of each scrutiny review.

#### **4.2 Community Select Committee – Review of Resident Engagement**

4.2.1 In conducting this review the Community Select Committee met on 5 occasions and received written and oral evidence from the following people:

- Executive Portfolio Holder for Communities, Community Safety & Equalities, Cllr Jackie Hollywell
- Executive Portfolio Holder for Neighbourhoods and Co-Operative Working, Cllr Rob Broom
- Consultant Rachel Eden
- North Herts District Council & Hertfordshire County Councillor Judi Billing
- Housing Management Advisory Board, Jon Thurlow
- Housing Tenant & Leaseholder Customer Scrutiny Panel, Les Isaacs
- AD Communities & Neighbourhoods, Rob Gregory
- Community Development Manager, Neil Baker
- Resident Engagement Officer, Guru Lota
- AD Corporate Services & Transformation, Richard Protheroe
- Digital Transformation Manager, Hannah Brunt (Written response)

4.2.2 Members undertook the following individual research for the review:

- Cllr Adam Mitchell reviewed SBC forms of Resident Engagement
- Cllr John Mead undertook desk top research regarding Resident Engagement and online engagement tools
- Cllr Sandra Barr undertook desk top research of how other authorities carry out their resident engagement
- Cllr Jim Brown visited the Youth Council to find out their preferred methods of engagement
- The Chair, Cllr Sarah Mead undertook an informal poll of over 50 residents regarding the Council methods of engagement (the majority still contact the Council by telephone, but the Council's web site is the main source of information, most respondents contacted the Council about local issues including refuse collection, parking, shops and town centre regeneration).

The review focused on the following issues:

- Summarise the key issues/focus of the review
- Look at the effectiveness of Resident Engagement by SBC,

incorporating Consultation Demographic of Residents' Survey and the diversity of currently involved groups

- Can the Council adopt more creative, dynamic engagement? Use of social media/digital platforms? Establish how and why we do resident engagement and in which areas?
- Have a focus on Housing resident engagement as this is the largest service that the Council operates

Key findings of the review:

- The overarching Digital Transformation Programme is key to the success of a number of the reviews findings and recommendations.
- Focus on face to face, time bound themes and projects to build engagement
- More broadly to: Integrate engagement into individual Business Unit work; address consultation demographics; promote engagement methods and branding; provide an engagement toolkit; improve diversity on Housing tenant and leaseholders forums
- That the review recommendations link to the Community and Neighbourhood Business Unit Review (including the independent consultant, Rachel Eden, Holy Brook Associates, review recommendations).

4.2.3 In summary the review made specific recommendations around the following issues:

- A number of digital agenda recommendations
- Face to face engagement
- Integrate community engagement work into individual Business Units
- Promotion of engagement methods and branding
- Toolkit and corporate reports
- Neighbourhood Wardens
- SBC diversity on housing tenant and leaseholder forums
- Publicising the results of and responding to consultation
- Using time bound themes and projects
- Provide an annual review of resident engagement methodology and framework

4.2.4 The review made 19 separate recommendations on the above themes. The Executive Portfolio Holder for Neighbourhoods and Co-operative Working, Cllr Rob Broom has provided the Community Select Committee with a response to the review recommendations, which Members have received and will consider formally at a Committee meeting.

4.2.5 The Portfolio Holder accepted 18 of the reviews 19 recommendations but with regard to recommendation 15 the Portfolio Holder was of the view that having now secured 4 Neighbourhood Wardens for the town this number could not be increased to the 6 to match the County Divisions for the town.

#### 4.3 **Community Select Committee sitting as the Council Statutory Crime & Disorder Committee**

4.3.1 The Committee considered performance of the Responsible Authority Group, SoSafe Community Safety Partnership against the Community Safety Action Plan and the emerging priorities for 2019-20 on 26 March 2019.

4.3.2 The Committee interviewed the Chair of the Responsible Authorities Group (SBC CE) Matt Partridge, Exec Portfolio Holder for Community Safety Cllr Jackie Hollywell, Sarah Pateman SBC Anti-Social Behaviour & Community Safety Manager and Hertfordshire Constabulary, Chief Inspector Simon Tabert and asked questions and made comments on the priorities for 2019-20:

Anti-Social Behaviour (ASB); Safeguarding; Hate Crime and Domestic Abuse; Modern Slavery and Child Sexual Exploitation (CSE); Alcohol and Drug Related Crime and Disorder; Knife Crime and Scams and Fraud

4.4 **Other Scrutiny review items considered by the Community Select Committee** – (i) Review of the Leisure Contract with Stevenage Leisure Limited (ii) Young Enterprise (iii) Update on the Third Sector Scrutiny Review (iv) Revisit Damp & Mould Scrutiny Review (v) Revisit Decent Homes Review (vi) Public Health meeting with the HCC Director of Public Health

4.4.1 (i) **Review of the Leisure Contract with Stevenage Leisure Limited** - The Community Select Committee considered the review of the Leisure Contract with Stevenage Leisure Limited to consider the value derived from the current contract and the initiatives that the SBC & SLL joint Innovation Group were working on. Members were of the view that the action areas to improve the efficiency of the contract for the Council were welcomed and they would be interested to receive an update on the new initiatives at Fairlands Lakes to improve the offer there including pedaloes on the Millennium Lake, archery and an adventure play area and a new Fairland Valley Park Summer Brochure. Members were interested in the way SLL were supporting the Council's health, cultural and social strategies with a wide variety of ways, including the provision of NHS referrals, cardio-vascular facilities via the Healthy Hub and also the theatre being heavily involved in the Council's Cultural Strategy. Members further welcomed SLL's proposed introduction of performance indicators regarding local people's use of the gym and theatre which would begin to be recorded in the 2018-19 financial year.

(ii) **Young Enterprise** - The Committee received a presentation on the work of Young Enterprise to help young people into work, offering a wide range of programmes to help young people develop key employability competencies.

(iii) **Update on the Third Sector Scrutiny Review** - The Committee considered an update on the scrutiny review into support for the Third/Voluntary Sector, four key priority areas had been selected for development in the 2012-2015 Voluntary Sector Strategy. Members noted that none of the priority areas of voice and representation, sustainability,

harnessing corporate giving and volunteering had recorded clear evidence of progress against the objectives. Members and Officers expressed concern that the strategy did not have a clear action plan on how objectives were measured for impact and outcomes, therefore it was agreed that the strategy should not be updated but be replaced with clear and concise guidelines based on the Council's co-operative approach

(iv) **Update on the Damp & Mould Scrutiny Review** - The Committee revisited the review of damp and mould in SBC Council Homes. Officers advised that they were using a tracker to monitor progress for each individual case. Contact had now been made by Council officers with all those tenants who had previously reported problems. Members were also advised that following a reported problem, an initial inspection was now carried out within 3 weeks. The target for the completion of all works was 6 months although the majority of cases were completed a lot sooner. Members welcomed what progress had been made in this area but indicated they would continue to monitor progress.

(v) **Update on the Decent Homes Review** - Members were pleased to note that many of the 2014 original review recommendations had been implemented and that 100% post inspection work was now undertaken and endorsed the requirement to monitor customer satisfaction through surveys and feedback. There were further potential prospects for social value opportunities within future contract commitments including trade apprenticeships which the review had suggested. This included the contracts awarded for the regeneration works to the Town Centre and also the Major Refurbishment Contracts for the flat blocks around the Town.

(vii) **Public Health meeting with the HCC Director of Public Health** – Members received a presentation on the Healthy Stevenage Strategy 2018-2022 Progress Dashboard for 2018/19, NHS Long Term Plan Overview Report (released in January 2019) and NHS Long Term Plan (Opportunities and Challenges) as well as an update on the Healthy Stevenage Strategy and the success of programmes delivered to date. The Director of Public Health agreed to see what funding opportunities there could be to support local diabetes awareness training and the Committee asked that the council consider adopting a strategy for diabetes awareness.

#### 4.5 **Environment & Economy Select Committee**

4.5.1 It was agreed by the Committee when it considered its Work Programme for the year that there would not be a specific main review for 2018-19 but the Committee wanted to focus on a series of smaller reviews across a range of topics undertaken in more one-off meetings and updates, these included:

4.5.2 (i) **Strategic Transport Strategy 2031 – Including Living Streets** - Members commented on the seven key areas within the strategy covering Air, Bus, Cycling, Electric Vehicles, Rail, Road and Walking which could only be delivered by working with the Council's partners like HCC, SmartGo Stevenage and other stakeholders who are working together to promote and seek to secure the tangible aspects of an integrated Transport Network. The

Living Streets concept could include the following aspects of planting, cycling routes and parking, car parking changes, safety improvements / traffic calming, green of the street, lighting improvements, seating, 20 mph limits, play provision, street van bans with alternative secure van parking and on street electric vehicle charging. Members welcomed further work in this area.

(ii) **Public Toilets** - Members reviewed the provision of public toilets in the Town Centre, the Old Town and in the Indoor Market. Members stated that they were concerned regarding the opening times and accessibility of toilets during the evening, particularly with the regeneration of the town centre and the night time economy offer. Members agreed that safety and cleanliness of the facilities were the main considerations but that different styles of facilities should be looked at during the regeneration of the Town. The importance of inclusiveness and accessibility was also stressed with the requirement for ease of access to a functioning disabled toilet including for those with hidden disabilities. Members were supportive of the 'can't wait' card issued by Crohns and Colitis UK as a discreet mechanism to access toilet facilities and agreed that more promotion was needed in this area.

(iii) **Rail Station** – Although the Council does not have direct responsibility for rail, the Council has a responsibility to look after the welfare its residents including regular rail commuters and more casual rail users. Along with many other Rail Stations and areas, Stevenage was adversely effected by the May 2018 Rail Timetable change, therefore this issue was considered by the Committee. The long term objective was to establish improved communication between the Council, rail users and rail companies. Members held to account Network Rail and Govia Thameslink Railways for their poor performance and received assurances about how services were being improved and detail on the 5<sup>th</sup> Platform and temporary bus service for the Hertford Loop. An initial meeting was held in October 2018 and a follow up meeting was held in February 2019.

(iv) **Licence to Occupy** – Officers updated Members on a proposed streamlined process to acquire Licences to Occupy, which would allow the licensee to maintain council owned amenity land. The Committee was pleased to note the proposals for a review and improvement of the process which would dramatically reduce the time for licence applications and were supportive of the Assistant Director's plans to consult with interested parties on the proposals.

(v) **Stevenage Direct Services Business Review** – Members scrutinised and provided challenge to the plans of the Assistant Director, Stevenage Direct Services to modernise and bring commercialisation into the Stevenage Direct Services business unit operations covering issues like skip hire and removal of bulky waste.

(vi) **Update on the Indoor Market Review** – Members revisited a review that had been previously carried out into the future viability of the Indoor Market. As a result of the review the Council had commissioned a feasibility study for future development options or diversification of the Indoor Market through a

specialist company called Spacemakers. A preliminary report had been submitted to the Council and an annual action plan is now in place. Officers were considering alternative use options for void spaces. A Business Technology Centre-based business support social enterprise (Wenta) will hold business advice clinics at the Indoor Market for one day a month from January 2019.

(vii) **Reimaging Fairlands Valley Park** - Members received an officer presentation regarding the review of the strengths and weaknesses of the current offer in terms of both the quality and commercial viability of the services provided at Fairlands Valley Park, together with future opportunities for improving the offer. Members commented on the current offer and made a number of suggestions to improve the park and facilities. Members agreed to undertake further work to review the facility in 2019-20.

#### 4.7 **Overview & Scrutiny Committee**

4.7.1 The Overview and Scrutiny Committee met on 11 occasions to provide overview of the work of the Executive, specifically looking at all Key Decisions made by the Executive and all Budget and Policy Framework items. In addition to these meetings the Committee also considered the following issues:

- Sitting as a Select Committee – Sickness Management Review on 14 November 2018 and 15 January 2019, where the Committee received a presentation, agreed a scoping document and interviewed witnesses and agreed a final report
- The Overview & Scrutiny Committee also considered the diversity in the Borough Council's workforce on 8 October 2018. Officers from Human Resources provided Members with a statistical breakdown of SBC's workforce diversity and answered questions that Members raised prior to and at the meeting. Members stated that they would continue to monitor the diversity of the workforce in order that it can adequately reflect the local population.

#### 5.0 **2019/2020 Scrutiny Work Programmes**

5.1 The two Select Committees have agreed their outline Scrutiny work programmes for the 2019/20 Municipal Year which are detailed at Appendix A and a list of the items are referred to below:

##### 5.1.1 Community Select Committee:

The Community Select Committee have agreed to scrutinise the following issues:

- (i) **Sports & Leisure across the town**
- (ii) **Neighbourhood Wardens**
- (iii) **Update on the Cultural Strategy**

(iv) **Crime and Disorder Committee** (Statutory Committee)

(v) **Public Health Meeting** (Standing Item)

As well as carrying out review work the Committee will also undertake pre-scrutiny Policy Development work in Portfolio Holder Advisory Group meetings, should policies be developed or revised in the following areas:

**Homelessness & Rough Sleepers Strategy**  
**Housing Older Persons Strategy**  
**Damp & Condensation & Aids & Adaptations**  
**Housing Service Charge**  
**Rent Policy**  
**Community Centre Review**  
**Tenant Strategy**

#### 5.1.2 Environment and Economy Select Committee:

The Environment & Economy Select Committee have agreed to scrutinise the following issues:

- (i) **Local Neighbourhood Centres**
- (ii) **Post Office provision across the town**
- (iii) **Emerging Transport Strategy (to include an update on the cycling strategy)**
- (iv) **Fairlands Valley Park**
- (v) **Climate Change (defer until 2020-21)**
- (vi) **Rail Timetable and 5<sup>th</sup> Platform Update for Stevenage Rail Station**
- (vii) **Update on review of Maintenance of Trees, Hedges and Shrub beds**
- (viii) **Update on 2016 Business Technology Centre (BTC) Review**

As well as carrying out review work the Committee will also undertake pre-scrutiny Policy Development work in Portfolio Holder Advisory Group meetings, should policies be developed or revised in the following areas:

**Design Guide Supplementary Planning Guidance**  
**Parking Supplementary Planning Guidance**  
**Review of Bring Bank Recycling Sites; Economic Development Strategy**  
**Town Centre Parking Strategy**

#### 5.2. Overview & Scrutiny Committee Work Programme:

- 5.2.1 In addition to undertaking all scrutiny of Budget & Policy Framework items and decisions of the Executive, the Overview and Scrutiny Committee has the capacity to undertake a “Select Committee” style meeting during the year if it so wishes. The Overview and Scrutiny Committee has agreed to sit as a select Committee to consider the following items:

**Complaints/Feedback Handling**  
**Scrutiny of the Scrutiny function at SBC**



As well as carrying out review work the Committee will also undertake pre-scrutiny Policy Development work in Portfolio Holder Advisory Group meetings, should policies be developed or revised in the following areas:

**Council Tax Support Scheme**  
**ICT Strategy and Investment Programme**  
**Customer Strategy**

5.3 The Overview and Scrutiny Committee will review the Council's Forward Plan of Key Decisions and also consider all 'Call-in' requests in accordance with the Council's Constitution as well as considering any Councillors Call for Action in relation to matters relating to Resources and any Petition appeals, in accordance with the Councils Petition Scheme, regarding matters relating to Resources or of a Corporate or Council wide nature.

5.4 Scoping reviews

5.4.1 A schedule of meetings for the two Select Committees has been arranged for the 2019-20 Municipal Year. These meetings will incorporate the scoping of the review where Members will identify the areas they wish to cover during the review, who to interview, what evidence/background information is required and which Members will lead the questioning on a specific area, as well as undertaking site visits, where appropriate. Meetings will also be arranged to revisit previous reviews to monitor actions.

5.6 **Portfolio Holder Advisory Groups (Policy Development Meetings)**

5.6.1 Pre-scrutiny Policy Development meetings will continue to be undertaken as and when requested by Executive Portfolio Holders in consultation with Assistant Strategic Directors and will be referred to as Portfolio Holders Advisory Groups (PHAG). These meetings are chaired by the relevant Executive Portfolio Holder and the relevant O&S or Select Committee Members are invited to attend. Unlike regular Select Committee meetings PHAG's are private meetings not open to the public. These meetings will continue to be clerked by Constitutional Services Officers.

**6. IMPLICATIONS**

**6.1 Financial Implications**

There is a budget of £1,500 to support study activities, site visits and specialist advice and training where necessary.

**6.2 Legal Implications**

Ministry of Housing Communities & Local Government Statutory Guidance on Overview & Scrutiny in Local and Combined Authorities was published in May 2019 and Scrutiny Members should have regard to this when undertaking their Scrutiny review work and carrying out the function.

### **6.3 Equalities and Diversity Implications**

Equalities and Diversity issues are considered at the scoping stage of each Scrutiny review with regards to questioning of witnesses and the collection of oral and written evidence. Also E&D issues are addressed in the final report for each review.

#### **BACKGROUND DOCUMENTS**

Local Government Act 2000

Ministry of Housing Communities & Local Government Statutory Guidance on Overview & Scrutiny in Local and Combined Authorities

Individual agendas and study material for each Scrutiny review undertaken by the Select Committees as described in this report are available for inspection.

The full Executive responses to the Scrutiny Reviews are available for inspection.

#### **APPENDICIES**

Appendix A - Select Committees & Overview & Scrutiny Committee Work Programmes for 2019-20

## Select Committees & Overview & Scrutiny Committee Work Programmes for 2019-20

### Community Select Committee:

(i) **Sports & Leisure across the town** – This will be the main review item for the Committee. The review will seek to find out what take up is there in each sector?; What are the barriers to involvement, including access, and cost/affordability?; What are the number of local people that use these services and for service users outside of the town where do they come from and what can be done to improve local take up? A wide range of witness will be interviewed and Members will conduct site visits and lead their own research areas.

(ii) **Neighbourhood Wardens** – Members will evaluate the effectiveness of the Neighbourhood Wardens. Members will interview the wardens and looking at the proposed area-based working model with officers to provide some benchmarking against other authorities.

(iii) **Update on the Cultural Strategy** – The Committee will monitor the delivery of the Cultural Strategy and include a revisit to the Museum review.

(iv) **Crime and Disorder Committee** (Statutory Committee)

(v) **Public Health Meeting** (Standing Item)

As well as carrying out review work the Committee will also undertake pre-scrutiny Policy Development work in Portfolio Holder Advisory Group meetings for the following issues:

**Homelessness & Rough Sleepers Strategy**  
**Housing Older Persons Strategy**  
**Damp & Condensation & Aids & Adaptations**  
**Housing Service Charge**  
**Rent Policy**  
**Community Centre Review**  
**Tenant Strategy**  
**Customer Strategy**

### Environment and Economy Select Committee:

(i) **Local Neighbourhood Centres** – This will be the main review item for the Committee. In broad terms, the review would consider the environmental/maintenance and the services on offer in the Neighbourhood Centres. The review will focus on issues surrounding the types of retail units, environmental maintenance, employment units, transport and parking; The review should consider 3 Neighbourhood Centres of varying size and success, which could consist the Oval and Oaks Cross.

(ii) **Post Office provision across the town** - This will likely be covered in two meetings with a witness interview session including a representative of the National Federation of Sub Post Offices and the Manager of the Co-op at Symonds Green Sub Post Office. Representatives of Waitrose and WH Smith post offices would also be invited. The review will focus on what the pressures are and ways to maintain a local service.

(iii) **Emerging Transport Strategy (to include an update on the cycling strategy)** – It was agreed that following on from the previous policy development work the results of the Consultation would be circulated to Members for comment prior to the final strategy being presented to the Executive in October 2019.

(iv) **Fairlands Valley Park** - The review would be linked to the Parks and Open Spaces Strategy and would tie in with a broader review of Sports and Leisure opportunities in the town being conducted by the Community Select Committee.

(v) **Climate Change (defer until 2020-21)** – It was agreed that this should be considered in 2020-21 with each Executive Portfolio Holder being interviewed throughout the year to see how each area was planning to deliver the strategy.

(vi) **Rail Timetable and 5<sup>th</sup> Platform Update for Stevenage Rail Station** – A one off meeting to receive an update from the rail companies regarding the latest spring rail timetable changes, the 5<sup>th</sup> Platform and Hertford loop replacement bus service along with details of the proposed signalling change at York.

(vii) **Update on review of Maintenance of Trees, Hedges and Shrub beds** – Members would receive an update on the Maintenance of Trees, Hedges and Shrub Beds Review.

(viii) **Update on 2016 Business Technology Centre (BTC) Review** – Members would receive an update on 2016 Business Technology Centre (BTC) Review. The contract had been retained by WENTA following a tendering exercise.

As well as carrying out review work the Committee will also undertake pre-scrutiny Policy Development work in Portfolio Holder Advisory Group meetings for the following issues:

**Design Guide Supplementary Planning Guidance**  
**Parking Supplementary Planning Guidance**  
**Review of Bring Bank Recycling Sites**  
**Economic Development Strategy**  
**Town Centre Parking Strategy**

**Overview & Scrutiny Committee:**

**Complaints/Feedback Handling** – This review was started in 2017 with witness sessions and evidence gathering having already been taken but was put on hold whilst other work was prioritised. The review will conduct any further interviews and evidence required and then draw together its conclusions.

**Scrutiny of the Scrutiny function at SBC** – The review would draw on the recently published Ministry of Housing, Communities & Local Government Statutory Guidance on Overview & Scrutiny in Local and Combined Authorities as a starting point to test the authorities Scrutiny arrangements against the guidance notes. The review will also use the Centre for Public Scrutiny’s self-evaluation framework to help Members assess how the function is being delivered and where any improvements could be made.

As well as carrying out review work the Committee will also undertake pre-scrutiny Policy Development work in Portfolio Holder Advisory Group meetings for the following issues:

**Council Tax Support Scheme**  
**ICT Strategy & Investment Programme**  
**Customer Strategy**

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**Meeting:** EXECUTIVE

**Agenda Item:**

Portfolio Area: Resources

**Date:** 11 JULY 2019



## **2018/19 CAPITAL EXPENDITURE OUTTURN KEY DECISION**

Author – Belinda White                      Ext 2752  
Contributors- Lee Busby                      Ext 2730  
Lead Officer – Clare Fletcher              Ext 2933  
Contact Officer – Clare Fletcher          Ext 2933

### **1. PURPOSE**

- 1.1 To update Members on the outturn position on the 2018/19 capital programme including the resources used to fund the capital expenditure.
- 1.2 To update Members on the Council's Capital Strategy and any changes to the 2019/20 and future year's capital programme.
- 1.3 To update Members on the actual 2018/19 Minimum Revenue Provision (MRP) and the MRP for 2019/20.
- 1.4 To update Members on the resources available to fund the Capital Strategy.
- 1.5 To approve any additions to the disposal programme.

### **2. RECOMMENDATIONS**

- 2.1 That the 2018/19 General Fund capital expenditure outturn of £8,057,387 be noted, (subject to the completion of the 2018/19 external audit of accounts).
- 2.2 That the 2018/19 HRA capital expenditure outturn of £22,365,948 be noted (subject to the completion of the 2018/19 external audit of accounts).
- 2.3 That the funding applied to the 2018/19 General Fund capital programme be approved as summarised in paragraph 4.2.4.
- 2.4 That the funding applied to the 2018/19 HRA capital programme be approved as summarised in paragraph 4.5.1.

- 2.5 That the 2019/20 General Fund capital programme net changes of £934,040 reduction be approved comprising of £3,252,450 slippage from 2018/19 (as detailed in para 4.3.8), £4,905,630 re-profiled into 2020/21, £60,610 minor budget changes reduction and £779,750 funding for additional expenditure (as detailed in Appendix A to this report).
- 2.6 That the 2019/20 HRA capital programme net changes of £15,084,628 comprising £736,700 slippage from 2018/19 and £15,821,328 re-profiled into 2020/21 be approved as summarised in paragraph 4.6.1 and detailed in Appendix B to this report.
- 2.7 That the urgent schemes requiring funding detailed in paragraph 4.3.3 be approved.
- 2.8 That Executive recommend to Council the approval of budget of £591,600 for to Registered Provider grants as per paragraph 4.3.4.

### **3. BACKGROUND**

- 3.1 The 2018/19 capital programme was last approved by Members at the March Executive as part of the 3<sup>rd</sup> quarter monitoring report. At March Executive the 2018/19 revised General Fund capital programme was projected to be £11,614,750 and the 2018/19 revised HRA capital programme was projected to be £22,616,760 a total of £34,231,510.
- 3.2 The Accounts and Audit Regulations as amended on 1 April 2015 include a requirement to publish the Statement of Accounts before the 31 May and complete the external audit report by the end of July. The Council's external auditors have notified the Council that they are unable to meet the end of July deadline for completing of the audit. Consequently the 2018/19 audited accounts will be presented and approved by Members (Audit and Statement of Accounts Committee) on 26 September. The financial figures for the General Fund and HRA contained within this report are subject to external audit and may change.

### **4. REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS**

#### **4.1 2018/19 GENERAL FUND CAPITAL PROGRAMME**

- 4.1.1 The actual outturn for General Fund capital expenditure was £3,557,363 lower than that estimated in the March 2019 Executive. The main reasons for this being:
- Acquisition of a property as part of SG1 land assembly was due to complete in March but is now expected to complete in the summer of 2019 and is the main element of the Regeneration slippage of £2.8Million.
  - The major fleet replacement programme for the Stevenage Direct Services (SDS) teams continues. Some vehicles have been procured at lower price than budgeted resulting in a saving of £123K, the remaining budget of £116.5K is requested to be slipped for vehicle deliveries in 2019/20 (total SDS slippage is £201,600).
  - Housing & Investment (General Fund assets) underspent by £126K, most of which was on two projects – Works to Cavendish Offices in preparation of the



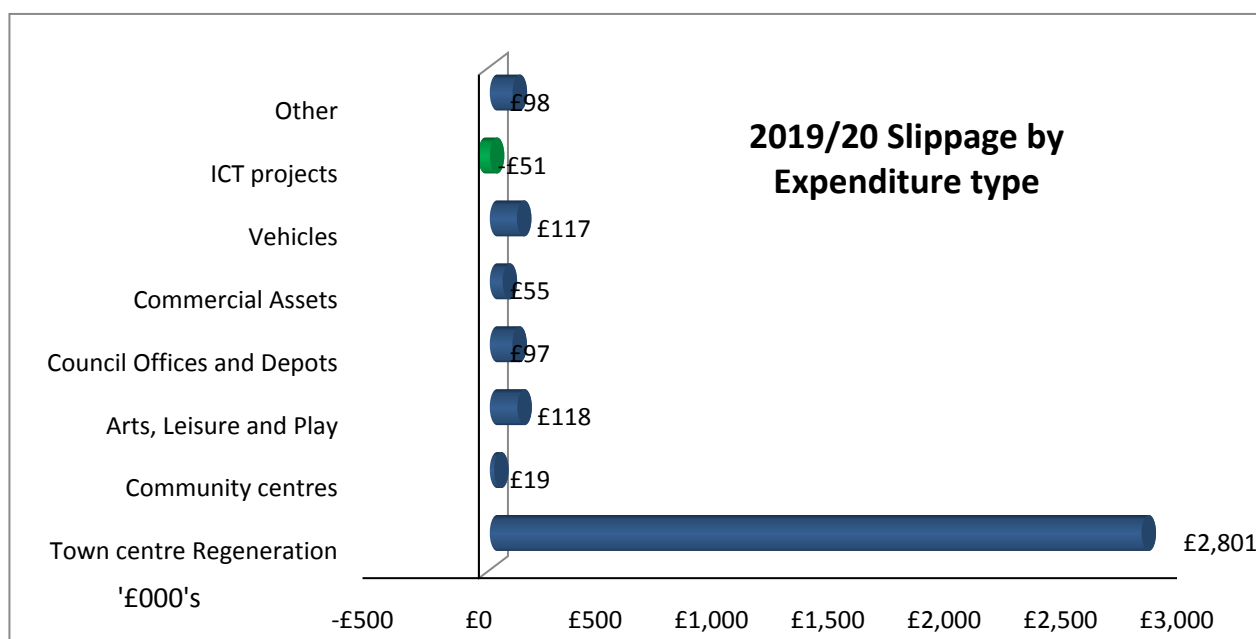
relocation of the CCTV control room and works to the fascia of Town Chambers in the town centre. Both these projects have progressed in the 1<sup>st</sup> quarter of 2019/20.

- Other variances totalling £390k form the balance of the remaining underspend.

4.1.2 A number of ICT projects have been progressed ahead of schedule and budget identified for 2019/20 has been brought forward to cover the £51K overspend in 2018/19. The net slippage on General Fund capital projects was £3,252,450. Slippage by Business Unit is summarised in the table below and in more detail in Appendix A to this report.

General Fund - Schemes	Q3 Revised Budget	2018-19 Actuals	(Under) / Overspend	Slippage to 2019-20
Stevenage Direct Services	2,296,160	1,982,847	(313,313)	201,600
Housing Development	1,095,790	1,076,003	(19,787)	0
Finance and Estates	83,360	53,320	(30,040)	17,200
Corporate projects, Customer Service & Technology	292,730	344,386	51,656	(51,670)
Housing and Investment (General Fund Assets)	642,600	516,327	(126,273)	143,620
Regeneration	6,113,410	3,312,776	(2,800,634)	2,800,630
Communities and Neighbourhoods	193,220	113,344	(79,876)	62,130
Planning and Regulatory	877,480	658,383	(219,097)	78,940
Deferred Works	20,000	0	(20,000)	0
<b>TOTAL</b>	<b>11,614,750</b>	<b>8,057,386</b>	<b>(3,557,364)</b>	<b>3,252,450</b>

4.1.3 The General Fund slippage can further be summarised by spend type in the following chart. Out of total expenditure, slipped into 2019/20, 93% relates to Town Centre regeneration (as detailed in para 4.1.1).



## 4.2 2018/19 GENERAL FUND CAPITAL RESOURCES

4.2.1 The actual General Fund capital receipts realised in 2018/19 were £696,175 compared to budgeted receipts of £576,800 an increase of £119,375, mainly due to additional small land sales. The projected receipts for 2019/20 are anticipated to be £90,572 lower than in the last reported figures. This is mainly due to one garage site being under review.

4.2.2 The Council has a statutory requirement to make a General Fund Minimum Revenue Provision (MRP) to reflect the cost of borrowing over the life of the assets funded through borrowing. The Council's MRP policy is approved with the Treasury Management strategy in February and is applicable regardless of whether physical borrowing has taken place. The MRP charge to the General Fund calculated for 2018/19 was £661,090, below the forecast of £736,090 due to the borrowing identified for the property portfolio. This was not taken as no suitable sites were identified for purchase. The MRP can be broken down as follows:

- £335,000 related to regeneration assets
- £35,000 to investment properties
- £291,090 to general borrowing (2011/12-2013/14)

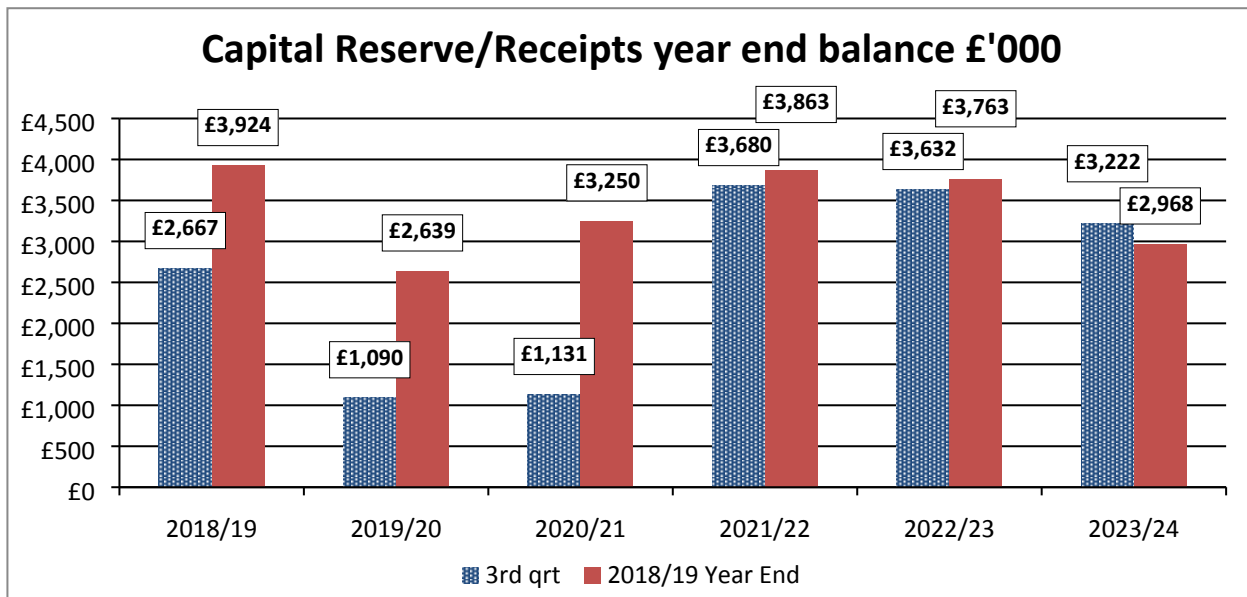
4.2.3 The capital programme also uses grants and contributions from Government and third parties such as developers in the form of S106 agreements. Most of this income is linked to specific projects and cannot support an unrelated scheme in the capital programme. The current capital strategy contains S106 monies that have been earmarked to support current and future capital schemes.

4.2.4 The resources used and available to fund future capital expenditure are summarised in the following table:

General Fund Resources	Brought forward	Received in Year £	Used in Year £	Available to Fund Future Year Expenditure £
Usable Capital Receipts	(5,319,964)	(696,175)	2,685,667	(3,330,472)
Usable Capital Receipts ring fenced for Regeneration	0	(1,726,306)	0	(1,726,306)
Usable Capital receipts - GF LA share allocation	0	(357,496)	357,066	(430)
One for One Receipts- contribution from HRA		(714,932)	714,932	
Section 106 Receipts	(607,678)	(110,332)	34,889	(683,121)
Grant and Other Contributions General Fund	(1,730,482)	(3,038,541)	3,097,264	(1,671,759)
Capital reserve	0	(998,000)	404,000	(594,000)
RCCO		(608,451)	608,451	0
Short term Prudential borrowing		(155,118)	155,118	0
<b>Total</b>	<b>(7,658,124)</b>	<b>(8,405,350)</b>	<b>8,057,387</b>	<b>(8,006,088)</b>

Numbers in brackets () =available funds/funds received in year, Positive numbers = spent in year

4.2.5 At the end of 2019/20 available capital resources were projected to be £1Million, subject to land receipts being received as forecast. Since 3<sup>rd</sup> quarter projected available resources to fund the capital programme has been updated as shown in the chart below.



4.2.6 Due to slippage of regeneration schemes and the need to comply with the LEP's spending deadlines, LEP funding is being used first with the use of SBC resources rephrased to later years. There remains a funding risk to the General Fund programme and Officers advise schemes remain on hold pending the capital receipt being received.

### 4.3 GENERAL FUND CAPITAL EXPENDITURE 2019/20

4.3.1 Members approved the 2019/20 General Fund capital programme totalling £35,232,640 at the March Executive. This report identifies a net decrease in the budget of £934,040 to £34,298,600 following a timing review of delivery of schemes as detailed in Appendix A.

4.3.2 **Slippage** - The 2019/20 programme has decreased by £934,040 (net) mainly due to the slippage from 2018/19 of £3,252,450 (See table under 4.1.2 and chart under 4.1.3), and further slippage from 2019/20 to future years. £3.0m of the slippage into 2020/21 is on the Kenilworth Housing Development, and £1.8m on Town Centre Regeneration. The Kenilworth scheme is now ready to be procured and a separate report is presented to this Executive detailing the delivery timetable and procurement of the scheme.

4.3.3 The 2019/20 capital programme included a number of schemes that were put on hold until suitable funding was identified. These schemes and any emerging urgent need are monitored and considered by the Assets and Capital board. This review has identified two new schemes that officers now recommend for inclusion in the 2019/20 programme:

**New capital schemes in 2019/20**, funded from the deferred works budget and revenue contributions and third party contributions are proposed as detailed below:

1. Refurbishment of the **ramp from the town centre to the Leisure Centre** and the **ramp from Argyle Way to the station** (£20,000 Leisure Centre and £25,000 railway station). This is needed and outside the budget process because the defect to the surfaces became apparent after the 2019/20 budget process. The proposal is to rectify these defects during the summer season. Works will include both resurfacing with a resin bound aggregate and repainting of the railings. These works can be funded from the Insurance Reserve (£45,000).
2. Recent issues with the **lift at Stevenage Leisure Centre** identified that the lift is coming to the end of its useful life and will need to be replaced and has had a number of breakdowns. An estimated price for replacement has been received, plus there will be a further cost while the lift is out of use for up to 12 weeks. A budget of £111K in 2019/20 has been included in this capital update and is recommended for approval.

4.3.4 Officers are recommending an increase in **grants to registered housing providers** (£591,600) in 2019/20. This expenditure is fully funded from one for one right to buy receipts. Due to the re-phasing of eligible 1-4-1 expenditure (see paragraph 4.6.2) there is a risk that eligible expenditure will not be incurred in time resulting in the return of 1-4-1 receipts. By increasing grants to registered providers this risk is mitigated as well as gaining nomination rights. This is above the limit (£250,000) delegated to Executive and a recommendation to Council to approve this budget is required.

4.3.5 **Update on schemes that were put on hold until suitable funding was identified.**

1. **Shephalbury Park** £50,000 for health and safety related works to footway and road surfaces. Following a condition survey of parks and open spaces officers have identified works at Shephalbury Park that are high priority and require immediate attention. Recommend funding 50% from Insurance Reserve and 50% from third party contributions (S106 monies).
2. **Springfield House Wall.** Since the early initial inspection when it was considered necessary to carry out essential repair works on the wall, and a budget of £20K was allocated in 2018/19 for these works, a full survey has been undertaken. The survey has identified significant issues and the wall needs to be rebuilt. Total costs are £52,150 to complete the works, increasing the approved budget by a further £32K. Assets & Capital Board are investigating other options but in the event the cost cannot be reduced the budget increase is recommended to allow the works to be completed.

4.3.6 **New capital schemes** currently not included in the strategy and pending further investigation. An issue has been identified at Stevenage Leisure Centre as part of a recent stock condition survey:

1. Members were advised in the 3<sup>rd</sup> Quarter capital report that pipework at the Stevenage Arts and Leisure Centre may need to be replaced. Consultants were appointed and have advised that the whole building needs to be surveyed (estimated cost of £50K) and a specification produced for the replacement of all pipework. This is now not required and a phased plan of replacement is feasible. The cost of phase one urgent works are estimated at £70k for 2019/20. In terms of phasing the programme of works, this will

deal with any risk areas over up to five years. The next capital strategy will update Members with the budget requirement and outcome of the review.

4.3.7 **Boiler Update.** The following boilers have been repaired / replaced and are now fully operational:

The Oval  
 Springfield House  
 Shephall (boiler failed earlier than anticipated and scheme brought forward)  
 Timebridge  
 Bedwell (repairs)  
 St Nicholas (repairs)  
 There are further works to boilers planned in the current capital strategy.

4.3.8 The changes to the 2019/20 budget are summarised by service areas in the table below:

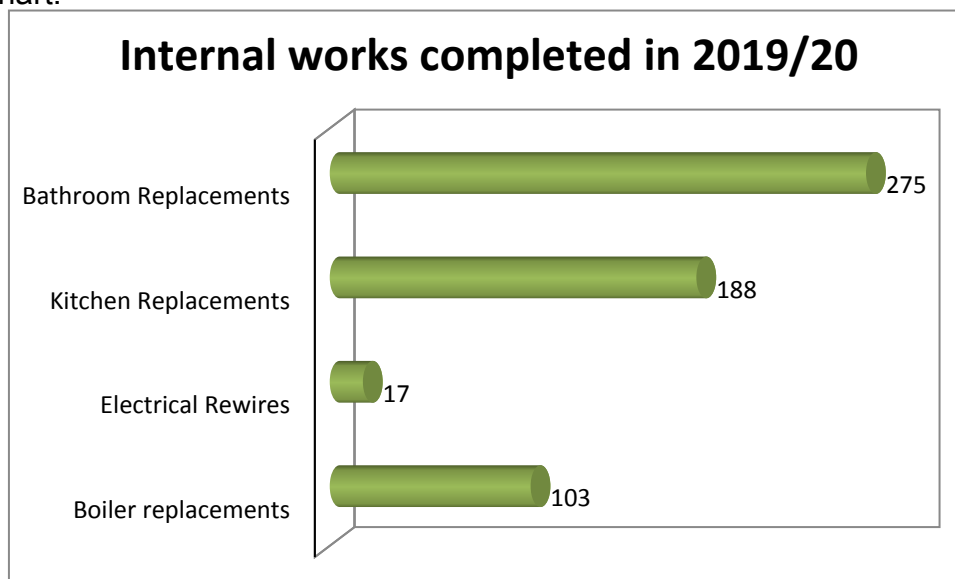
General Fund - Schemes budget changes and impact on 2019/20	Q3 Approved working budget	Spend re-profiled from 2018/19	New Funding recommended by Asset & Capital Board	Other net 2019/20 Budget changes	Spend re-profiled to/from future years	Total 19/20 Budget
Stevenage Direct Services	4,364,690	201,600		(57,000)		4,509,290
Housing Development	3,895,330	0	591,600		(3,004,740)	1,482,190
Finance and Estates	13,786,170	17,200				13,803,370
Corporate projects, Customer Service & Technology	1,003,510	(51,670)			(170,300)	781,540
Housing and Investment (General Fund Assets)	394,550	143,620	32,150	(8,910)	45,000	606,410
Regeneration	11,086,270	2,800,630			(1,775,590)	12,111,310
Communities and Neighbourhoods	112,000	62,130	111,000			285,130
Planning and Regulatory	560,520	78,940	45,000	5,300		689,760
Deferred Works	29,600					29,600
<b>TOTAL GENERAL FUND IMPACTS 2019/20</b>	<b>35,232,640</b>	<b>3,252,450</b>	<b>779,750</b>	<b>(60,610)</b>	<b>(4,905,630)</b>	<b>34,298,600</b>

#### 4.4 HOUSING REVENUE ACCOUNT CAPITAL PROGRAMME

4.4.1 The actual outturn for 2018/19 HRA capital spend was £250,812 lower than that estimated in the 3<sup>rd</sup> Quarter report. The main reason for this is lower spend on the existing housing stock, offset by Housing development schemes progressing ahead of schedule. The following table identifies the areas of underspend, overspend and slippage.

Housing Revenue Account	Q3 Approved Budget	Actuals 2018/19	(Underspend)/overspend	Slippage to 2019-20
	£	£	£	£
Major Works	14,589,680	13,784,198	(805,482)	805,480
New Build and Housing acquisitions	6,914,130	7,383,136	469,006	0
Special Projects & Equipment	784,570	732,365	(52,205)	53,940
IT Including Digital Agenda	328,380	466,249	137,869	(122,720)
<b>TOTAL</b>	<b>22,616,760</b>	<b>22,365,948</b>	<b>(250,812)</b>	<b>736,700</b>

4.4.2 In 2018/19 the **major works programme** has delivered 95 roof replacements, 381 window replacements, 374 door replacements and 131 insulation improvements such as external wall insulation, cavity wall insulation and loft insulation. Further capital improvement works were carried out internally to properties as shown in the following chart:



4.4.3 The number of properties where works have been carried out to bring the property up to the decent homes standard (the standard by which each element i.e. kitchen, bathroom, electrics, windows, roof etc. whose condition is measured) in 2018/19 was 702 which brought down the non-decent properties number to 1,971 against the target of 1,976.

4.4.4 **New build and acquisitions programme:** In 2018/19 schemes at Ditchmore Lane and March Hare/Gresley Way have continued on site. Enabling work has been commissioned on Kenilworth redevelopment and the acquisitions programme was redesigned to deliver more family sized accommodation that has the capacity to meet the needs of those requiring adapted properties.

4.4.5 The overspend on the **ICT budget** predominantly relates to works on the Northgate system originally planned for 2019/20 but which have been brought forward (£123K budget).

#### 4.5 HOUSING REVENUE ACCOUNT CAPITAL RESOURCES

4.5.1 The capital resources available to support the future capital programme (as at 31 March 2019) is £21.052Million. The resources are summarised in the following table:

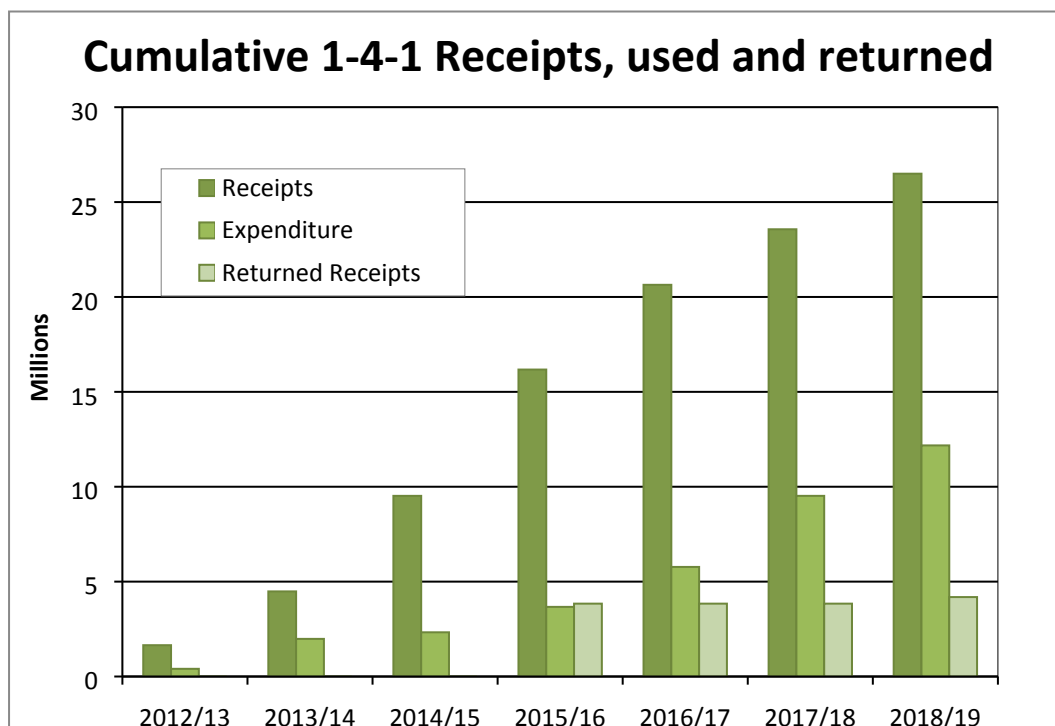
Housing Revenue Account Resources	Brought Forward	Received in Year	Used in Year	Available to Fund Future Year Expenditure
	£	£	£	£
Major Repairs Reserve (Depreciation)	(9,264,380)	(12,779,598)	11,124,186	(10,919,793)
Usable Capital Receipts	0	(822,528)	696,056	(126,472)
One for One Receipts for HRA, General Fund and 141 repayment	(10,101,670)	(2,929,737)	3,025,347	(10,006,060)
S20 and Other contributions	0	(677)	677	0
Revenue contributions	0	(6,770,206)	6,770,206	(0)
Borrowing	0	(1,810,558)	1,810,558	0
<b>TOTAL</b>	<b>(19,366,050)</b>	<b>(25,113,305)</b>	<b>23,427,030</b>	<b>(21,052,326)</b>

Numbers in brackets ( ) =available funds/funds received in year, Positive numbers = spent in year

4.5.2 There were 32 homes sold under Right to Buy (RTB) during 2018/19, one being exempt from pooling (a property built under the housing development programme). The resulting 2018/19 HRA net capital receipt was £4.109Million, and the allocation of this receipt including the pooling payment to the government is shown in the table below.

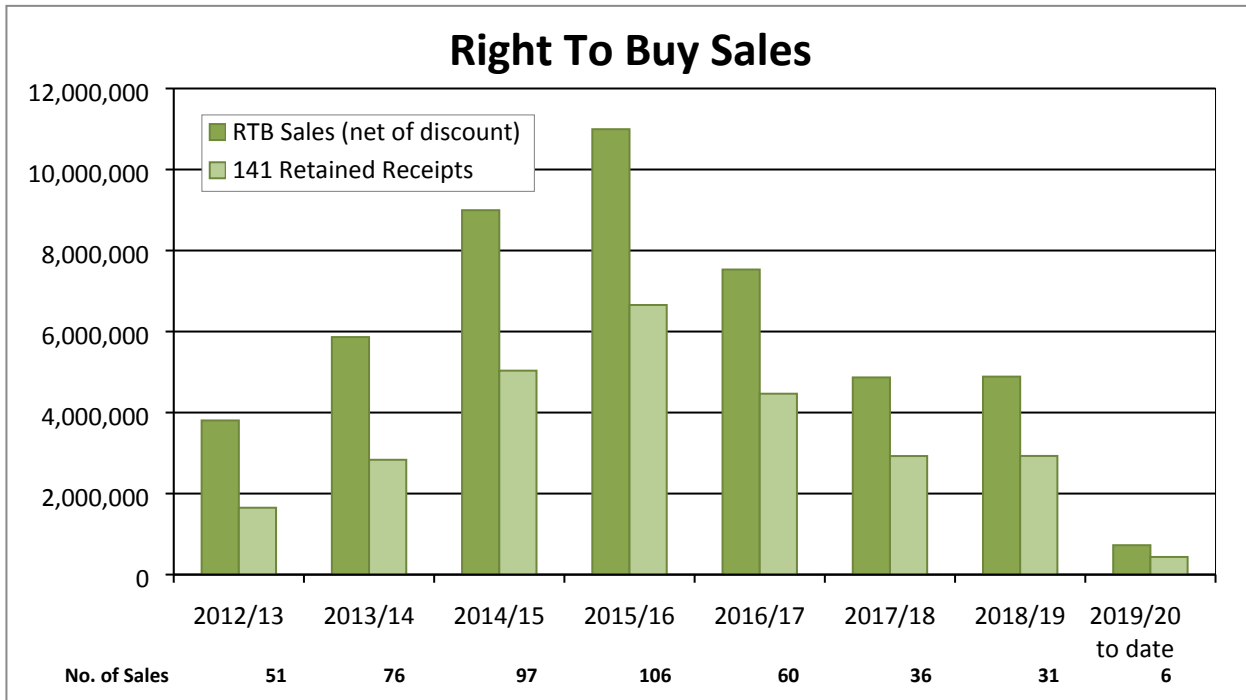
Housing Revenue Account - 2018/19 Right to buy sales		
	£	£
Sale Proceeds 32 sales		4,909,722
RTB discounts repaid in year (subject to pooling)		104,191
<b>Total Gross proceeds</b>		<b>5,013,913</b>
less admin fee		(40,300)
Less pooling payment to Government		(864,541)
<b>Net proceeds</b>		<b>4,109,072</b>
<b>Net proceeds allocated as follows:</b>		
Local Authority share	357,497	
1 for 1 receipts	2,929,048	
One New Build property sold (exempt from pooling)	126,471	
Debt receipts	696,056	
		<b>4,109,072</b>

- 4.5.3 The HRA RTB receipts used in year to finance the capital works and grant aid registered housing providers was £2.679Million leaving a balance of £10Million of 1-4-1 receipt available to fund 30% of future new build schemes such as Kenilworth. Debt receipt in year totalled £696K, all of which was used in financing elements of the HRA 2018/19 capital programme.
- 4.5.4 There is a three year deadline to spend the receipts and in 2018/19 £346K was returned. Despite consultation on relaxing the rules, no further announcements have been made by government. Due to the lead times for these new build schemes which include finding suitable residential development sites, grant of planning permission, procurement and build, achieving the three year deadline has become more challenging. Officers have reviewed the projected spend and the opportunities to support local social housing providers in return for nomination rights so that one for one receipts can be utilised wherever possible. The chart below shows the actual cumulative one for one receipt received, used and already returned receipts to the government.



- 4.5.5 Following the reprofiling of 1-4-1 eligible housing projects there was a possibility that 1-4-1 receipts would need to be returned in 2019/20. To mitigate this risk officers are working with local housing partners with a view to grant aid schemes in return for nomination rights and the General Fund capital programme has been increased by £591,600 to reflect this. If there is any slippage there may still be a risk.
- 4.5.6 Right to buy sales have fallen from the peak of 106 sales in 2015/16 to 31 sales in 2018/19 as shown in the chart below (six further RTB sales have been completed as at 19<sup>th</sup> June this year).





#### 4.6 HOUSING REVENUE ACCOUNT CAPITAL EXPENDITURE 2019/20

4.6.1 Members approved the 2019/20 Housing Revenue Account capital programme totalling £48,827,618 at the March Executive. This report identifies a net decrease in the budget by £15,084,628 to £33,724,990. The changes to the 2019/20 budget are summarised in the table below:

Housing Revenue Account - Scheme budget changes and impact on 2019/20	Q3 Approved working budget	Spend re-profiled from 2018/19	Other net 2019/20 Budget changes	Spend re-profiled to future years	Total 19/20 Budget
Major Works	20,248,610	805,480	78,940		21,133,030
New Build and Housing acquisitions	27,188,698	0		(15,475,008)	11,713,690
Special Projects & Equipment	180,000	53,940	(78,940)		155,000
IT Including Digital Agenda	1,210,310	(122,720)		(346,320)	741,270
<b>TOTAL HOUSING REVENUE ACCOUNT IMPACTS 2019/20</b>	<b>48,827,618</b>	<b>736,700</b>	<b>0</b>	<b>(15,821,328)</b>	<b>33,742,990</b>

4.6.2 As mentioned in paragraph 4.4.4 the Kenilworth redevelopment scheme is progressing and procurement options will be presented to this Executive. The budget profile has been revised with a large part of the delivery expected in 2020/21. This scheme is part funded by ring fenced 1-4-1 receipts (para 4.5.3 and 4.5.4) and any slippage on spend may exceed the three year deadline and require a return of these receipts. To mitigate this risk Officers have identified grant opportunities to registered

housing providers in 2019/20 and this has been included in the General Fund capital update to this Executive (para 4.3.4).

#### **4.7 Property Appropriations between General Fund and HRA**

- 4.7.1 Assets may be transferred between General Fund and Housing Revenue Account when they are no longer required for the purpose for which they were previously held, in order to allow the most appropriate use of these assets. For example a former underused General Fund asset could be redeveloped for new HRA properties. However in doing so no capital receipt is gained for the Council. The value of the land swap is recognised in the capital financing requirement (CFR) for each fund (ie the level of indebtedness of each fund), while overall the Council's CFR remains unchanged.
- 4.7.2 An appropriation from the General Fund to the HRA results in;
- i) an increase in the HRA's CFR (before the lifting of the debt cap this would have reduced the headroom of available borrowing)
  - ii) a decrease in the General Fund's CFR
  - iii) the loss of a capital receipt and/or rental for the asset transferred to the HRA.
- 4.7.3 Appropriation between the funds needs Member approval. No such approvals are sought in this report, however there is a recommendation to do so in the reports on the Kenilworth and North Road schemes presented to this Executive.
- 4.7.4 Update on previously approved appropriations. The Executive previously agreed appropriations in 2017 between the General Fund and the HRA:
- |                 |          |
|-----------------|----------|
| 29 Shephall Way | £247,500 |
| Symonds Green   | £444,553 |
- The Shephall Way appropriation took place in 2017/18, and the respective CFRs were updated accordingly. The Symonds Green scheme is progressing and this appropriation will take place in 2019/20.

### **5. IMPLICATIONS**

#### **5.1 Financial Implications**

- 5.1.1 This report is financial in nature and consequently financial implications are included in the above.

#### **5.2 Legal Implications**

- 5.2.1 None identified at this time.

#### **5.3 Policy Implications**

- 5.3.1 The approval of the revised budget framework includes a link for the Council's service planning requirements to ensure service priorities are identified. In addition the budget framework represents a development of a policy led budgeting approach across Council services and the overall Capital Strategy.

## **5.4 Equality and Diversity Implications**

5.4.1 This report is of a technical nature reflecting the projected spend for the General Fund and HRA capital programme.

## **5.5 Risk Implications**

5.5.1 The significant risks associated with the capital strategy are largely inherent within this report.

5.5.2 If the HRA procurement of contracts is delayed it could lead to works not being completed to the current profile.

5.5.3 A significant risk exists that works deferred due to lack of funding become urgent in year, requiring completion on grounds of health and safety. A reasonable assessment has been made in the prioritisation process to try to keep this risk to a minimum, and these schemes are monitored by Assets and Capital Board.

5.5.4 There is a risk in achieving the level of qualifying HRA spend to fully utilise retained one for one receipts. Should qualifying schemes slip or new schemes fail to be developed the three year deadline for spending these receipts will not be met and will have to be returned to the Government plus interest (base rate plus 4%). Should the new schemes and/or purchases slip or fail to be delivered there is a risk that one for one receipts will have to be returned and interest payments made.

5.5.5 There are risks around achieving the level of disposals budgeted for. The estimated dates of receipts very much rely on a series of steps being successful at estimated dates. The level of receipts for the General Fund is a significant source of funding for its capital programme. The Council manages this risk by reviewing and updating the Strategy quarterly, including resources where a sale is likely to complete. This will enable action to be taken where a receipt looks doubtful.

**BACKGROUND DOCUMENTS** BD1 - Capital Strategy Update January 2019 (Executive)  
BD2 - Capital Strategy February 2019 (Council)  
BD3 - Capital Strategy March 2019 (Executive)

**APPENDIX** A - General Fund Capital Programme  
B - HRA Capital Programme

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APPENDIX A - GENERAL FUND CAPITAL STRATEGY

Cost Centre	Scheme	2018/2019			2019/2020			On Hold	2020/2021	2021/2022	2022/2023	2023/2024	
		Q3 Working Budget £	Actuals 2018/19 £	(Under) Overspend £	Slippage £	Q3 Working Budget £	Q4 Revised Budget £		Var Q3 v Q4 £	Q4 Revised Budget £	Q4 Revised Budget £	Q4 Revised Budget £	Q4 Revised Budget £
	<b>General Fund - Schemes</b>												
	Stevenage Direct Services	2,296,160	1,982,847	(313,313)	201,600	4,364,690	4,509,290	144,600		2,676,400	2,650,900	2,505,000	1,228,000
	Housing Development	1,095,790	1,076,003	(19,787)		3,895,330	1,482,190	(2,413,140)		4,708,530	190,460		85,580
	Finance and Estates	83,360	53,320	(30,040)	17,200	13,786,170	13,803,370	17,200		241,100	15,000	76,020	10,000
	Corporate Projects, Customer Services & Techno	292,730	344,386	51,656	(51,670)	1,003,510	781,540	(221,970)		112,620	51,930	300,000	600,000
	Housing and Investment	642,600	516,327	(126,273)	143,620	394,550	606,410	211,860		825,000	30,000	35,000	
	Regeneration	6,113,410	3,312,776	(2,800,634)	2,800,630	11,086,270	12,111,310	1,025,040		4,575,590	3,579,000	1,295,000	26,768,000
	Communities and Neighbourhoods	193,220	113,344	(79,876)	62,130	112,000	285,130	173,130		20,000	40,000	170,000	20,000
	Planning and Regulatory	877,480	658,383	(219,097)	78,940	560,520	689,760	129,240		325,000	325,000	325,000	295,000
	Deferred Works Reserve	20,000		(20,000)		29,600	29,600			154,000	56,000	15,000	2,000
	<b>Total Schemes with Growth Added</b>	<b>11,614,750</b>	<b>8,057,387</b>	<b>(3,557,363)</b>	<b>3,252,450</b>	<b>35,232,640</b>	<b>34,298,600</b>	<b>(934,040)</b>		<b>13,638,240</b>	<b>6,938,290</b>	<b>4,721,020</b>	<b>29,008,580</b>
	<b>Schemes included above on hold pending receipts</b>					<b>448,500</b>	<b>580,310</b>			<b>828,000</b>	<b>238,000</b>	<b>378,000</b>	<b>173,000</b>
	<b>General Fund -Resources</b>												
	Capital Receipts	3,823,880	2,685,667	(1,138,213)		4,615,474	4,234,252			2,477,626	3,317,894	1,693,055	27,913,300
	New Build 1-4-1 Receipts - Additional Funding from	728,170	714,932	(13,238)			591,600						
	Unpooled Receipts	12,500		(12,500)									
	Grants	257,800	146,161	(111,639)		814,420	125,869			900,000			
	S106's		34,889	34,889		45,000	69,995			10,000	10,000		
	LEP	4,875,000	2,951,103	(1,923,897)	1,923,897	9,525,000	10,666,450			4,207,440	263,150		
	RCCO	191,750	26,611	(165,140)		4,000	119,000			4,000	4,000	4,000	
	Regeneration Asset Reserve	356,770	193,341	(163,429)			163,429						
	Capital Reserve (BG916 Revenue Savings)	403,797	404,000	203		1,067,139	1,264,000			720,000	720,000	720,000	720,000
	Capital Reserve (BG903 Housing Receipts)	268,176	357,066	88,890		449,527	479,527			364,244	367,886	371,565	375,280
	New Homes Bonus	499,787	388,499	(111,288)	111,288	322,520	433,808			312,000	362,500	230,000	
	Prudential Borrowing Approved	42,000		(42,000)		15,308,650	15,350,650			834,400	1,702,400	1,702,400	
	Housing GF development short term borrowing- a	155,120	155,118	(2)		1,928,912							
	Housing GF development Ringfenced receipt from private sale					1,152,000	800,020			3,808,530	190,460		
	<b>Total Resources (General Fund)</b>	<b>11,614,750</b>	<b>8,057,387</b>	<b>(3,557,363)</b>	<b>2,035,185</b>	<b>35,232,642</b>	<b>34,298,600</b>			<b>13,638,240</b>	<b>6,938,290</b>	<b>4,721,020</b>	<b>29,008,580</b>
	<b>General Funds Receipts</b>												
	<b>Unallocated B/fwd</b>	<b>(5,319,964)</b>	<b>(5,319,964)</b>			<b>(2,072,884)</b>	<b>(3,330,472)</b>			<b>(2,238,510)</b>	<b>(2,499,555)</b>	<b>(2,763,041)</b>	<b>(2,313,185)</b>
	In Year Receipts	(576,800)	(696,175)			(4,188,000)	(4,097,428)			(6,547,200)	(3,771,840)	(1,243,200)	(26,768,000)
	Used in Year	3,823,880	2,685,667			4,615,474	4,234,252			2,477,626	3,317,894	1,693,055	27,913,300
	Ring Fenced Receipts Used to Repay Short Term Borrowing					1,152,000	955,138			3,808,530	190,460		
	<b>General Fund Receipts Unallocated C/fwd</b>	<b>(2,072,884)</b>	<b>(3,330,472)</b>			<b>(493,410)</b>	<b>(2,238,510)</b>			<b>(2,499,555)</b>	<b>(2,763,041)</b>	<b>(2,313,185)</b>	<b>(1,167,886)</b>
	<b>Capital Reserve Resource</b>												
	<b>Unallocated B/fwd</b>					<b>(594,203)</b>	<b>(594,000)</b>			<b>(400,000)</b>	<b>(750,000)</b>	<b>(1,100,000)</b>	<b>(1,450,000)</b>
	In Year Resource	(1,355,066)	(1,355,066)			(1,430,637)	(1,430,637)			(1,434,244)	(1,437,886)	(1,441,565)	(1,445,280)
	Used in Year	760,863	761,066			1,427,776	1,624,637			1,084,244	1,087,886	1,091,565	1,095,280
	<b>Capital Reserve Unallocated C/fwd</b>	<b>(594,203)</b>	<b>(594,000)</b>			<b>(597,064)</b>	<b>(400,000)</b>			<b>(750,000)</b>	<b>(1,100,000)</b>	<b>(1,450,000)</b>	<b>(1,800,000)</b>

APPENDIX A - GENERAL FUND CAPITAL STRATEGY

Cost Centre	Scheme	2018/2019			2019/2020			On Hold	2020/2021	2021/2022	2022/2023	2023/2024
		Q3 Working Budget £	Actuals 2018/19 £	(Under) Overspend £	Slippage £	Q3 Working Budget £	Q4 Revised Budget £		Var Q3 v Q4 £	Q4 Revised Budget £	Q4 Revised Budget £	Q4 Revised Budget £
	<b>Stevenage Direct Services</b>											
	<b>Parks &amp; Open Spaces</b>											
KC218	Hertford Road Play Area (S106 Funded)					25,000	25,000					
KE911	Play Area Improvement Programme	286,260	230,923	(55,337)	55,340	137,000	192,340	55,340		243,000	283,500	220,000
KE097	Litter bins	68,640	40,607	(28,033)		125,000	125,000			73,000	83,000	10,000
KE329	Play Areas Fixed Play	17,000	16,185	(815)	810	20,000	20,810	810		10,000	10,000	
KE494	Green Space Access Infrastructure						50,000	50,000				
KE494	Green Space Access Infrastructure					95,000	45,000	(50,000)	*	148,000	153,000	128,000
	<b>Other</b>											
KG002	Garages	262,000	247,712	(14,288)	14,290	2,839,600	2,853,890	14,290		1,957,400	1,952,400	1,952,400
KE487	Cavendish Depot - Road Markings and Barriers	12,750		(12,750)	12,750		12,750	12,750				
KE495	Cavendish Depot - Renovation/Yard Drainage					100,000	100,000					
KE496	Refurbishment of Weston Rd Cemetery Office					6,500	6,500		*			
KS263	Waste and Recycling System	1,910		(1,910)	1,910	78,090	80,000	1,910				
	<b>Vehicles, Plant, Equipment</b>											
KE349	Waste Receptacles	30,000	69,876	39,876		15,000	15,000		*	15,000		
KE497	Trade Waste Containers					20,000	20,000		*	20,000	20,000	20,000
Various	Vehicle/Plant replacement Programme -	1,617,600	1,377,544	(240,056)	116,500	903,500	963,000	59,500		210,000	149,000	174,600
	<b>Total Stevenage Direct Services</b>	<b>2,296,160</b>	<b>1,982,847</b>	<b>(313,313)</b>	<b>201,600</b>	<b>4,364,690</b>	<b>4,509,290</b>	<b>144,600</b>		<b>2,676,400</b>	<b>2,650,900</b>	<b>2,505,000</b>
	<b>Housing Development</b>											
KG030	Grants To Registered Providers	728,170	714,932	(13,238)			591,600	591,600				
KE328	Archer Road Neighbourhood Centre 2014 (Gener	12,500	5,953	(6,547)								
KG032	Building Conversion into New Homes - Ditchmore	355,120	355,118	(2)		524,880	560,000	35,120		314,880		
KG034	Kenilworth - Retail					547,800	93,900	(453,900)		1,506,800	190,460	
KG035	Kenilworth - Community Centre					733,200	90,570	(642,630)		728,210		85,580
KG036	Kenilworth - Malvern Close					1,739,450	146,120	(1,593,330)		2,158,640		
KG034/35/36	Housing Development Scheme (Joint GF/HRA)					3,020,450	330,590	(2,689,860)		4,393,650	190,460	85,580
KG033	Private Sales Schemes - Wedgwood Way					350,000		(350,000)				
	<b>Total Housing Development (including grants)</b>	<b>1,095,790</b>	<b>1,076,003</b>	<b>(19,787)</b>		<b>3,895,330</b>	<b>1,482,190</b>	<b>(2,413,140)</b>		<b>4,708,530</b>	<b>190,460</b>	<b>85,580</b>
	<b>Finance &amp; Estates</b>											
KG025	Garage Site Assembly	50,000	35,101	(14,899)		130,000	130,000					
KR912	Investment Property					13,244,050	13,244,050					
KR914	IDOX Property Management Software	21,180	3,980	(17,200)	17,200		17,200	17,200				
KR915	Energy Performance Surveys and Proposed Building Works					15,000	15,000			15,000	15,000	15,000
KR915	Energy Performance Surveys and Proposed Building Works											10,000
KR916	Commercial Properties Refurbishment (MRC Programme)					387,120	387,120			226,100		61,020
KR147	Commercial Properties - Asbestos Removal					10,000	10,000					
KR148	15 The Hyde - Reroofing	12,180	14,239	2,059								
	<b>Total Finance &amp; Estates</b>	<b>83,360</b>	<b>53,320</b>	<b>(30,040)</b>	<b>17,200</b>	<b>13,786,170</b>	<b>13,803,370</b>	<b>17,200</b>		<b>241,100</b>	<b>15,000</b>	<b>76,020</b>

APPENDIX A - GENERAL FUND CAPITAL STRATEGY

Cost Centre	Scheme	2018/2019			2019/2020				On Hold	2020/2021	2021/2022	2022/2023	2023/2024
		Q3 Working Budget £	Actuals 2018/19 £	(Under) Overspend £	Slippage £	Q3 Working Budget £	Q4 Revised Budget £	Var Q3 v Q4 £		Q4 Revised Budget £	Q4 Revised Budget £	Q4 Revised Budget £	Q4 Revised Budget £
	<b>Corporate Projects, Customer Services &amp; Technology</b>												
	<b>IT General</b>												
KS251	Harmonising Infrastructure Technology (for shared)	21,780	22,383	603	(600)	10,460		(10,460)					
KS268	Infrastructure Investment	155,000	195,766	40,766	(40,770)	295,450	486,420	190,970	87,100	50,250	300,000	300,000	
KS276	Next Generation Telephony					100,000		(100,000)					
KS268	Infrastructure Investment					221,100		(221,100)				300,000	
	<b>Total IT General</b>	<b>176,780</b>	<b>218,149</b>	<b>41,369</b>	<b>(41,370)</b>	<b>627,010</b>	<b>486,420</b>	<b>(140,590)</b>	<b>87,100</b>	<b>50,250</b>	<b>300,000</b>	<b>600,000</b>	
	<b>Employer of Choice (EOC)</b>												
KS260	Replacement HR & Payroll System	14,630	18,848	4,218	(4,220)	8,890	4,670	(4,220)					
KS269	New Intranet	50,000	59,979	9,979	(9,980)	24,150	14,170	(9,980)					
	<b>Total EOC</b>	<b>64,630</b>	<b>78,827</b>	<b>14,197</b>	<b>(14,200)</b>	<b>33,040</b>	<b>18,840</b>	<b>(14,200)</b>					
	<b>Connected to Our Customer (CTOC)</b>												
KS270	Online Customer Account (formerly Capita Advantage Digital)	4,000	5,077	1,077	(1,080)	96,000		(96,000)					
KS271	Corporate Website - Redesign	20,620	17,507	(3,113)	3,110	78,380	106,510	28,130	8,020	680			
KS256	Uniform Implementation	11,830	11,825	(5)									
KS272	Electronic SMB Reports System	5,700	5,695	(5)									
KS273	Call Recording	1,000	1,344	344	(340)	45,000		(45,000)					
KS264	Online Solution	270		(270)	270	9,730		(9,730)					
KS274	New CRM Technology	1,090	1,629	539	(540)	97,910	169,770	71,860	17,500	1,000			
KS275	Payments	3,560	4,333	773	(770)	16,440		(16,440)					
	<b>Total CTOC</b>	<b>48,070</b>	<b>47,410</b>	<b>(660)</b>	<b>650</b>	<b>343,460</b>	<b>276,280</b>	<b>(67,180)</b>	<b>25,520</b>	<b>1,680</b>			
	<b>Housing All Under One Roof Programme</b>												
KS262	On-Line Housing Application Form	3,250		(3,250)	3,250								
	<b>Total Corporate Projects, Customer Services &amp; Technology</b>	<b>292,730</b>	<b>344,386</b>	<b>51,656</b>	<b>(51,670)</b>	<b>1,003,510</b>	<b>781,540</b>	<b>(221,970)</b>	<b>112,620</b>	<b>51,930</b>	<b>300,000</b>	<b>600,000</b>	

APPENDIX A - GENERAL FUND CAPITAL STRATEGY

Cost Centre	Scheme	2018/2019			2019/2020				On Hold	2020/2021	2021/2022	2022/2023	2023/2024
		Q3 Working Budget £	Actuals 2018/19 £	(Under) Overspend £	Slippage £	Q3 Working Budget £	Q4 Revised Budget £	Var Q3 v Q4 £		Q4 Revised Budget £	Q4 Revised Budget £	Q4 Revised Budget £	Q4 Revised Budget £
	<b>Housing and Investment</b>												
KG024	Asbestos Surveyor for Garages (one year contract)	17,810	4,453	(13,357)		8,910		(8,910)					
	<b>Play Centres</b>												
KC910	Pin Green - New Storage Heaters	5,450	7,061	1,611									
KC911	Pin green - Replace External lighting	7,000	5,998	(1,002)									
KC912	Pin Green - Replace Hall Lighting	7,000	8,871	1,871									
KC914	Pin Green - Recover Flat Roof					35,000	35,000						
KC913	Bandle Hill - Replace External Door Sets	10,600	10,036	(564)									
<b>TBA</b>	<b>Bandle Hill - Replace Fenestration</b>									30,000			
KC915	Bandle Hill - Replace Hall Floor Covering					25,000	25,000						
	<b>St Nicholas - Replacement Doors</b>									10,000			
	<b>Community Centres</b>												
KE902	Community Centres General	3,200		(3,200)	3,200	28,800	32,000	3,200					
<b>TBA</b>	<b>St Nicholas - Replacement Windows &amp; Doors</b>										30,000		
KE471	St Nicholas - Boiler and Hot Water Installation Upgrade	18,740	26,702	7,962	(7,960)	23,260	15,300	(7,960)					
KE515	St Nicholas Annexe - External Decorations					20,000	20,000		*				
	<b>New Growth</b>								*				
	<b>Bedwell - External Cedar Cladding Works</b>									5,000			
	<b>Bedwell - Boiler Upgrade</b>									100,000			
KE492	Shephall - Boiler Replacement	17,000	18,274	1,274									
KE447	Oval - Re-roofing		1,060	1,060									
KE472	The Oval - Replace Radiators					8,000	8,000						
KE499	The Oval - Replace Windows					15,000	15,000						
KE473	Springfield House - Works to External Envelope.	15,000	15,692	692									
KE484	Springfield House - Boiler upgrade	58,000	99,122	41,122									
KE488	Springfield House - Boundary Wall	20,000		(20,000)	20,000		52,150	52,150					
KE474	Timebridge - Boiler and Hot Water replacement (3/5th of Cost to SBC)	20,700	37,035	16,335									
<b>Growth Growth</b>	<b>Timebridge - Resurface Felt Flat Roofs</b>									60,000			
	<b>Symonds Green - Replacement Windows &amp; Doors</b>									25,000			
	<b>Park Pavilions</b>												
KE907	Park Pavilions General	3,220		(3,220)	3,220	5,780	9,000	3,220					
KE475	Chells - Decommission Shower & Provide Hot Water To Changing Rooms	2,500	3,620	1,120	(1,120)	22,500	21,380	(1,120)					
KE476	Shephalbury Bowls - Reroofing	26,500	29,897	3,397									
KE477	Ridlins - Upgrade Heating and Ventilating Equipment	11,000	10,097	(903)									
KE500	Ridlins - M&E Refurbishment of AHU Plant & Controls					25,000	25,000						
KE478	St Nicholas - Electric Heating Replacement	8,840	8,442	(398)									
KE479	Canterbury Way - Demolition	1,200		(1,200)	1,200	10,800	12,000	1,200					
KE493	King George V - Electrical Mains Intake & Supply Head	2,000		(2,000)		18,000	18,000						



APPENDIX A - GENERAL FUND CAPITAL STRATEGY

Cost Centre	Scheme	2018/2019			2019/2020			On Hold	2020/2021	2021/2022	2022/2023	2023/2024
		Q3 Working Budget £	Actuals 2018/19 £	(Under) Overspend £	Slippage £	Q3 Working Budget £	Q4 Revised Budget £		Var Q3 v Q4 £	Q4 Revised Budget £	Q4 Revised Budget £	Q4 Revised Budget £
	<b>Housing and Investment (cont'd)</b>											
	<b>Other</b>											
Growth	Ridlins running track refurbishment							*			35,000	
	<b>Depots</b>											
KE903	Depots											
KE480	Cavendish Rd - Office Alterations	50,000	5,068	(44,932)	44,930		44,930	44,930				
KE501	CavendishRd - Re-roofing (Ascertain Level of Works Required)					15,000	15,000					
KE501	CavendishRd - Re-roofing (on hold 2020/21 spend)							*	500,000			
	<b>Museum</b>											
KE489	Museum Store Roof Replacement	25,000	22,611	(2,390)								
	<b>Cemeteries</b>											
KE904	Cemetery Buildings	1,500		(1,500)	1,500	13,500	15,000	1,500				
KE481	Weston Road - Replace / Upgrade Electric Space Heating.	8,630	10,993	2,363								
KE482	Weston road - External Joinery Decorations	10,000	8,678	(1,322)								
	<b>Council Offices</b>											
KR900	Council Offices	23,710	4,333	(19,377)	19,380		19,380	19,380				
KR139	Swingate House - Reroofing											
KR141	Corporate Buildings - Essential Health & Safety E	5,000	5,727	727	(730)	20,000	19,270	(730)				
KR142	Corporate and Commercial Buildings - Condition survey	30,000	8,707	(21,293)	5,000		5,000	5,000				
KR149	Daneshill House - Test & Risk Assessment Remedial Works					15,000	15,000		*			
	<b>Operational Buildings</b>											
KE448	Indoor Market Essential Health & Safety Works	20,000	33,223	13,223								
KE449	Indoor Market - Fire Alarm Replacement	50,000	55,747	5,747								
KE450	Indoor Market Toilet Refurbishment	21,000	22,222	1,222								
KE503	Indoor Market - New Hot Air Curtains					20,000	20,000		*			
TBA	Indoor Market - New LED & Lighting								*	65,000		
	<b>Town Centre</b>											
KR136	Preparation Works to Units 1,4,5 of the former Q					57,500	57,500					
KR137	Works to 29 Town Square											
KR138	Town Square Assets - Condition Survey	52,000	17,126	(34,874)	10,000		10,000	10,000				
KE033	Town Centre Toilets - Reroofing / Remedial Works	2,000	0	(2,000)								
KE504	Station Ramp					7,500	7,500					
KE504	Station Ramp (on hold 2020/21 spend)						45,000	45,000	*	30,000		
KR143	Town Chambers - Reroofing, Guttering, Pipe replacement, Safe roof access											
KR144	Town Chambers - Essential Works to Existing W		2,896	2,896								
KR145	Town Chambers / Square - External Facade Struc	88,000	29,742	(58,258)	45,000		45,000	45,000				
KR146	and Remedial Works		2,896	2,896								
	<b>Total Housing and Investment</b>	<b>642,600</b>	<b>516,327</b>	<b>(126,273)</b>	<b>143,620</b>	<b>394,550</b>	<b>606,410</b>	<b>211,860</b>		<b>825,000</b>	<b>30,000</b>	<b>35,000</b>

APPENDIX A - GENERAL FUND CAPITAL STRATEGY

Cost Centre	Scheme	2018/2019			2019/2020			On Hold	2020/2021	2021/2022	2022/2023	2023/2024
		Q3 Working Budget £	Actuals 2018/19 £	(Under) Overspend £	Slippage £	Q3 Working Budget £	Q4 Revised Budget £		Var Q3 v Q4 £	Q4 Revised Budget £	Q4 Revised Budget £	Q4 Revised Budget £
<b>Regeneration</b>												
KE384	wayfinding signage	235,410	157,532	(77,878)	69,270		69,270	69,270				
KE340	Town Centre Regeneration		14,002	14,002								
KE438	Public Realm Improvements to Market Place	503,000	497,603	(5,397)								
KE439	Town Square Improvements (GD1)	258,000	408,584	150,584	(150,580)	287,000	2,036,420	1,749,420	1,200,000	2,400,000		
KE439	Town Square Improvements	400,000		(400,000)	400,000							
TBA	Town Square Improvements (units 3 to 29)											
KE454	Town Centre Regeneration Programme (GD1)	4,100,000	1,437,516	(2,662,484)	2,662,480	1,400,000	4,062,480	2,662,480				
KE505	Town Centre Regeneration - Land Assembly (GD1)					100,000	100,000					
KE466	Bus Interchange (GD3)	242,000	140,681	(101,319)	101,320	4,674,270	3,000,000	(1,674,270)	3,375,590			
KE467	CCTV Relocation (GD1)	355,000	656,858	301,858	(301,860)	645,000	1,743,140	1,098,140				
KE467	CCTV Relocation (GD1)					1,400,000		(1,400,000)				
KE469	Leisure Centre (GD1)	20,000		(20,000)	20,000	1,480,000		(1,480,000)				
KE506	Public Sector Hub					1,100,000	1,100,000			1,179,000	1,295,000	26,768,000
	<b>Total Regeneration</b>	<b>6,113,410</b>	<b>3,312,776</b>	<b>(2,800,634)</b>	<b>2,800,630</b>	<b>11,086,270</b>	<b>12,111,310</b>	<b>1,025,040</b>	<b>4,575,590</b>	<b>3,579,000</b>	<b>1,295,000</b>	<b>26,768,000</b>
<b>Community &amp; Neighbourhoods</b>												
KC900	Arts and Leisure Centre - Improvements	29,330	32,384	3,054								
KC900	Arts and Leisure Centre - Lift Replacement						111,000	111,000	*		150,000	
KC901	Stevenage Swimming Centre	13,930		(13,930)					*			
KC202	Fairlands Valley Park - Aqua	7,000		(7,000)	7,000	24,000	31,000	7,000	*			
KC226	Fairlands Valley Park - Boathouse Roof Replacem	12,000	12,193	193								
KC228	Stevenage Golf Centre - Boiler Replacement	20,000	14,682	(5,318)	5,320		5,320	5,320				
KC224	Leisure Stock Condition	30,000	10,185	(19,815)	19,810		19,810	19,810	*	20,000		
KC221	St Nicholas Play Centre Equipment	19,200	19,143	(57)								
KC225	Bandle Hill Play Centre - Treehouse	30,000		(30,000)	30,000		30,000	30,000	*			
KC229	Bandle Hill Play Centre - Fencing Replacement					23,000	23,000		*			
KC230	Pin Green Play Centre Equipment					35,000	35,000					
KE452	Mobile CCTV Cameras	19,760	19,757	(3)								
KE224	CCTV - Replacement Cameras	12,000	5,000	(7,000)		20,000	20,000		*	20,000	20,000	20,000
KE224	CCTV - Replacement Cameras											20,000
KE507	Cycleways Installations (contribution to £100k Arts Council grant bid)					10,000	10,000		*			
	<b>Total Community &amp; Neighbourhoods</b>	<b>193,220</b>	<b>113,344</b>	<b>(79,876)</b>	<b>62,130</b>	<b>112,000</b>	<b>285,130</b>	<b>173,130</b>		<b>20,000</b>	<b>40,000</b>	<b>170,000</b>
<b>Planning &amp; Regulatory</b>												
KE119	Off Street Car Parks (Multi Storey Car Parks)	389,640	405,024	15,384	(15,380)	180,000	164,620	(15,380)		225,000	225,000	225,000
KE508	Multi-storey Car Park - New Entrances/Resurfacing					15,000	15,000		*	25,000	25,000	25,000
KE900	Off Street Car Parks (Surface Car Parks)	31,910	15,370	(16,540)								
KE122	MSCP's Lighting Improvements					100,000	100,000		*			
KE516	Town Centre Ramps Improvements						45,000	45,000				
KE486	CCTV Cameras (en route to MSCP)	10,000		(10,000)								
KE201	Hard standings	73,810	73,557	(253)		50,000	50,000			50,000	50,000	50,000
KE201	Hard standings											50,000
KE100	Residential Parking	18,610		(18,610)	18,610	100,000	123,910	23,910				

APPENDIX A - GENERAL FUND CAPITAL STRATEGY

Cost Centre	Scheme	2018/2019			2019/2020				On Hold	2020/2021	2021/2022	2022/2023	2023/2024
		Q3 Working Budget £	Actuals 2018/19 £	(Under) Overspend £	Slippage £	Q3 Working Budget £	Q4 Revised Budget £	Var Q3 v Q4 £		Q4 Revised Budget £	Q4 Revised Budget £	Q4 Revised Budget £	Q4 Revised Budget £
	<b>Planning &amp; Regulatory (cont.)</b>												
KE100	Residential Parking					30,000	30,000		*				
KE470	Electric Car Charging Points	480		(480)	480	14,520	15,000	480					
KE217	Parking Restrictions	20,700		(20,700)	20,700	25,000	45,700	20,700		25,000	25,000	25,000	
KE217	Parking Restrictions					24,000	24,000		*				
KE509	Onstreet Contactless pay					10,000	10,000		*				
KE441	Parking Enforcement - Phased replacement pay & display machines	22,000	18,271	(3,729)									
KE442	Parking Enforcement - Burymead Permit Parking Area Implementation	10,000		(10,000)									
KE443	Parking Enforcement - Old Town Permit Parking Area Implementation					12,000	12,000						
KE444	Coreys Mill Lane - Additional Parking Capacity	24,530		(24,530)	24,530		24,530	24,530					
KG010	House Renovation/Improvement Grants	18,000		(18,000)									
KG011	Disabled Facilities Grants	257,800	146,161	(111,639)	30,000		30,000	30,000					
	<b>Total Planning &amp; Regulatory</b>	<b>877,480</b>	<b>658,383</b>	<b>(219,097)</b>	<b>78,940</b>	<b>560,520</b>	<b>689,760</b>	<b>129,240</b>		<b>325,000</b>	<b>325,000</b>	<b>325,000</b>	<b>295,000</b>
KR911	<b>Deferred Works Reserve</b>	<b>20,000</b>		<b>(20,000)</b>		<b>29,600</b>	<b>29,600</b>			<b>154,000</b>	<b>56,000</b>	<b>15,000</b>	<b>2,000</b>

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Cost Centre	Scheme	2018/2019			2019/2020			2020/2021	2021/2022	2022/2023	2023/2024	
		Working Budget Q3 £	Actuals 2018-19 £	(Under) /Overspend £	Slippage £	Working Budget Q3 £	Q4 Revised Budget £	Variance Working v Q4 Revised Budget £	Q4 Revised Budget £	Q4 Revised Budget £	Q4 Revised Budget £	Q3 Revised Budget £
	<b>SUMMARY</b>											
	Capital Programme Excluding New Build	14,589,680	13,784,198	(805,482)	805,480	20,248,610	21,133,030	(884,420)	19,071,510	18,908,690	15,785,058	14,116,760
	New Build (Housing Development)	6,914,130	7,383,136	469,006		27,188,698	11,713,690	15,475,008	32,697,030	19,017,573	16,055,686	16,537,343
	Special Projects & Equipment	784,570	732,365	(52,205)	53,940	180,000	155,000	25,000				
	IT Including Digital Agenda	328,380	466,249	137,869	(122,720)	1,210,310	741,270	469,040	64,530	26,100	156,980	306,980
	<b>TOTAL HRA CAPITAL PROGRAMME</b>	<b>22,616,760</b>	<b>22,365,948</b>	<b>(250,812)</b>	<b>736,700</b>	<b>48,827,618</b>	<b>33,742,990</b>	<b>15,084,628</b>	<b>51,833,070</b>	<b>37,952,363</b>	<b>31,997,724</b>	<b>30,961,083</b>
	<b>HRA USE OF RESOURCES</b>											
	MRR (Self Financing Depreciation)	12,837,195	11,124,186	(1,713,009)		22,955,898	12,242,902	10,712,996	23,436,574	12,936,122	13,484,862	13,972,630
	Revenue Contribution to Capital	5,849,123	6,770,206	921,083		13,946,930	13,946,930		11,717,539	10,202,458	8,665,150	7,545,000
	Unpooled Receipts (BH902)											
	New Build Receipts (BH901)	1,709,966	1,964,183	254,217		4,825,017	2,977,885	1,847,132	6,885,151	4,139,313	3,095,324	4,074,693
	Debt Provision Receipts (BH903)	410,596	696,056	285,460		855,393	855,393		892,010	928,576	965,007	
	Section 20 Contribution (BH905)		41	41		797,752	719,797	77,955	1,681,862	2,039,624	1,798,942	1,152,414
	Land Receipts					400,000	400,000				919,473	1,183,821
	S106		719	719					417,264			
	London Housing Consortium Rebate											
	Buy Back Allowance											
	Borrowing	1,809,880	1,810,558	678		5,046,628	2,600,083	2,446,545	6,802,670	7,706,270	3,068,966	3,032,525
	<b>TOTAL HRA RESOURCES FOR CAPITAL</b>	<b>22,616,760</b>	<b>22,365,948</b>	<b>(250,812)</b>		<b>48,827,618</b>	<b>33,742,990</b>	<b>15,084,628</b>	<b>51,833,070</b>	<b>37,952,363</b>	<b>31,997,724</b>	<b>30,961,083</b>
											(0)	(0)
	Major Repair Reserve Bought Forward (BH930)	(9,264,380)	(9,264,380)			(12,028,306)	-10,919,793		(10,833,341)	0	(69,393)	(38,157)
	Depreciation (increasing MRR)	(11,792,195)	(12,779,598)			(12,156,450)	(12,156,450)		(12,603,233)	(13,005,515)	(13,453,626)	(13,934,473)
	MRR Used (decreasing MRR)	9,028,270	11,124,186			22,955,898	12,242,902		23,436,574	12,936,122	13,484,862	13,972,630
	Major Repair Reserve Carried Forward	(12,028,306)	(10,919,793)	(0)	(0)	(1,228,858)	(10,833,341)	0	0	(69,393)	(38,157)	0
	Total RTB Receipts Bought Forward	(10,102,359)	(10,102,359)			(9,378,927)	(10,132,532)		(10,423,619)	(7,122,110)	(6,747,489)	(7,598,252)
	Total RTB Receipts Received	(2,526,917)	(4,656,417)			(4,650,147)			(4,475,653)	(4,693,268)	(4,911,095)	(5,136,032)
	Total RTB Receipts Used by General Fund (RP)	728,172	714,932									
	Receipts used for Registered Providers											
	Repayment of One for One Receipts	346,232	346,232									
	Debt Provision Receipts Used for Provision of Interest on Repaid One fo	55,383										
	Total RTB Receipts Used by HRA & General Fund (for RP)	2,120,562	3,565,079			6,080,410			7,777,161	5,067,889	4,060,331	5,077,310
	Total RTB Receipts Carried Forward	(9,378,927)	(10,132,532)			(7,948,665)	(10,132,532)		(7,122,110)	(6,747,489)	(7,598,252)	(7,656,974)

APPENDIX B - HOUSING CAPITAL STRATEGY

Cost Centre	Scheme	2018/2019			2019/2020				2020/2021	2021/2022	2022/2023	2023/2024
		Working Budget Q3 £	Actuals 2018-19 £	(Under) /Overspend £	Slippage £	Working Budget Q3 £	Q4 Revised Budget £	Variance Working v Q4 Revised Budget £	Q4 Revised Budget £	Q4 Revised Budget £	Q4 Revised Budget £	Q3 Revised Budget £
	<b>CAPITAL PROGRAMME EXCL. NEW BUILD</b>											
	<b>Planned Investment including Decent Homes</b>											
KH157	Decent Homes - Redecs	3,340	640	(2,700)	2,700	20,000	20,000		20,000	20,000	20,000	20,000
Various1	Decent Homes - Internal Works	2,489,440	3,402,336	912,906	(912,890)	1,731,290	1,618,710	(112,580)	1,705,670	1,802,910	1,779,870	14,096,760
Various2	Decent Homes External Works				443,410		205,000	205,000				
Various3	Decent Homes - Roofing											
Various4	Decent Homes - Flat Blocks	8,086,320	6,884,890	(1,201,440)	1,201,410	12,087,750	12,280,160	192,410	12,602,600	12,852,780	11,780,398	
NEW	MRC Miscellaneous						260,000	260,000				
KH205	Communal Heating	712,930	504,562	(208,368)	208,370	1,333,030	1,200,000	(133,030)	1,313,300	1,316,820		
KH092	Lift Installation - Inspection & Remedial Works	302,660	266,233	(36,427)	36,430	307,620	437,800	130,180	303,070	265,390		
KH287	Temporary Lift Provision - Flat Blocks								450,000	450,000		
KH291	Sprinkler Systems - Flat Blocks	9,880	10,558	678	(680)	1,990,120	1,989,440	(680)				
KH294	High Rises - Preliminary Works					190,000	190,000					
	<b>External Works (MRC Programme)</b>											
	<b>Health &amp; Safety</b>											
KH085	Fire Safety	84,670	68,074	(16,596)	16,600	81,400	81,400		80,190	80,410	79,380	
KH112	Asbestos Management	365,560	475,329	109,769	(109,770)	379,870	379,870		374,250	375,250	370,460	
KH104	Subsidence	155,750	143,842	(11,908)	11,910	102,540	102,540		101,020	101,290	100,000	
KH104	Contingent Major Repairs	260,920	254,892	(6,028)	6,030	420,420	378,940	(41,480)	425,480	435,560	440,000	
	<b>Estate &amp; Communal Area</b>											
KH223	Asset Review - Challenging Assets	577,840	615,332	37,492	(37,490)	615,240	110,000	(505,240)	606,140	607,770	600,000	
KH224	Asset Review - Sheltered (non RED)	92,110	80,569	(11,541)	11,540	410,160	1,300,000	889,840	505,120			
	<b>Other HRA Schemes</b>											
KH174	Energy Efficiency Pilot Projects	7,840	8,126	286	(290)	15,200	15,200		15,150	15,190	15,000	
KH094	Disabled Adaptations	696,320	768,123	71,803	(71,800)	563,970	563,970		569,520	585,320	599,950	
	<b>TOTAL CAPITAL PROGRAMME EXCL. NEW BUILD</b>	<b>14,589,680</b>	<b>13,784,198</b>	<b>(805,482)</b>	<b>805,480</b>	<b>20,248,610</b>	<b>21,133,030</b>	<b>884,420</b>	<b>19,071,510</b>	<b>18,908,690</b>	<b>15,785,058</b>	<b>14,116,760</b>
								<b>78,940</b>				
	<b>CAPITAL PROGRAMME NEW BUILD</b>											
KH233	New Build Programme	6,914,130	7,365,171	451,041.48		27,188,698	11,713,690	(15,475,008)	32,697,030	16,407,642	13,186,720	13,582,310
	Build for sale									701,888	903,680	930,790
	Ineligible part of Oval									1,908,043	1,965,286	2,024,243
KH209	New Build - Archer Road		17,965	17,965								
KH233	<b>TOTAL CAPITAL PROGRAMME NEW BUILD</b>	<b>6,914,130</b>	<b>7,383,136</b>	<b>469,006</b>		<b>27,188,698</b>	<b>11,713,690</b>	<b>(15,475,008)</b>	<b>32,697,030</b>	<b>19,017,573</b>	<b>16,055,686</b>	<b>16,537,343</b>

APPENDIX B - HOUSING CAPITAL STRATEGY

Cost Centre	Scheme	2018/2019			2019/2020			2020/2021	2021/2022	2022/2023	2023/2024
		Working Budget Q3 £	Actuals 2018-19 £	(Under) /Overspend £	Slippage £	Working Budget Q3 £	Q4 Revised Budget £	Variance Working v Q4 Revised Budget £	Q4 Revised Budget £	Q4 Revised Budget £	Q4 Revised Budget £
	<b>SPECIAL PROJECTS &amp; EQUIPMENT</b>										
	<b>HRA Resurfacing</b>										
KH276	Skipton Close - Resurfacing Parking Areas	23,300	22,237	(1,063)							
KH277	Kimbolton Crescent - Resurfacing Footpaths/Parking Areas	11,920	14,528	2,608							
	<b>HRA Equipment</b>										
KH015	Capital Equipment (including Supported Housing Equipments)	94,460	40,522	(53,938)	53,940	55,000	30,000	(25,000)			
KH278	Vans for RVS	654,890	655,077	187		125,000	125,000				
	<b>Sub Total Special Projects &amp; Equipment</b>	<b>784,570</b>	<b>732,365</b>	<b>(52,205.07)</b>	<b>53,940.00</b>	<b>180,000.00</b>	<b>155,000.00</b>	<b>(25,000.00)</b>			
	<b>INFORMATION TECHNOLOGY</b>										
	<b>IT General (IT)</b>										
KH217	Northgate Additional Modules		375								
KH218	ICT Programme (Business Plan)					215,730	239,580		42,900	24,750	156,980
KH235	ICT Equipment					10,000					
KH237	Harmonising Infrastructure Technology (for shared service)	9,050	9,350	300		14,870		(14,870)			
KH238	Infrastructure Investment	76,600	96,422	19,822		48,460					
KH238	<b>Infrastructure Investment</b>					<b>110,000</b>					<b>150,000</b>
KH236	<b>Keystone Module (to support fire safety)</b>					<b>32,000</b>					
KH296	<b>Tablets (x144)</b>					<b>5,330</b>					
KH297	<b>Total General IT</b>	<b>85,650</b>	<b>106,147</b>	<b>20,122</b>		<b>436,390</b>	<b>239,580</b>	<b>(14,870)</b>	<b>42,900</b>	<b>24,750</b>	<b>156,980</b>
	<b>Employer Of Choice (EOC)</b>										
KH259	Replacement HR & Payroll System	7,250	9,283	2,033	(2,030)	4,530	2,500				
KH269	New Intranet	24,570	29,542	4,972	(4,970)	12,550	7,580				
	<b>Total EOC</b>	<b>31,820</b>	<b>38,825</b>	<b>7,005</b>	<b>(7,000)</b>	<b>17,080</b>	<b>10,080</b>				
	<b>Connected To Our Customers (CTOC)</b>										
KH270	Online Customer Account (formerly Capita Advantage Digital)	4,000	5,077	1,077		96,000		(96,000)			
KH271	Corporate Website - Redesign	10,630	2,183	(8,447)		40,370	<b>54,870</b>	14,500	<b>4,130</b>	<b>350</b>	
KH272	Electronic SMB Reports System		2,805	2,805							
KH273	Call Recording	470		(470)		11,530		(11,530)			
KH288	New CRM Technology	1,090		(1,090)		97,910	<b>169,770</b>	71,860	<b>17,500</b>	<b>1,000</b>	
KH289	Future Online Development of Civica Icon Payments	3,560	4,333	773		16,440		(16,440)			
	<b>Total CTOC</b>	<b>19,750</b>	<b>14,398</b>	<b>(5,352)</b>		<b>262,250</b>	<b>224,640</b>	<b>(37,610)</b>	<b>21,630</b>	<b>1,350</b>	
	<b>Housing All Under One Roof programme (HAUOR)</b>										
KH283	Housing Improvements	12,190	6,140.04	(6,050)	6,050	261,810	155,960	(105,850)			
KH260	On-Line Housing Application Form	6,020	5,000.00	(1,020)	1,020	40,730	41,750	1,020			
KH286	Housing Document Management System	172,950	187,339.58	14,390	(14,390)	67,050	52,660	(14,390)			
KH293	Online Tenants Self-Service		108,400.00	108,400	(108,400)	125,000	16,600	(108,400)			
	<b>Total HAUOR</b>	<b>191,160</b>	<b>306,879.62</b>	<b>115,720</b>	<b>(115,720)</b>	<b>494,590</b>	<b>266,970</b>	<b>(227,620)</b>			
	<b>TOTAL ICT INCLUDING DIGITAL AGENDA</b>	<b>328,380</b>	<b>466,249</b>	<b>137,494</b>	<b>-122,720</b>	<b>1,210,310</b>	<b>741,270</b>	<b>-280,100</b>	<b>64,530</b>	<b>26,100</b>	<b>156,980</b>

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**Meeting** Council

**Portfolio Area** Communities, Community Safety and Equalities

**Date** 24 July 2019



## GAMBLING ACT 2005 – REVIEW OF STATEMENT OF PRINCIPLES

### NON KEY DECISION

**Authors** Maurice Clay | 2175

**Lead Officers** Zayd Al-Jawad | 2257

**Contact Officer** Frank Harrison | 2573

### 1 PURPOSE

- 1.1 To consider the Council's draft Statement of Principles as required under the Gambling Act 2005.
- 1.2 To note that the draft Statement of Principles was considered by the Council's General Purposes Committee at a meeting on 5<sup>th</sup> June 2019 and recommended for adoption by Executive at a meeting 10<sup>th</sup> July 2019.

### 2 RECOMMENDATIONS

- 2.1 That Council adopts the Stevenage Borough Council draft Gambling Act 2005 Statement of Principles, as attached at Appendix A to the report.

### **3 BACKGROUND**

- 3.1 The Council is the licensing authority for the purposes of the Gambling Act and consequently is under a duty to prepare a Statement of Gambling Principles that it proposes to apply in exercising its functions under the Act.
- 3.2 The Statement of Principles sets out the general approach the Council will take when carrying out its regulatory role under the Act and promoting the three licensing objectives:
- 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.
- 3.3 The Act was conceived as ‘light touch’ legislation, covering a wide range of licensable activities such as adult gaming centres and betting premises. It specifies that Local Authorities should “aim to permit” gambling, provided it is in accordance with the Code of Practice and guidance issued by the Gambling Commission, reasonably consistent with the licensing objectives and in accordance with the Statement of Principles. The effect of this duty is that Licensing Authorities must approach their functions in a way that seeks to regulate gambling by using their powers to promote the licensing objectives rather than by setting out to prevent it altogether.
- 3.4 The Statement seeks to strike a balance between the interests of licence holders, applicants and residents in the promotion of the licensing objectives defined by the Act. Additionally, it outlines the licensing authority’s expectations of licence holders in promoting the licensing objectives, whilst advising on the licensing authority’s obligations under the Act, including its interpretation of the Act and/or Statutory Guidance where necessary. The Statement is designed to offer appropriate protection for residents and a streamlined approach to regulation that eases unnecessary burdens on businesses.
- 3.5 The current Statement was adopted by full Council in December 2015 and must now be reviewed and, where necessary, revised.

#### **Proposed changes**

- 3.6 A limited number of additions and amendments to the extant Statement of Principles were consulted upon, to reflect the update in the Guidance published by the Gambling Commission (5th Edition, September 2015).

- 3.7 The draft Statement can be found at Appendix A; all significant additions or variations from the 2016-2019 Statement have been highlighted in grey. There are no changes to the intent or direction in the proposed 2019-2022 Statement, which sets out how the Council seeks to regulate gambling activities under its control and provide a framework for consistent decision making.
- 3.8 The most substantive changes in the new Statement are intended to meet the Commission's most recent guidance and are as follows:
- A whole section has been devoted to promotion of the licensing objectives as defined by the Act to give them due prominence and in particular to expand upon expectations in respect of the third objective, protecting children and other vulnerable persons from being harmed or exploited by gambling.
  - From April 2016, all industry operators have had to undertake local area risk assessments to explore the risks that gambling venues pose to the licensing objectives. A new section outlining the Council's expectations in relation to operators' local risk assessments has been incorporated. This guidance will enable the Council to regulate local gambling more effectively by being able to hold operators to account if their assessments fall short of the Council's expectations.
  - The same new section introduces the concept of the Local Area Profile and commits the Council to provide one within the life of the new Statement. The Local Area Profile will act as a guide which gambling operators can use when undertaking and preparing their local premises risk assessments

### **Consultation**

- 3.9 In preparing the Statement, the licensing authority must publish any proposed document before giving it effect and must consult with:
- the chief officer of police for the licensing authority's area;
  - one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area;
  - one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under this Act.
- 3.10 To comply with this requirement, the licensing authority published the draft Statement on a dedicated webpage on the Council's website with details of the consultation period and an explanation of how to make a representation. The page was available between 5th March and 30th April 2019. All organisations listed in Appendix 2 of the Statement were sent a consultation

email or letter directing them to the consultation page. Just two responses were received from GamCare and Gosschalks Solicitors, the latter acting on behalf of the Association of British Bookmakers.

- 3.11 GamCare is the leading provider of information, advice, support and free counselling for the prevention and treatment of problem gambling. They operate the National Gambling Helpline, provide treatment for problem gamblers and their families, create awareness about responsible gambling and treatment, and encourage an effective approach to responsible gambling within the gambling industry. The organisation provided a generic response to the consultation, emphasising their support for local area profiles and risk assessments which are included in the Statement.
- 3.12 GamCare also suggested that the Council should primarily consider applications from GamCare certified operators. GamCare Certification is a voluntary process comprising an independent audit assessment of an operator's player protection measures and social responsibility standards, policy and practice. Standards are measured in accordance with the GamCare Player Protection Code of Practice. Whilst the draft Statement promotes the importance of organisations such as GamCare and their role in promoting responsible gambling, the principle of each application being determined on its own merits remains paramount. The Commission's Guidance also precludes the licensing authority from attaching conditions to a licence which provide that membership of a club or body be required. It is not proposed therefore to include this suggestion; however GamCare certification, where present, could be included by operators within individual risk assessments and in addressing the local area profile as part of an application.
- 3.13 Gosschalks Solicitors, acting on behalf of the Association of British Bookmakers (ABB), made a number of observations. In general terms, as part of a generic response, they made no adverse comments in relation to the draft Statement; indeed they offered support for the effective use of local area profiles and risk assessments. They also referred to the national decline of betting premises, low problem gambling rates and new planning controls from April 2015 affording local authorities additional controls through the planning process. Local decision-making should focus on the promotion of the licensing objectives and these issues should not unduly influence the determination of applications.
- 3.14 Gosschalks Solicitors made a number of specific comments on behalf of ABB. While a number of their comments suggested that the draft Statement should be revised to remove references to measures they believe are not directly linked to the licensing objectives, these changes have not been made as it is considered that these measures are in fact relevant considerations. For example, proximity to cashpoints and alcohol licensed premises is

relevant when considering the potential harm to people with existing gambling problems.

#### **4 REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS**

- 4.1 Section 349 of the Gambling Act 2005 requires licensing authorities to publish a statement of licensing principles every three years in accordance with prescribed requirements. The adoption of the statement of licensing principles is a non-executive function by virtue of the Act and Statutory Guidance and is reserved for Full Council.
- 4.2 The only alternative option would be to adopt a Statement that differs in content and/or extent from the document proposed here. An alternative Statement has not been considered as the one proposed achieves an effective balance between ensuring the promotion of the licensing objectives, and avoiding being overly prescriptive or prohibitive to applicants and licence holders. Any wholly revised Statement would be subject to a further full consultation process.
- 4.3 The draft Statement of Principles was considered by the Council's General Purposes Committee at their meeting on 5<sup>th</sup> June 2019. The following comments and amendments to the proposed Statement of Principles were made by Members:
- The Committee was concerned with the wording of introductory Paragraph A1.4 of the proposed Statement of Principles, which outlined some of the socio-economic factors in respect of the town. It was considered that, as there was no evidential link between this paragraph and gambling in the Borough, it was agreed that this paragraph be removed from the document;
  - The Committee acknowledged that new Licence Holders would be required to submit local Risk Assessments in association with their licence applications. At the request of Members, Officers undertook to investigate whether or not it would be permissible to require existing Licence Holders to submit such Risk Assessments for their premises (possibly by sourcing Best Practice from other licensing authorities);
  - Local Area Profile – Officers confirmed that it was the intention to develop such a profile during the life of the proposed Statement of Principles (2019 – 22), including socio-economic factors, in order to act as a guide which gambling operators could use when undertaking and preparing their local premises risk assessments; and
  - Members requested Officers to provide them with details regarding a proposed promotional event on the Gambling Act to be held later in June 2019.

4.4 The General Purposes Committee resolved:

- That the proposed Stevenage Borough Council Gambling Act draft Statement of Principles 2019-2022, attached at Appendix A to the report, and as amended, be supported.
- That the Executive be requested to agree the Stevenage Borough Council Gambling Act draft Statement of Principles for onward recommendation to Council.

4.5 The draft Statement of Principles was considered by the Executive at the meeting on 10<sup>th</sup> July 2019. The Executive agreed that the issues raised by the General Purposes Committee should be picked up by the Executive Member for Communities, Community Safety and Equalities and fed back to that Committee, namely:

- whether or not it would be permissible to require existing Gambling Premises Licence Holders to submit Risk assessments to the Council otherwise than in connection with a new application; and
- the powers available to the Council in the future (either as Landowner, Licensing Authority or Planning Authority) to place restrictions on the quantity of betting premises in the Borough.

4.6 The Executive resolved:

- That the proposed Stevenage Borough Council Gambling Act Statement of Principles 2019-2022 (attached at Appendix A to the report) be noted and agreed.
- That the Stevenage Borough Council Gambling Act Statement of Principles 2019-2022 be recommended to the Council for adoption.

## **5 IMPLICATIONS**

### **Financial Implications**

5.1 Local authorities have the ability to set their own local fees in connection with the Act on a cost recovery only basis, subject to centrally prescribed maximum amounts. The administration and enforcement of the Act, including the adoption of a Statement, places no additional financial burden on the Council as all costs are recovered through fees. Fees will be reviewed as part of the annual budget-setting process.

### **Legal Implications**

5.2 The Licensing Authority has a statutory duty to produce a Statement of Principles under the Gambling Act 2005 and review it at least once every three years.

### **Equalities and Diversity Implications**

- 5.3 The proposed Statement of Principles does not place any barriers or unique requirements on any person on the grounds of ethnicity, gender, religion, or any other protected characteristic. Officers work with all applicants and licence holders, where appropriate, to ensure that the Council's duty under the Equality Act 2010 is met. A brief form Equalities Impact Assessment is attached as Appendix B.

### **Community Safety Implications**

- 5.4 The Statement has a community safety implication arising from the licensing objectives. There are currently no local concerns regarding the impact of gambling on community safety, and it does not appear within the Council's community safety plan.

## **BACKGROUND DOCUMENTS**

**All documents that have been used in compiling this report, that may be available to the public, i.e. they do not contain exempt information, should be listed here:**

- BD1 Gambling Act 2005
- BD2 Gambling Act 2005 (Licensing Authorities Policy Statement) (England and Wales) Regulations 2006
- BD3 Guidance for Local Authorities, 5th Edition (Gambling Commission, March 2015)
- BD4 Gambling Act 2005; Stevenage Borough Council Statement of Policy 2016-2019

## **APPENDICES**

- A Gambling Act 2005 draft Statement of Principles
- B Equalities Impact Assessment

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Approved and adopted by Stevenage Borough Council on [date]

# Gambling Act 2005

Statement of Principles 2019 - 2022



## Gambling Act 2005 Statement of Principles 2019-22

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## PART A – INTRODUCTION

### A1. Stevenage Borough

- A1.1 Stevenage Borough Council is situated in the County of Hertfordshire, which contains ten District Councils in total. Stevenage was designated as Britain's first new town in 1946 and the Council area has a population estimated to reach 89,000 during 2019 making it the smallest in the County in terms of population. In terms of area it is also the smallest, covering approximately 20 square miles and is surrounded by the districts of North Hertfordshire and East Hertfordshire. A map of the Council area is attached as Appendix 1.
- A1.2 Set in the attractive countryside of north Hertfordshire, Stevenage is an urban authority, enjoying the amenities of a well-planned new town together with a history dating back to Roman times. The town is divided into distinct land use areas, the town centre, Old Town and railway station are the core of the town. They are surrounded by individual residential neighbourhoods containing around 38,000 homes. Local neighbourhood centres provide shops and community facilities for residents. There are two main employment areas, one to the west of the town centre at Gunnels Wood and one to the north-east at Pin Green.
- A1.3 There are a range of leisure facilities, retail parks and supermarkets. Open spaces and play areas are well spread throughout the town. Wide roads and a cycle and pedestrian network link all parts of the town. Stevenage's railway station is on the East Coast Main Line. There are long distance rail links between London and the north. Commuter services connect the town to Kings Cross, Cambridge and Peterborough as well as nearby towns including Hitchin, Letchworth and Welwyn Garden City. The town is connected to Junctions 7 and 8 of the A1(M) which links London, the midlands and the north. The A602 connects Stevenage to Hitchin and Ware while the nearby A505 provides connections between Luton Airport and Cambridgeshire. The urban road network of Stevenage comprises three main north-south routes and four main east-west routes.
- A1.4 Licensing authorities are required by the Gambling Act 2005 (the Act) to publish a statement of the principles that they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from "time to time" and any amended parts re-consulted upon. The statement must be then re-published.
- A1.5 Stevenage Borough Council consulted widely upon this statement before finalising and publishing. A list of those persons consulted is provided in Appendix 2. Our consultation took place between 5th March and 30th April 2019 and was carried out in accordance the Cabinet Office guidance on consultation principles (published March 2018) which is available at:
- [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/691383/Consultation\\_Principles\\_\\_1\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/691383/Consultation_Principles__1_.pdf)
- Two comments were received during the consultation period.
- A1.6 *The policy, following consultation, went to Executive Committee on date C and then to Full Council on date D, at which date it received approval. This version will be published by date E, and will take effect from date F.*

A1.7 Should you have any comments as regards this policy statement please send them by e-mail or letter to the following contact:

Name: Licensing Team  
Address: Stevenage Borough Council,  
Daneshill House,  
Danestrete,  
Stevenage, SG1 1HN

email: [licensing@stevenage.gov.uk](mailto:licensing@stevenage.gov.uk)

A1.8 It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Act.

## **A2. The Licensing Objectives**

A2.1 In exercising most of their functions under the Act, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

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

A2.2 It should be noted that the Gambling Commission (“the Commission”) has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”.

A2.3 This licensing authority is aware that, as per Section 153 of the Act, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it:

- In accordance with any relevant code of practice issued by the Commission;
- In accordance with any relevant guidance issued by the Commission;
- Reasonably consistent with the licensing objectives; and
- In accordance with the authority’s statement of principles

## **A3. Declaration**

A3.1 In producing the final statement, this licensing authority declares that it has had regard to the licensing objectives of the Act, the guidance issued by the Commission (5<sup>th</sup> edition March 2015), and any responses from those consulted on the statement.

## **A4. Responsible Authorities**

Gambling Act 2005 Statement of Principles: Draft for consultation

## **A4.1 Child Protection**

A4.1 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

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

A4.2 In accordance with the Commission's Guidance for local authorities, this authority designates the Hertfordshire Safeguarding Children Board for this purpose.

A4.3 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 the licensing objectives. In this regard the Council will not generally take into account representations that are deemed to be irrelevant, such as:

- There are too many gambling premises in the locality (because need for gambling facilities cannot be taken into account)
- The premises are likely to be a fire risk (because public safety is not a licensing objective)
- The location of the premises is likely to lead to traffic congestion (because this does not relate to the licensing objectives)
- The premises will cause crowds to congregate in one area causing noise and nuisance (because other powers are generally available to deal with these issues. It should be noted that, unlike the Licensing Act 2003, the Gambling Act does not include as a specific licensing objective the prevention of public nuisance. Any nuisance associated with gambling premises should be tackled under other relevant laws).

A4.4 The contact details of all the Responsible Authorities under the Act for applications in respect of premises within the Borough of Stevenage are included as Appendix 3. This information is also available via the Council's website at: [www.stevenage.gov.uk](http://www.stevenage.gov.uk).

## **A5. Interested parties**

A5.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Act as follows:

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

- a) Lives sufficiently close to the premises to be likely to be affected by the authorised activities,

- b) Has business interests that might be affected by the authorised activities, or
- c) Represents persons who satisfy paragraph (a) or (b)”

A5.2 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. The principles are: Each case will be decided upon its own merits. This authority will not apply a rigid rule to its decision-making. It will consider the examples of considerations provided in the Commission’s Guidance for local authorities at 8.11 to 8.17. It will also consider the Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

A5.3 Interested parties can be persons who are democratically elected such as Councillors and MPs. No specific evidence of being asked to represent an interested person will be required as long as the Councillor or MP represent the ward likely to be affected. Likewise, parish councils likely to be affected will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) ‘represents’ someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

A5.4 If individuals wish to approach Councillors to ask them to represent their views then care should be taken that the Councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the Licensing team by e-mail at [licensing@stevenage.gov.uk](mailto:licensing@stevenage.gov.uk) or 01438 242242.

A5.5 In the absence of any regulations to the contrary, representations should ideally:

- be made in writing (letter, fax or e-mail);
- be in black ink on single sides of A4 paper;
- indicate the name and address of the person or organisation making the representation;
- indicate the premises to which the representation relates;
- Indicate the proximity of the premises to the person making the representation. A sketch map or plan may be helpful to show this;
- Clearly set out the reasons for making the representation, and which objective it refers to.

## **A6. Exchange of Information**

A6.1 Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Commission, and the functions under section 350 of the Act with the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act. Those persons or



bodies are listed in Schedule 6(1) as:

- a constable or police force
- an enforcement officer
- a licensing authority
- HMRC
- the First Tier Tribunal
- the Secretary of State.

A6.2 The principle that this licensing authority applies is that it will act in accordance with the provisions of the Act in its exchange of information which includes the provision that the Data Protection Act 1998 or General Data Protection Regulation will not be contravened. The licensing authority will also have regard to any Guidance issued by the Commission to local authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

A6.3 Details of applications and representations which are referred to a Licensing Committee for determination will be published in reports that are made publicly available. Personal details of people making representations will be disclosed to applicants and only be withheld from publication on the grounds of personal safety where the licensing authority is asked to do so and is satisfied that it is appropriate to do so.

A6.4 The authority will ensure that the information on the returns is accurate and sent to the Commission within agreed timescales.

A6.5 We recognise the need to share information with other agencies about our inspections and compliance activities. The Council has various policies relating to information governance, which will be considered when deciding what information to share and the process for doing so.

A6.6 Information can be accessed by data subjects via a number of routes including a Freedom of Information Request or Subject Access Request.

## **A7. Enforcement**

A7.1 Licensing authorities are required by regulation under the Act to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

A7.2 This licensing authority's principles are that it will be guided by the Commission's Guidance for local authorities, and will endeavour to be;

- Proportionate: regulators should only intervene when necessary; remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem, and minimise side effects.

- A7.3 In accordance with the Commission's Guidance for local authorities this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.
- A7.4 This licensing authority has adopted and implemented a risk-based inspection programme, based on;
- The licensing objectives
  - Relevant codes of practice
  - Guidance issued by the Commission, in particular at Part 36
  - The council's local area profile
  - The principles set out in this statement of licensing policy
- A7.5 This may include test purchasing activities to measure the compliance of licensed operators with aspects of the Act. When undertaking test purchasing activities, the licensing authority will undertake to liaise with the Gambling Commission and the operator to determine what other, if any, test purchasing schemes may already be in place. Irrespective of the actions of an operator on their overall estate, test purchasing may be deemed to be an appropriate course of action.
- A7.6 The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions that it authorises. The Commission is the enforcement body for operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines or concerns about online or remote gambling will not be dealt with by the licensing authority but will be notified to the Commission.
- A7.7 This licensing authority will also keep itself informed of developments as regards the work of the Office for Product Safety and Standards in its consideration of the regulatory functions of local authorities, in particular, with regard to the Regulators' Code (April 2014) which provides a regulatory framework that supports compliance and growth while enabling resources to be focused where they are most needed. We will make available our enforcement and compliance protocols and written agreements upon request.
- A7.8 Bearing in mind the principle of transparency, the Council has adopted an Enforcement Policy which sets out the Council's approach to securing compliance with regulatory requirements and applies to all our regulatory functions, including gambling. The Policy is available on the Council's website.

## **A8. Licensing Authority functions**

- A8.1 The Licensing Authority has delegated some of its functions to the Licensing Committee and to officers. An explanation of these arrangements is shown in Appendix 5.
- A8.2 Licensing Authorities are required under the Act to:
- Be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*

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

It should be noted that local licensing authorities will not be involved in licensing remote gambling at all. This will fall to the Commission via operating licences.

## **PART B – PROMOTION OF THE LICENSING OBJECTIVES**

### **B1. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.**

B1.1 The Commission will take the lead role in keeping gambling free from crime by vetting applicants for operator and personal licences. The licensing authority will have to be satisfied that the premises will not adversely affect the licensing objective and is compliant with the Commission's Guidance, codes of practice and this policy statement.

B1.2 The licensing authority will expect the applicant to have a good understanding of the local area in which they either operate, or intend to operate, a gambling premises. As part of the application, the applicant will provide evidence to demonstrate that in operating the premises they will promote this licensing objective.

B1.3 Examples of the specific steps the licensing authority may take to address this area can be found in the section covering specific premises in Part C and in relation to permits and notices in Part D of this policy.

### **B2. Ensuring that gambling is conducted in a fair and open way**

B2.1 The Commission is the body primarily concerned with ensuring that operators conduct gambling activities in a fair and open way, except in the case of tracks.

B2.2 The licensing authority will notify the Commission of any concerns about misleading advertising, the absence of required game rules, or any other matters as set out in the Commission's Licence Conditions and Code of Practice.

B2.3 Examples of the specific steps the licensing authority may take to address this area can be found in the section covering specific premises in Part C, and in relation to permits and notices in Part D of this statement.

### **B3. Protecting children and other vulnerable persons from being harmed or exploited by gambling.**

B3.1 Protection of Children: Persons under 18 cannot be admitted to many types of gambling premises. This objective means preventing children from taking part in most types of gambling.

B3.2 Section 45 of the Act provides the definition for child and young person:

Meaning of "child" and "young person"

1) In this Act "child" means an individual who is less than 16 years old.

2) In this Act "young person" means an individual who is not a child but who is less than 18 years old.

B3.3 Children and young persons may take part in private and non-commercial betting and gaming, but the Act restricts the circumstances in which they may participate in gambling or be on premises where gambling is taking place as follows:

- casinos, betting shops and adult gaming centres are not permitted to admit anyone under 18;
- bingo clubs may admit those under 18 but must have policies to ensure that they do not play bingo, or play category B or C machines that are restricted to those over 18;
- family entertainment centres and premises licensed to sell alcohol for consumption on the premises can admit under 18s, but they are not permitted to play category C machines which are restricted to those over 18;
- clubs with a club premises certificate can admit under 18s, but they must have policies to ensure those under 18 do not play machines other than category D machines;
- All tracks can admit under 18s, but they may only have access to gambling areas on days where races or other sporting events are taking place, or are expected to take place. Tracks will be required to have policies to ensure that under 18s do not participate in gambling other than on category D machines.

B3.4 The licensing authority will have regard to any code of practice which the Commission issues as regards this licensing objective in relation to specific premises.

B3.5 The licensing authority will consider whether specific measures are required at particular premises, with regard to this licensing objective. These measures may include supervision of entrances / machines, segregation of areas, etc. Examples of the specific steps the Council may take to address this area can be found in the section covering specific premises in Part C and in relation to permits and notices in Part D of this policy.

B3.6 Where gambling premises are located in sensitive areas where young and/or vulnerable persons may be present, for example near schools, this licensing authority will consider imposing restrictions on advertising the gambling facilities on such premises where it is considered relevant and reasonably consistent with the Licensing Objectives.

B3.7 Protection of vulnerable people: It is difficult to define the term “vulnerable person”. The Commission, in its Guidance to Local Authorities, does not seek to offer a definition, but will, for regulatory purposes assume that this group includes people: “who gamble more than they want to, people who gamble beyond their means, elderly persons, and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, or because of the influence of alcohol or drugs.”

B3.8 The Commission’s Code of Practice clearly describes the policies and procedures that operators should put in place regarding:

- combating problem gambling
- access to gambling by children and young persons
- information on how to gamble responsibly and help for problem gamblers
- customer interaction
- self-exclusion
- employment of children and young persons

- B3.9 The licensing authority may consider any of the measures detailed below as licence conditions should these not be adequately addressed by any mandatory conditions, default conditions or proposed by the applicant:
- leaflets offering assistance to problem gamblers should be available on gambling premises in a location that is both prominent and discreet
  - training for staff members which focuses on an employee's ability to detect a person who may be vulnerable and providing support to vulnerable persons
  - self-exclusion schemes
  - operators should demonstrate their understanding of best practice issued by organisations that represent the interests of vulnerable people
  - posters and leaflets with GamCare Helpline and website displayed in prominent locations
  - external advertising to be positioned or designed not to entice passers-by.
- B3.10 It is a requirement of the Commission's Licence Conditions and Codes of Practice (LCCP), under Section 3, that licensees must have and put into effect policies and procedures intended to promote socially responsible gambling.
- B3.11 The LCCP say that licensees must make an annual financial contribution to one or more organisation(s) which between them research into the prevention and treatment of gambling-related harm, develop harm prevention approaches and identify and fund treatment to those harmed by gambling.

## **PART C – PREMISES LICENCES: CONSIDERATION OF APPLICATIONS**

### **C1. General Principles**

C1.1 The Act contains three licensing objectives. In this revision of its Statement of Policy, the Licensing Authority seeks to assist applicants by setting out the considerations we will apply when determining applications under the Act.

C1.2 The Council will issue premises licences to allow premises to be used for certain types of gambling. These are:

a) casino premises,

b) bingo premises,

c) betting premises including tracks and premises used by betting intermediaries,

d) adult gaming centre premises, or

e) family entertainment centre premises.

C1.3 Premises licences are subject to the requirements set out in the Act and regulations, as well as specific mandatory and default conditions, which the Secretary of State has detailed in regulations. The Council will exclude default conditions and attach others, where were considered appropriate due to evidence of a risk to the licensing objectives. Paragraph C9.1 below clarifies the position with respect to mandatory and default conditions.

C1.4 The Commission has issued Codes of Practice for each interest area for which they must have regard. The Council will also have regard to these Codes of Practice.

### **C2. Decision making**

C2.1 When making decisions about premises licences the Council is under a statutory duty by virtue of s.153 of the Act to aim to permit the use of premises for gambling in so far it is considered to be:

- in accordance with any relevant code of practice issued by the Commission;
- in accordance with any relevant guidance issued by the Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with our Statement.

C2.2 The licensing authority will not accept moral objections to gambling as a valid reason to reject applications for premises licences (except with regard to any 'no casino resolution' - see section on Casinos). Issues of nuisance, planning permission and building regulation are not issues that can be taken into account when considering an application for a premises licence.

- C2.3 The licensing authority will not consider whether there is demand for gambling as valid criteria when deciding whether to grant or reject applications for premises licences. Each application must be considered on its merits without regard for demand, reflecting the statutory 'aim to permit' principle outlined above.
- C2.4 However, the authority will consider the location of a premises so far as it relates to the licensing objectives and whether there is need for condition(s) to mitigate risks in respect of gambling in a particular location.
- C2.5 The Council's Scheme of Delegation is reproduced at Appendix 5. The General Purposes Committee has been established to deal with licensing issues and the determination of applications in certain cases, i.e. those where representations have been made or where premises licences require review. Uncontentious applications (i.e. those where no representations have been made) will be delegated to officers.
- C2.6 Where representations are received the Council will consider whether they are vexatious, frivolous or if they would influence the Council's determination of the application.

### **C3. Definition of "premises"**

- C3.1 Premises are defined in the Act as "any place". Section 152 therefore prevents more than one premises licence applying to any place. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, the authority will pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.
- C3.2 The Commission states in its Guidance to Licensing Authorities that: "In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises. If a premises is located within a wider venue, a licensing authority should request a plan of the venue on which the premises should be identified as a separate unit. The Commission recognises that different configurations may be appropriate under different circumstances but the crux of the matter is whether the proposed premises are genuinely separate premises that merit their own licence - with the machine entitlements that brings – and are not an artificially created part of what is readily identifiable as a single premises."



C3.3 The licensing authority takes particular note of the Commission's Guidance, which states that licensing authorities should pay attention in considering applications for multiple licences for a building, and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular this Authority is aware that entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not 'drift' into a gambling area. The Authority will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Additionally, the third licensing objective seeks to protect children from being harmed by gambling. In practice, this means not only preventing children from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore, licence holders should configure premises so that they do not invite children to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.

C3.4 The Guidance also gives a list of factors which the licensing authority should be aware of, which may include:

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

C3.5 Clearly, there will be specific issues that the Authority will consider before granting such applications, for example, whether children can gain access; compatibility of the two establishments; and ability to comply with the requirements of the Act. But, in addition, an overriding consideration should be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would be prohibited under the Act.

C3.6 This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

C3.7 The Commission's relevant access provisions for each premises type are reproduced below:

#### C3.7.1 **Casinos**

- The principal access entrance to the premises must be from a street (as defined at 7.23 of the Guidance)
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons
- No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence

#### C3.7.2 **Adult Gaming Centre**

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

licensed gambling premises

### C3.7.3 Betting Shops

- Access must be from a street (as per Para 7.23 Guidance to Licensing Authorities) or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

### C3.7.4 Tracks

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

### C3.7.5 Bingo Premises

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

### C3.7.6 Family Entertainment Centre

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

C3.8 Part 7 of the Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

## C4. Premises "ready for gambling"

C4.1 The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

C4.2 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

C4.3 In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:

- First, whether the premises ought to be permitted to be used for gambling
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

C4.4 Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

C4.5 More detailed examples of the circumstances in which such a licence may be granted can be found at paragraphs 7.58-7.65 of the Guidance.

## **C5. Location**

C5.1 The Council will not consider demand issues with regard to the location of premises but will consider the potential impact of the location on the licensing objectives in its decision-making. In line with the Commission's Guidance to Licensing Authorities, the Council will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.

C5.2 With regards to these licensing objectives it is the Council's policy, 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, young people or vulnerable people; e.g. 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.

C5.3 A local area profile will be produced by the authority and published on its website. This will highlight areas, if any, within the District which the licensing authority, in consultation with the responsible authorities and other partner agencies (in particular, the Public Health unit of Hertfordshire County Council), considers to present higher than normal risks for the location of a gambling premises. This may be due to large levels of vulnerable persons living in a particular locality, the proximity of a school, youth centre or medical facility, a high level of deprivation, or other factors which the authority believes should be taken into consideration.

C5.4 We expect operators, both when applying for new premises licences and when reviewing their existing premises, to take account of our local area profile within their own local risk assessments (described below), and to implement suitable and sufficient measures to mitigate any risks identified which may arise as a result of the opening or continuation of trade at those premises.

C5.5 We will use the local area profile in assessing premises licence applications and the risk assessments supplied by the applicant or existing licence holders.

C5.6 The Council will need to be satisfied that there is sufficient evidence that the particular location of the premises would be harmful to the licensing objectives before the location can be considered as inappropriate for a licenced premises. It is a requirement of the LCCP, under Section 10, for licensees to assess the local risks to the licensing objectives posed by the provisions of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, they must take into account relevant matters identified in this policy statement.

- C5.7 The LCCP say that licensees must review (and update as necessary) their local risk assessments:
- to take account of significant changes in local circumstances, including those identified in this policy statement;
  - 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; and
  - in any case, undertake a local risk assessment when applying for a new premises licence.
- C5.8 This authority will expect the local 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.
- C5.9 Local risk assessments should show how all vulnerable people, including people with gambling dependencies are protected.
- C5.10 This authority would also strongly recommend that the following matters are considered by operators when making their risk assessment, and they have taken action, in the form of conditions, where the operators have not demonstrated that they are sufficiently mitigating the risks. This list is not exhaustive and other factors not in this list that are identified must be taken into consideration:
- Information held by the licensee regarding self-exclusions and incidences of underage gambling;
  - Gaming trends that may reflect benefit payments;
  - Arrangement for localised exchange of information regarding self-exclusions and gaming trends;
  - Urban setting such as proximity to schools, commercial environment, factors affecting footfall;
  - Assessing staffing levels when a local college or similar establishment closes for the day, and the students begin to vacate the grounds;
  - Proximity of machines to the entrance door ;
  - Age verification policies including 'Think 21' and 'Think 25';
  - Consideration of line of sight from the counter to gambling machines;
  - Larger operators (e.g. William Hill, Coral, Ladbrokes, Betfred, and Paddy Power) are responsible for conducting/taking part in underage testing, the results of which are shared with the Gambling Commission. However, operators are urged to also make the results available to licensing authorities. Where the licensing authority receives intelligence in relation to failed 'Think 21' or similar test purchases, the licensing authority would encourage the consideration of additional tasking over the standard once a year visits as a means of assessing risk;
  - Providing the licensing authority with details when a child or young person repeatedly attempts to gamble on their premises. This may provide the Licensing Authority with an opportunity to consider safeguarding concerns.
  - Range of facilities in proximity to the licensed premises such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities
  - Known problems in the area, street drinkers, youths participating in anti-social behaviour, drug dealing activities, etc.

C5.11 The authority would expect a risk assessment to be tailored to each premises and not solely based on a 'standard' template. The Council would also expect that each assessment is completed by a suitably competent person.

C5.12 It will be the responsibility of the gambling operator to assign the assessor for assessing the local risks for their premises. The person assigned as the assessor must be competent to undertake this role as failure properly to carry out this function could result in a breach of the provisions of the LCCP. The Commission has not produced any guidance on the competencies of assessors, however the Council would expect the assessor to understand how the premises operate or will operate, its design, and where it is located. The assessor will need to understand the local area and can use staff or area managers to assist in gaining an understanding of that local area. The assessor should also be suitably experienced in assessing gambling related risk and identification of appropriate controls.

C5.13 The authority expects that local risk assessments are kept on the individual premises and are available for inspection.

C5.14 It should be noted that this policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant to show how potential concerns can be overcome.

C5.15 This authority expects that local risk assessments and any supplementary information, such as plans, local statistical data, etc., would be presented to this authority as part of any application for a new or variation of a licence.

## **C6. Planning**

C6.1 The Commission's Guidance to Licensing Authorities states:  
(Para. 7.56) – "In determining applications the licensing authority has a duty to take into consideration all relevant matters and not to take into consideration any irrelevant matters, i.e. those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal".

C6.2 This authority will not take into account irrelevant matters as per the above guidance. In addition this authority notes the following excerpt from the Guidance:  
(Para. 7.63) – "When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control and building regulation powers, and not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building".

## **C7. Duplication with other regulatory regimes**

- C7.1 This licensing authority seeks to avoid any duplication with other statutory or regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise
- C7.2 When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

## **C8. Licensing objectives**

- C8.1 Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, we have considered the Commission's Guidance and have set out our policy in Part B.

## **C9. Conditions**

- C9.1 The Secretary of State has set mandatory and default conditions and the Commission has set Licence Conditions and Codes of Practice on Operator's Licences which are necessary for the general good conduct of gambling premises, therefore it is unlikely that the Council will need to impose individual conditions imposing a more restricted regime in relation to matters that have already been dealt with.
- C9.2 If the licensing authority is minded to impose conditions because there are regulatory concerns of an exceptional nature, then any additional licence conditions must relate to the licensing objectives.
- C9.3 Any conditions attached to licences will be proportionate and will be:
- Relevant to the need to make the proposed building suitable as a gambling facility;
  - Directly related to the premises and the type of licence applied for;
  - Fairly and reasonably related to the scale and type of premises; and
  - Reasonable in all other respects.
- C9.4 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas, etc. There are specific comments made in this regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to way in which the

licensing objectives can be met effectively.

C9.5 This licensing authority will also consider specific measures that may be required for buildings that are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Commission's Guidance.

C9.6 This authority will also consider whether additional safeguards are necessary in premises where category C or above machines are on offer and children are admitted. Each premise will be considered individually and additional safeguards may include:

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

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

C9.7 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Commission's Guidance, this licensing authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

C9.8 It is noted that there are conditions that the licensing authority cannot attach to premises licences, which are:

- Any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- Conditions relating to gaming machine categories, numbers, or method of operation;
- Conditions which provide that membership of a club or body be required (the Act specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and,
- Conditions in relation to stakes, fees, winning or prizes.

## **C10. Door Supervisors**

- C10.1 The Commission advises in its Guidance for licensing authorities that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require entrances to the premises are controlled by door supervisors in order to protect of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime. The licensing authority is entitled, under those circumstances, to impose a premises licence condition to this effect.
- C10.2 Where operators and licensing authorities decide that supervision of entrances/machines is appropriate for particular cases it will need to be decided whether these supervisors need to be SIA licensed or not. It will not be automatically assumed that they need to be, as the statutory requirements for different types of premises vary (as per Guidance, Part 33)

## **C11 Adult Gaming Centres**

- C11.1 An Adult Gaming Centre (AGC) is one of three types of amusement arcade. This type of arcade can provide higher pay-out gaming machines (Category B3 and B4) and access is restricted to persons who are aged 18 years or over.
- C11.2 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.
- C11.3 This licensing authority may consider measures to meet the licensing objectives such as:
- Proof of age schemes
  - CCTV
  - Supervision of entrances / machine areas
  - Physical separation of areas
  - Location of entry
  - Notices / signage
  - Specific opening hours
  - Self-exclusion schemes
  - Provision of information leaflets/helpline numbers for organisations such as GamCare.

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

## **C12. Licensed Family Entertainment Centres**

- C12.1 A Licensed family entertainment centre (LFEC) is the second type of amusement arcade. This type of arcade can provide the lowest two categories of gaming machine (category C and D). Children can enter an LFEC but they can only gamble on category D machines. All category C machines must be located in a separate area, which can only be accessed by persons who are aged 18 years or over.



C12.2 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.

C12.3 This licensing authority may consider measures to meet the licensing objectives such as:

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

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

C12.4 This licensing authority will, as per the 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.

### **C13. Casinos**

C13.1 The Act states that a casino is an arrangement whereby people are given the opportunity to participate in one or more casino games. Casino games are defined as a game of chance which is not equal chance gaming. This means that casino games offer the chance for multiple participants to take part in a game competing against the house or bank at different odds to their fellow players. Casinos can also provide equal chance gaming and gaming machines. Large and small casinos can also provide betting machines.

C13.2 This licensing authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should this licensing authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the Full Council.

### **C14. Bingo premises**

C14.1 A Bingo Hall is a place in which Bingo is played. There is no legal definition of Bingo but it is a game in which players mark off numbers on cards as the numbers are drawn randomly by the caller, the winner being the first person to mark off all the numbers on their card.

C14.2 The Commission's Guidance states at paragraph 18.5: "Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence." This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

C14.3 This authority notes the Guidance at paragraph 18.9 regarding the unusual circumstances in which the splitting of a pre-existing premises into two adjacent premises might be permitted, and in particular that it is not permissible to locate sixteen category B3 gaming machines in one of the resulting premises, as the gaming machine entitlement for that premises would be exceeded.

C14.4 The authority also notes the Guidance at paragraph 18.7 that children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.

### **C15. Betting premises**

C15.1 The Act contains a single class of licence for betting premises however within this single class there are different types of premises which require licensing such as high street bookmakers, bookmakers located in self-contained facilities at racecourses as well as the general betting premises licences that track operators will require.

C15.2 With regard to betting machines, Section 181 of the Act states:  
"A condition of a betting premises licence may relate to –  
a) the number of machines used on the premises for the purpose of making or accepting bets;  
b) the nature of those machines;  
c) the circumstances in which those machines are made available for use."

C15.3 When considering whether to impose a condition on a licence the council will take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines.

C15.4 Where certain measures are not already addressed by the mandatory and default conditions and the Commission's Codes of Practice or by the applicant, the council may consider licence conditions to address such issues.

### **C16. Gaming machines in gambling premises**

C16.1 The Social responsibility code provisions 9.1.1 and 9.1.2 deal with the provision of gaming machines in betting and bingo premises respectively.

C16.2 Both provisions state that:  
Gaming machines may be made available for use on licensed betting/bingo premises only where there are also substantive facilities for non-remote betting/bingo, provided in reliance on this licence, available at the premises.

C16.3 In both cases the provisions require:

- facilities for gambling must only be offered in a manner which provides for appropriate supervision of those facilities by staff at all times; and
- the license must ensure that the function along with the internal and/or external presentation of the premises are such that a customer can reasonably be expected to recognise that it is a premises licensed for the purpose of providing betting/bingo facilities.

## **C17. Tracks**

C17.1 There are no, or very few, opportunities for betting at tracks within the Borough. Only one premises licence can be issued for any particular premises at any time unless the premises is a 'track'. A track is a site where races or other sporting events take place.

C17.2 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Commission's Guidance, this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

C17.3 This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

C17.4 This licensing authority may consider measures to meet the licensing objectives such as:

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

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

C17.5 Gaming machines - Where the applicant holds a pool betting operating licence and is going to use his entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded. Children and young persons are not prohibited from playing category D gaming machines on a track.

- C17.6 Betting machines - This licensing authority will, as per Part 6 of the Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.
- C17.7 Applications and plans - The Act requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgment about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity.
- C17.8 Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations.
- C17.9 Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises.
- C17.10 In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined.
- C17.11 This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of betting facilities is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the "five times rule" (commonly known as betting rings) must be indicated on the plan.

## **C18. Travelling Fairs**

- C18.1 It will fall to this licensing authority to decide whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- C18.2 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.
- C18.3 It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to

ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

## **C19. Provisional Statements**

C19.1 Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

C19.2 Section 204 of the Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

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

C19.3 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

C19.4 In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

C19.5 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change in the applicant's circumstances.

C19.6 In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

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

the applicant before making a decision.

## **C20. Reviews**

C20.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the licensing authority to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is relevant to the matters listed below:

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

C20.2 The licensing authority will consider whether the request is frivolous, vexatious, or whether it will cause it to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

C20.3 The licensing authority can also initiate a review of a particular premises licence, or a particular class of premises licence based on any reason, which is considered appropriate.

C20.4 Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, which will publish notice of the application within 7 days of receipt.

C20.5 The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.

C20.6 The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:-

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

C20.7 In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

C20.8 In particular, the licensing authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a

speculative manner without intending to use them.

C20.9 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:

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

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## **PART D – PERMITS/TEMPORARY AND OCCASIONAL USE NOTICE**

### **D1. Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits - Schedule 10 paragraph 7)**

- D1.1 An unlicensed family entertainment centre (FEC) is the third type of amusement arcade. The category of machine in this type of arcade is restricted to the lowest category D and children can enter and gamble.
- D1.2 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).
- D1.3 The Act states that a licensing authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25. The Commission's Guidance for local authorities also states: "In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits....., licensing authorities will want to give weight to child protection issues." (24.8)
- D1.4 Guidance further states: "An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application. Licensing authorities might wish to consider asking applicants to demonstrate:
- A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
  - That the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and
  - That staff are trained to have a full understanding of the maximum stakes and prizes. (24.9)

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

### **D2. Statement of Principles – Permits on unlicensed FECs**

- D2.1 This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include:
- Appropriate measures/training for staff as regards suspected truant school children on the premises;
  - Measures/training covering how staff would deal with unsupervised very young



children being on the premises;

- Measures/training covering how staff would deal with children causing perceived problems on/around the premises.
- Demonstrate an awareness of local school holiday times and how to contact the local education office should truants be identified.

D2.2 This licensing authority will also expect, as per Commission Guidance, that applicants:

- Demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- Have no relevant convictions (those that are set out in Schedule 7 of the Act), and in addition that any management and staff who will be working at the unlicensed FEC have no relevant convictions; and
- Have staff that are trained to have a full understanding of the maximum stakes and prizes.

D2.3 Compliance with any relevant industry Code of Practice for FECs issued by BACTA or other trade associations may be taken by the licensing authority as evidence that (apart from the criteria relating to criminal convictions) the applicant has met the above.

D2.4 Applicants must submit with their application two copies of plans of the premises, to a scale of 1:100, showing the exits/entrances to the premises, location of gaming machines.

D2.5 The licensing authority may refuse an application for renewal of a permit only on the grounds that an authorised local authority officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with pursuit of the licensing objectives.

### **D3. (Alcohol) Licensed premises gaming machine permits - (Schedule 13 paragraph 4(1))**

D3.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority.

D3.2 The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- Provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- Gaming has taken place on the premises that breaches a condition of section 282 of the Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Commission about the location and operation of the machine has

been complied with);

- The premises are mainly used for gaming; or
- An offence under the Act has been committed on the premises.

D3.3 If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon: the licensing objectives; any guidance issued by the Commission issued under Section 25 of the Act, and any “such matters” considered relevant.

D3.4 This licensing authority considers that “such matters” will be decided on a case by case basis, but generally there will be regard to the need to protect children and vulnerable persons from harmed or being exploited by gambling. Stevenage Borough Council will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under-18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

D3.5 It is recognised that some alcohol-licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

D3.6 It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions other than these cannot be attached.

D3.7 Notifications and applications for any number of machines will be dealt with by licensing authority officers.

D3.8 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Commission about the location and operation of the machine.

#### **D4. Prize Gaming Permits - (Statement of Principles on Permits - Schedule 14 paragraph 8 (3))**

D4.1 The Act states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority proposes to consider in determining the suitability of the applicant for a permit”.

D4.2 This authority has not prepared a statement of principles. Should it decide to do so, details will be included in a revised version of the Statement.

D4.3 In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Commission guidance.

D4.4 It should be noted that there are conditions in the Act by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

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

## **D5. Club Gaming and Club Machine Permits**

D5.1 Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Machine Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations. A Club Machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).

D5.2 This licensing authority acknowledges the following guidance from the Commission:

"The Act states that members' clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is restricted to that of a prescribed kind (currently bridge and whist). Members' club must be permanent in nature, but there is no need for a club to have an alcohol licence." Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations.

D5.3 The Guidance goes on to state that "licensing authorities may only refuse an application on the grounds that:

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

e) An objection has been lodged by the Commission or the police.”

D5.4 There is also a ‘fast-track’ procedure available under the Act for premises that hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). As the Commission’s Guidance for local authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced." and "The grounds on which an application under the process may be refused are:

- a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

D5.5 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

## **D6. Temporary Use Notices**

D6.1 Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice, according to the Commission, would include hotels, conference centres and sporting venues.

D6.2 The licensing authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.

D6.3 The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

D6.4 There are a number of statutory limits as regards temporary use notices. Discussion of the meaning of "premises" can be found in Part 7 of the Commission’s Guidance to Licensing Authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. The Act defines "premises" as including "any place".

D6.5 In considering whether a place falls within the definition of "a set of premises", the Council will look at, amongst other things, the ownership/occupation and control of the premises.

D6.6 This licensing authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Commission's Guidance to Licensing Authorities.

**D7. Occasional Use Notices**

D7.1 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

**D8. Small Society Lotteries**

D8.1 This licensing authority will adopt a risk based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of the operator:

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

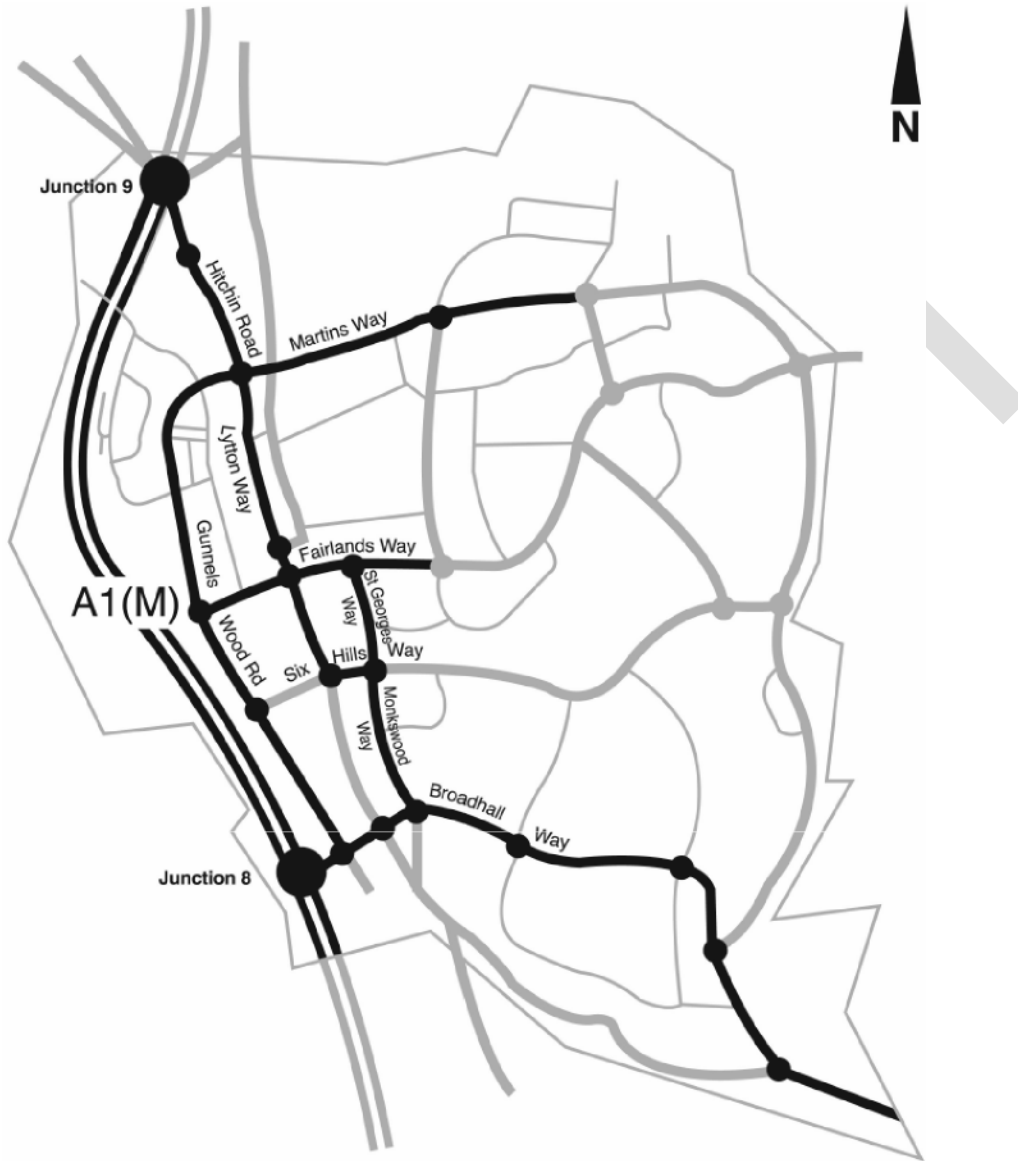
D8.2 Non-commercial gaming is permitted if it takes place at a non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

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

D8.3 Charities and community groups should contact this licensing authority on **01438 242724** to seek further advice.

# APPENDICES

## Appendix 1 – Map of Stevenage Borough Council area



## Appendix 2 – Consultees

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

- 1) The Chief Officer of Police.

The authority has therefore consulted:

- a) Hertfordshire Constabulary
- 2) One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area. The authority has therefore consulted:

- a) British Amusement Catering Trade Association
- b) British Casino Association
- c) British Association of Leisure Parks, Piers and Attractions Ltd
- d) Business in Sport and Leisure
- e) British Beer and Pub Association
- f) Association of British Bookmakers
- g) The Bingo Association
- h) National Casino Forum
- i) Ladbrokes Coral Group
- j) Mecca Bingo Ltd
- k) William Hill Organisation Ltd
- l) Paddy Power Betfair
- m) Betfred
- n) Admiral Casino
- o) Future Machines Ltd

- 3) One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005. The authority has therefore consulted:

- a) Gambling Commission
- b) Licensing Authority
- c) Planning and Development, Stevenage Borough Council
- d) Hertfordshire Fire and Rescue Service
- e) Environmental Health
- f) HM Revenues and Customs
- g) Local Safeguarding Children Board
- h) Community Safety/Development Stevenage Borough Council
- i) Stevenage Town Centre Manager
- j) Stevenage Community Safety Partnership
- k) Clubs with club premises certificates under the Licensing Act 2003
- l) Premises with licences permitting the sale of alcohol on the premises under the Licensing Act 2003
- m) Stevenage PubWatch
- n) Existing Gambling Permit holders

- o) Residents and local media
- p) East and North Herts NHS Trust
- q) North Herts Council for Voluntary Services
- r) Stevenage Citizen's Advice Bureau
- s) Stevenage Community Trust
- t) North Hertfordshire College
- u) Hertfordshire Chamber of Commerce
- v) GamCare

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### Appendix 3 – Responsible Authorities

Responsible Authority	Contact Details
Gambling Commission	Victoria Square House Victoria Square Birmingham B2 4BP Tel: 0121 230 6500 Fax: 0121 233 1096 <a href="http://www.gamblingcommission.gov.uk">www.gamblingcommission.gov.uk</a>
Licensing Authority	Licensing Team Stevenage Borough Council Daneshill House Danestrete Stevenage Herts. SG1 1HN Tel: 01438 242259 Fax: 01438 242142 <a href="http://www.stevenage.gov.uk">www.stevenage.gov.uk</a> <a href="mailto:licensing@stevenage.gov.uk">licensing@stevenage.gov.uk</a>
Hertfordshire Constabulary	Licensing Team Stevenage Police Station Lytton Way Stevenage HertsSG1 1HF Tel: 01438 757367 Fax: 01438 757373 <a href="mailto:LicensingEasternArea@herts.pnn.police.uk">LicensingEasternArea@herts.pnn.police.uk</a>
Hertfordshire Fire and Rescue Service	District Fire Safety Manager Community Fire Safety Dept Longfields Hitchin Road Stevenage Herts. SG1 4AE Tel: 01438 847352 <a href="mailto:licensingactnorth.fire@hertscc.gov.uk">licensingactnorth.fire@hertscc.gov.uk</a>
Planning	Development Control Manager Stevenage Borough Council Daneshill House Danestrete Stevenage Herts. SG1 1HN Tel: 01438 242838 <a href="mailto:plan.devcon@stevenage.gov.uk">plan.devcon@stevenage.gov.uk</a>
Environmental Health	Environmental Health Manager Stevenage Borough Council Daneshill House Danestrete Stevenage Herts. SG1 1HN Tel: 01438 242908 <a href="mailto:envhealth@stevenage.gov.uk">envhealth@stevenage.gov.uk</a>

Safeguarding Children Board	Angela Hickin, Safeguarding Manager      Tel: 01992 588285 Hertfordshire Safeguarding Children Board Room 173, County Hall Pegs Lane Hertford SG13 8DF
Customs & Excise	HM Revenue & Customs      Tel: 0161 827 0333 Excise and Stamp Taxes Gambling Duties Team 4W Ralli Quays Stanley Street Salford M60 9LA  <a href="http://www.hmrc.gov.uk">www.hmrc.gov.uk</a>

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## Appendix 4 – Categories of gaming machine

Summary of current gaming machine categories as updated January 2014

CATEGORY	MAXIMUM STAKE	MAXIMUM PRIZE
A	Unlimited	Unlimited
B1	£5	£10,000*
B2	£100	£500
B3A	£2	£500
B3	£21	£500
B4	£2	£400
C	£1	£100
D	30p non monetary prize (other than a crane grab Machine or coin pusher or penny falls machine)	£8
D	£1 non monetary prize (crane grab machine)	£50
D	10p (money prize other than a coin pusher or penny falls machine)	£5
D	10p (combined money and non-money prize other than a coin pusher or penny falls machine)	£8 (of which no more than £5 may be a money prize)
D	10p (combined money and non – money prize coin pusher or penny falls machine)	£20 (of which no more than £10 may be a money prize)

\* with the option of a maximum £20,000 linked progressive jackpot on a premises basis only

Premises type	Machine category						
	A	B1	B2	B3	B4	C	D
<b>Large casino</b> (machine/table ratio of 5-1 up to maximum)		Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)					
<b>Small casino</b> (machine/table ratio of 2-1 up to maximum)		Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)					
<b>Pre-2005 Act casino</b> (no machine/table ratio)		Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead					
<b>Betting premises and tracks occupied by pool betting</b>		Maximum of 4 machines categories B2 to D (except B3A machines)					
<b>Bingo premises</b>		Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4**			No limit on category C or D machines		
<b>Adult gaming centre</b>		Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4**			No limit on category C or D machines		
<b>Family entertainment centre</b> (with premises licence)					No limit on category C or D machines		
<b>Family entertainment centre</b> (with permit)					No limit on category D machines		
<b>Clubs or miners' welfare institute</b> (with permits)		Maximum of 3 machines in categories B3A or B4 to D*					
<b>Qualifying alcohol-licensed premises</b>		1 or 2 machines of category C or D automatic upon notification					
<b>Qualifying alcohol-licensed premises</b> (with gaming machine permit)	Number of category C-D machines as specified on permit						

<b>Travelling fair</b>						No limit on category D machines
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\* It should be noted that members' clubs and miners' welfare institutes are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement. Commercial clubs are entitled to a total of three machines in categories B4 to D.

\*\* Adult gaming centre and bingo premises are entitled to make available a number of Category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises. Premises in existence before 13 July 2011 are entitled to make available four (adult gaming centre premises) or eight (bingo premises) category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Adult gaming centre premises and bingo premises licences granted on or after 13 July 2011 but before 1 April 2014 are entitled to a maximum of four or eight category B gaming machines or 20% of the total number of gaming machines, whichever is the greater; from 1 April 2014 these premises will be entitled to 20% of the total number of gaming machines only [not B3A machines].

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## Appendix 5 – Delegations

The licensing authority will delegate its functions under the Gambling Act 2005 as follows:

Matter to be dealt with	Full Council	Licensing Committee	Officers
Final Approval of 3 year Gambling Statement of Principles	X		
Policy not to permit Casinos	X		
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/ have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/ have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/ have been withdrawn
Review of a premises licence		X	
Application for club gaming/club machine permits		Where objections have been made (and not withdrawn)	Where no objections made/ have been withdrawn
Cancellation of club gaming/club machine permits		X	
Applications for other permits			X
Application for permits in alcohol licensed premises (for any number of machines)			X
Cancellation of licensed premises gaming machine permits			X

<b>Matter to be dealt with</b>	<b>Full Council</b>	<b>Licensing Committee</b>	<b>Officers</b>
Consideration of temporary use notice			<b>X</b>
Decision to give a counter notice to a temporary use notice			<b>X</b>
Determination as to whether a representation is relevant.			<b>X</b>
Fee Setting (within bands)			<b>X</b>
Small society lottery registration			<b>X</b>

## Appendix 6 – Glossary of Terms

<b>Term</b>	<b>Definition</b>
Act	Gambling Act 2005
Adult Gaming Centres	Commercial premises offering a variety of games and gaming machines. Category B, C and D gaming machines available.
Betting Premises	Currently known as a betting office
Bingo Premises	A commercial club which promotes equal chance gaming in the form of cash or prize bingo.
Casino	A commercial gaming club whereby people are given an opportunity to participate in one or more casino games. Casino games are defined as a game of chance which is not equal chance gaming.
Club gaming permits	Members club (not commercial clubs) permits which authorise the establishment to provide gaming machines, equal chance gaming and games of chance.
Code of Practice	Any code of practice under section 24 of the Gambling Act 2005
Default condition	A specified condition provided by regulations to be attached to a licence, unless excluded by Stevenage Borough Council
Family entertainment centres (FEC)	A centre with a variety of rides and games including amusement machines and skills games. Licensed FECs provide category C and D machines. Unlicensed FECs provide category D machines only, and are regulated through FEC gaming machine permits.
Gaming Machine	A game of chance machine which requires coins or tokens to be activated
Interested Party	Defined by the Act as a person who: <ul style="list-style-type: none"> <li>1) Lives sufficiently close to the premises to be likely to be affected by the authorised activities;</li> <li>2) Has business interests that might be affected by the authorised activities;</li> <li>3) Represents persons who satisfy a) or b) above</li> </ul>
Licensing Authority	Stevenage Borough Council
Licensing Committee	This term shall include any duly constituted Licensing Sub-Committee.
Licensing objectives	There are 3 licensing objectives defined in the Gambling Act as: <ul style="list-style-type: none"> <li>1) Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.</li> <li>2) Ensuring that gambling is conducted in a fair and open way</li> <li>3) Protecting children and other vulnerable persons from being harmed or exploited by gambling</li> </ul>
Mandatory Condition	A specified condition provided by regulations to be attached to the license



Premises	Any place
Prize gaming permits	A permit issued to authorise the provision of facilities for gaming with prizes
Regulations	Regulations made under the Gambling Act 2005
Responsible Authority	Defined by the Act as:  1) Licensing Authority 2) Gambling Commission 3) Police 4) Fire Service 5) Planning 6) Environmental Health 7) Child Protection Committee 8) HM Revenue and Customs
Small Society Lottery	A lottery promoted on behalf of a non-commercial society that is registered by the licensing Authority
Temporary Use Notices	These allow use of a premises for gambling where there is no premises licence, but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling
Tracks	Tracks are sites that include horse racecourses and dog tracks
Travelling Fair	A fair consisting wholly or principally of the provision of amusements, provided by people who travel from place to place providing fairs AND in a place which has been used for no more than 27 days in that calendar year
Vulnerable persons	This group includes people who gamble more than they want to; people who gambling 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.

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## Brief Equality Impact Assessment For a minor operational change / review / simple analysis

What is being assessed?	<b>Revised Gambling Statement of Principles</b>	What are the key aims of it?	To provide information and guidance on the general approach that the Council will take to licensing. The Statement does not prevent anyone from making an application, and each application will be considered on its individual merits.			
Who may be affected by it?	All residents and businesses within Stevenage, and gambling premises in particular.					
Date of full EqIA on service area (planned or completed)	15/11/10					
Form completed by:	Maurice Clay	Start date	20/06/19	End date	20/06/19	
		Review date		December 2021		

What data / information are you using to inform your assessment?	Information provided by the Gambling Commission and feedback from the local consultation on the revised Statement	Have any information gaps been identified along the way? If so, please specify	Detailed local data is not available at present but will be collated in the course of compiling a local area profile during the lifetime of the policy (3 years).
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Explain the <b>potential positive, negative or unequal impact</b> on the following characteristics and <b>how likely</b> this is:			
Age	Positive - The Gambling Act has as an objective the protection of children and vulnerable groups from being harmed. This could, if taken to extremes, lead to the	Race	No differential impact

	<p>exclusion of certain groups from gambling activities of any kind without good reasons.</p> <p>By considering each application on its merits, and taking into account the views of all concerned including those of the listed Responsible Authorities, we seek to minimise such restrictions through the use of appropriate conditions where possible and only in extreme cases by exclusion or refusal of applications.</p>		
Disability	No differential impact	Religion or belief	No differential impact
Gender reassignment	No differential impact	Sex	No differential impact
Marriage or civil partnership	No differential impact	Sexual orientation	No differential impact
Pregnancy & maternity	No differential impact	Socio-economic <sup>1</sup>	The statement is intended to aid with local decision making in conjunction with the Gambling Act 2005 and the Gambling Commission's guidance to licensing authorities.
Other	The Statement supports a culture of openness where appropriate information can		

<sup>1</sup>Although non-statutory, the council has chosen to implement the Socio-Economic Duty and so decision-makers should use their discretion to consider the impact on people with a socio-economic disadvantage.

	<p>be accessed by all parties. Licensing Committee hearings, when required, will generally be held in public and any enforcement will be in line with the principles promoted within the Regulators' Code. Partnership working and exchange of information (within legal constraints) is also supported with a view to promoting better understanding between those providing gambling opportunities and those potentially affected by them. The Council will seek to mediate between applicants and objectors and reach negotiated settlements wherever possible.</p>	
--	--	--

Where there is a likely <b>positive impact</b> , please explain how it will help to <b>fulfil our legislative duties</b> to:					
Remove discrimination & harassment	N/A	Promote equal opportunities	N/A	Encourage good relations	Promotion of better understanding between those providing gambling opportunities and those potentially affected by them.

**What further work / activity is needed as a result of this assessment?**

Action	Responsible officer	How will this be delivered and monitored?	Deadline
None			



**Approved by Assistant Director/ Strategic Director:**  
**Date: 26/06/19**

Please send this EqIA to [equalities@stevenage.gov.uk](mailto:equalities@stevenage.gov.uk)

## STEVENAGE BOROUGH COUNCIL

### AUDIT COMMITTEE MINUTES

Date: Tuesday, 19 March 2019

Time: 6.00pm

Place: Shimkent Room, Daneshill House, Danestrete

**Present:** Councillors: Maureen McKay (Chair), John Gardner (Vice-Chair), Howard Burrell, Laurie Chester, Graham Lawrence, John Lloyd and Graham Snell.  
Mr Geoff Gibbs (Independent Member).

**Also Present:** Simon Martin (Shared Internal Audit Services)  
Nick Jennings (Shared Anti-Fraud Services)

**Start / End** Start Time: 6.00pm  
**Time:** End Time: 7.20pm

#### 1 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillor David Cullen.

There were no declarations of interest.

#### 2 **MINUTES - 4 FEBRUARY 2019**

It was **RESOLVED** that the Minutes of the Audit Committee meeting held on 4 February 2019 be approved as a correct record and signed by the Chair.

#### 3 **SHARED ANTI-FRAUD SERVICE - ANTI-FRAUD PLAN 2019/20**

The Committee considered a report in respect of the Shared Anti-Fraud Service (SAFS) – Anti-Fraud Plan 2019/20.

The SAFS Manager commented that, as well as the Anti-Fraud Plan 2019/20, the Local Government Association Councillors Workbook on Fraud and Bribery were appended to the report.

The SAFS Manager advised that the Anti-Fraud Plan provided some national context with regard to fraud issues; the SAFS arrangements for 2019/20; the SAFS budget (setting out a 2% increase in fees for 2019/20); staffing levels; and standards of service. He also referred to the SAFS Action Plan, designed to meet the CIPFA Principles set out in the Local Government Counter Fraud and Corruption Strategy (2016-2019), and the Key Performance Indicators for 2019/20.

In response to Members' questions, the Shared Anti-Fraud Service Manager commented as follows:

- the staffing levels of the Service had increased following Luton Borough Council joining the partnership in 2017 – this had provided greater flexibility in the deployment of staff to support all of the partner authorities;
- National level of fraud – there were figures to support a level of known fraud, but the various figures produced by various institutions, such as CIPFA or the National Audit Office, also included estimated risks of unknown fraud;
- New activities to be undertaken by SAFS in 2019/20 included enhanced anti-fraud work on procurement matters; Right to Buy housing fraud (money laundering etc.); and joint work with the Cabinet Office on a new national fraud initiative;
- The £2,000 increase in fees payable by SBC to SAFS for 2019/20 had been the first such increase since the partnership was established in 2015 (increased costs in previous years had been absorbed by SAFS);
- SBC’s contribution towards the Herts Fraud Hub would be £4,000, although it was hoped that this would be recouped over time through improved and swifter data sharing methods to assist in the prevention/detection of fraud;
- The new 2019/20 Key Performance Indicator (KPI) target relating to the number of social homes secured from sub-letting or other unlawful tenancy breaches had been set at 12 for the year, as these cases were often complex and took time to resolve. However, it was hoped that this target would be exceeded; and
- The “other” types of fraud set out in the Annual Fraud Indicator (AFI) statistics 2017 of the cost of fraud to the UK economy, included Business Rates fraud, Insurance fraud, etc.

The SAFS Anti-Fraud Manager undertook to provide Members of the Committee with the full CIPFA Counter Fraud and Corruption Tracker report, which was an annual survey of fraud activity in councils and measured detection rates across local government and across different types of fraud.

It was **RESOLVED**:

1. That the SAFS / SBC Anti-Fraud Plan 2019/20, as attached at Appendix B to the report, be approved.
2. That the Local Government Association Councillors Workbook on Fraud and Bribery Prevention 2017 be noted.

#### 4 **CORPORATE GOVERNANCE ARRANGEMENTS**

The Committee considered a report in respect of activity carried out in 2018/19 to strengthen the Council’s corporate governance arrangements (set out in Appendix A to the report), and corporate governance enhancement activity identified for delivery in 2019/20 to be reflected in the Council’s 2018/19 Annual Governance Statement (set out in Appendix B to the report).

The Senior Performance and Resilience Officer advised that the one new corporate governance activity programmed for delivery in 2019/20 related to the governance framework and business plan for the CCTV Partnership.

Officers responded to the following questions raised by Members:



- Annual Governance Statement (AGS) 2017/18 Action 3 – new arrangements for the delivery of repairs and voids had resulted in improvements to service delivery during Quarter 3 of the 2018/19 financial year;
- AGS 2017/18 Action 4 – the majority of the Fourth Tier Management reviews had been completed. Reviews for the Housing & investment Team (Tiers 6 and 7) and Stevenage Direct Services (Tiers 4 and below) were scheduled for commencement during Quarter 1 of 2019/20;
- AGS 2017/18 Action 5 – a draft ICT Strategy (including investment proposals) and roadmap was being developed to enhance improvement activity throughout 2019/20;
- AGS 2018/19 Action 1 – the Assistant Director (Corporate Services & Transformation) undertook to provide Members of the Committee with further detail as to the resourcing of the Aids & Adaptations Policy, and the review of the ability and financial viability to take on sub-contracted works in-house;
- AGS 2018/19 Action 7 – the SIAS Client Audit Manager confirmed that the governance framework and business plan for the CCTV Partnership was due to be reviewed at the meeting of the Joint CCTV Partnership Committee at its meeting to be held on 10 April 2019; and
- SBC’s Corporate Governance Group was chaired by the Assistant Director (Finance & Estates), with the Assistant Director (Corporate Services & Transformation) as Vice-Chair, and comprised other senior officers, as well as the SIAS Client Audit Manager.

It was **RESOLVED**:

1. That progress on significant corporate governance enhancement activity during 2018/19 be noted.
2. That corporate governance enhancement activity identified for 2019/20, for inclusion in the Council’s 2018/19 Annual Governance Statement, be noted.

## 5 **SHARED INTERNAL AUDIT SERVICES - PROGRESS REPORT 2018/19**

The Committee considered a report in respect of the Shared Internal Audit Service (SIAS) 2018/19 progress report for the period to 1 March 2019.

The SIAS Client Audit Manager advised that SIAS was on track to deliver the Audit Plan and meet its associated Performance Indicators. 98% of planned audit days had been delivered, and 93% of planned projects were at draft or final report stage – the others would be completed by 31 March 2019. The audits of Payroll and Housing Rents had both been finalised since the report had been drafted, both with an assurance level of “Good”.

The SIAS Client Audit Manager explained that, due to officer capacity issues, the planned audits relating to Land Charges and the Homelessness Reduction Act had been deferred to 2019/20.

In reply to Members’ queries, the SIAS Client Audit Manager commented:

- As referred to earlier in the meeting, the High Priority Recommendations relating to the CCTV Partnership were scheduled to be addressed by the Joint CCTV Partnership Committee at its meeting to be held on 10 April 2019;
- The Client Satisfaction Performance Indicator had met the 100% target, although it was noted that only 11 of 29 questionnaires had been completed and returned to SIAS, despite regular reminders. The Assistant Director (Corporate Services & Transformation) undertook to raise this issue with Senior Leadership Team colleagues; and
- Joint Reviews – only 2 out of 4 billable audit days had been delivered during 2018/19 (relating to the CCTV Partnership review). There had been no appetite during the year for any further Joint Review audit work.

It was **RESOLVED:**

1. That the Internal Audit progress report 2018/19 be noted.
2. That the amendments to the Internal Audit Plan, as at 1 March 2019, be approved.
3. That the status of Critical and High Priority Recommendations be noted.

## 6 **SHARED INTERNAL AUDIT SERVICE - INTERNAL AUDIT PLAN 2019/20**

The Committee considered a report which set out the proposed Shared Internal Audit Service (SIAS) Internal Audit Plan for 2019/20.

The SIAS Client Audit Manager advised that, in order to comply with the requirements of the Public Sector Internal Audit Standards (PSIAS), SIAS had continued with a methodology for all SIAS partners. The proposed 2019/20 Plan had been supported by the Council's Strategic Leadership Team.

The SIAS Client Audit Manager stated that the Council had purchased 350 audit days for 2019/20, as set out in Paragraph 2.8 of the report. Appendix A to the report set out the proposed outline scopes of each of the planned 2019/20 audits. Regular reports on progress against the Plan would continue to be submitted to the Committee throughout 2019/20.

In response to a question about the Hertfordshire Home Improvement Agency (HHIA) audit, the SIAS Client Audit Manager explained that the 2018/19 audit had received a "Limited" assurance opinion (at draft report stage). Once finalised, the audit report would be submitted to the Committee.

A number of Members reported communication problems when dealing with HHIA-related enquiries from residents, in respect of the taking of responsibility to deal with issues between officers of Hertfordshire County Council and SBC. The Assistant Director (Corporate Services & Transformation) undertook to provide clarity between the respective responsibilities of HCC and SBC under the HHIA Agreement, and circulate this to Members of the Committee.

The Client Audit Manager was requested to give consideration to a possible amendment to the Client Satisfaction Performance Indicator included in the Audit Plan, so that the target was for 100% of survey questionnaires to be returned, with a satisfaction rate of 95%.

It was **RESOLVED** that the proposed Stevenage Borough Council Internal Audit Plan for 2019/20, as attached at Appendix A to the report, be approved.

7 **URGENT PART 1 BUSINESS**

None.

8 **EXCLUSION OF PUBLIC AND PRESS**

It was **RESOLVED** that:

1. Under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as described in paragraphs 1-7 of Part 1 of Schedule 12A of the Act as amended by Local Government (Access to information) (Variation) Order 2006.
2. Members considered the reasons for the following reports being in Part II and determined that the exemption from disclosure of the information contained therein outweighed the public interest in disclosure.

9 **STRATEGIC RISK REGISTER**

The Committee considered the Council's latest Strategy Risk Register.

Members asked a number of detailed questions about the report which were answered by officers.

It was **RESOLVED**:

1. That the latest Strategic Risk Register (set out in Appendices A1 – A3 to the report) be noted.
2. That developments on risk management issues be noted.

10 **URGENT PART II BUSINESS**

None.

**CHAIR**

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# STEVENAGE BOROUGH COUNCIL

## AUDIT COMMITTEE MINUTES

**Date: Tuesday, 11 June 2019**

**Time: 6.00pm**

**Place: Shimkent Room, Daneshill House, Danestrete**

**Present:** Councillors: Maureen McKay (Chair), John Gardner (Vice-Chair), Sandra Barr, Stephen Booth, Laurie Chester, David Cullen, Lizzy Kelly and Graham Lawrence  
Independent Member: Mr Geoff Gibbs

**Also present:** Neil Harris (Ernst and Young)  
Nick Jennings (Shared Anti-Fraud Services)  
Simon Martin (Shared Internal Audit Services)

**Start / End** Start Time: 6.00pm  
**Time:** End Time: 7.51pm

### 1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

There were no apologies for absence.

There were no declarations on interest.

### 2 ELECTION OF VICE-CHAIR

It was **RESOLVED** that Councillor John Gardner be elected as Vice-Chair of the Committee for the 2019/20 Municipal Year.

### 3 MINUTES - 19 MARCH 2019

It was **RESOLVED** that the Minutes of the Audit Committee meeting held on 19 March 2019 be approved as a correct record and signed by the Chair.

### 4 TERMS OF REFERENCE

It was **RESOLVED** that the Terms of Reference for the Committee, as approved at the Annual Council Meeting held on 22 May 2019, be noted.

### 5 ACCOUNTS AND AUDIT TIMELINE 2018/19

The Committee considered a report submitted by Ernst and Young regarding the Accounts and Audit timeline for 2018/19.

Neil Harris, Ernst and Young, advised that they were experiencing staff turnover and challenges in recruiting new staff, which had affected the audit timetable. To ensure

that the Council received the best quality audit, it was proposed that the audit would now take place during August and September 2019.

The Committee was informed that Ernst and Young had explained their decision to Public Sector Audit Appointments, and had provided them with a reassurance that they would make every effort to minimise inconvenience to clients and to complete rescheduled audits as soon as possible after 31 July 2019.

Neil Harris commented that, whilst Ernst and Young always strived to provide excellent client service, his first priority must be to safeguard the quality of the audits provided in order to avoid putting professional standards at risk. He apologised for the inconvenience that the rescheduling of the audit may cause the Council.

In debating the fact that Ernst and Young had revised the timetable for the 2018/19 Accounts and Audit, with completion during September 2019 rather than by 31 July 2019, the Associate Partner (Ernst and Young) and the Assistant Director (Finance and Estates) replied to a series of Members' questions and comments as follows:

- Ernst and Young would be “front loading” as much audit work as possible during end of July/early August, so as not to run too close to the September 2019 Committee deadline for completion of the work;
- The Council would still be able to publish its Accounts by the end of July 2019 (albeit with no audit opinion);
- There was a strategic risk to the Council, although experience had shown that audits generally raised valuation issues rather than income/expenditure issues; there was potentially more risk in terms of SBC staffing/resourcing resilience in support of the audit;
- The Ernst and Young audit team was now in place to deliver the audit by the September 2019 deadline, and a Project Plan was to be submitted to the Assistant Director (Finance and Estates); and
- There was a discussion on the sustainability and future challenges facing public sector audit; the Assistant Director (Finance and Estates) would reflect the Council's views in her representation to the Society of Local Authority Treasurers, and it was confirmed that Ernst and Young were engaging proactively in the future reviews into the audit market.

It was **RESOLVED** that the revised Accounts and Audit Timetable for 2018/19, as set out in the letter from Ernst and Young dated 26 April 2019, be noted.

## 6 ANNUAL AUDIT FEE LETTER 2019/20

The Committee received the Annual Audit Fee Letter for 2019/20.

Neil Harris, Ernst and Young, advised that Public Sector Audit Appointments (PSAA) had set the indicative audit fees for 2019/20. The scale fee would be £49,283 (unchanged from 2018/19), to be billed in four quarterly instalments.

In response to a Member's question regarding potential additional audit fees for work associated with items such as group accounts or a review of the Queensway Scheme, the Assistant Director (Finance and Estates) advised that she would be

writing to Public Sector Audit Appointments (PSAA) seeking clarification of precisely what audit work was included in the Annual Audit Fee.

For the specific benefit of new Members of the Committee, the Assistant Director (Finance and Estates) undertook to provide them with a glossary of relevant acronyms and their definitions.

It was **RESOLVED** that the Annual Audit Fee Letter for 2019/20 from Ernst and Young dated 29 April 2019 be noted.

## **7 2018/19 ANNUAL FRAUD REPORT AND PROGRESS WITH DELIVERY OF 2019/20 ANTI-FRAUD PLAN**

The Committee considered the Shared Anti-Fraud Service (SAFS) 2018/19 Annual Fraud report and progress with delivery of the 2019/20 Anti-Fraud Plan.

The Shared Anti-Fraud Manager tabled and explained a set of comparison statistics for various activities carried out by SAFS since 2015/16.

The Shared Anti-Fraud Manager stated that, in 2018/19, SAFS had deployed 1 member of staff to work exclusively for the Council, providing management and direction for the Council's own Tenancy Fraud Investigator. These officers were supported by the SAFS Intelligence Team.

The Shared Anti-Fraud Manager referred to the SAFS Key Performance Indicators for 2018/19 set out in the report and commented that he was content with performance against these indicators. During 2018/19 SAFS had received 162 allegations of fraud, primarily related to Housing Benefits and Council Tax related cases.

In terms of progress with the 2019/20 Anti-Fraud Action Plan, the Committee was informed that 66 live cases were carried forward from 2018/19. Attention was drawn to data required to be published as part of the Ministry of Housing, Communities and Local Government's Transparency Code, as set out in Paragraph 4.3 of the report.

In response to a series of questions, the Shared Anti-Fraud Manager responded as follows:

- In relation to Key Performance Indicator 2 (Identified value of fraud), this target was based on the history and experience of previous years, together with comparative information with work carried out for other Councils in the partnership;
- The management information for 2019/20 was not as detailed as would normally be the case, primarily due to a change in software supplier. However, this situation would be resolved by the end of June 2019, and so the next SAFS progress report would provide the level of detail required;
- Publicity on successful prosecutions was provided to the local Press and published on the Council's website. The SAFS Manager undertook to include details of how many prosecutions were reported in the local Press as part of his next and future progress reports.

It was **RESOLVED**:

1. That the activity undertaken by the Shared Anti-Fraud Service to deliver the 2018/19 Anti-Fraud Plan for the Council, as set out in the report, be noted.
2. That the other anti-fraud activity undertaken to protect the Council, as set out in the report, be noted.
3. That the progress of the Shared Anti-Fraud Service on delivering the 2019/20 Anti-Fraud Plan, as set out in the report, be noted.

## **8 AUDIT PLAN 2019/20 - PROGRESS REPORT**

The Committee considered a progress report on the Shared Internal Audit Service (SIAS) Audit Plan 2019/20 for the period to 17 May 2019.

The SIAS Client Audit Manager referred to the summarised position of the 2019/20 audits, as set out in Paragraph 2.3 of the report.

In terms of the High Priority Recommendations, the SIAS Client Audit Manager that feedback on the CCTV recommendations would be provided at the next Committee meeting; the Cyber Security recommendations were being worked on, with a view to plans being in place in the near future; and new recommendations had been added in relation to Community Safety, TSS Improvement Plan and ICT Incident Management.

It was **RESOLVED**:

1. That the Internal Audit progress report be noted.
2. That the status of Critical and High Priority Audit Recommendations be noted.

## **9 ANNUAL ASSURANCE STATEMENT AND INTERNAL AUDIT ANNUAL REPORT 2018/19**

The Committee considered a report detailing the Shared Internal Audit Service's (SIAS) overall opinion on the adequacy and effectiveness of the Council's control environment; self-assessment against the Public Sector Internal Audit Standards (PSIAS); performance against delivering the Council's Audit Plan; and the Audit Charter 2019/20.

In terms of the overall opinion for 2018/19, the SIAS Client Manager advised that Good Assurance had been achieved for the Council's Financial Systems and that Satisfactory Assurance had been achieved for the Council's Non-Financial Systems. He added that the SIAS Head of Assurance had confirmed that no matters had threatened SIAS's independence during the year, and SIAS had not been subject to any inappropriate scope or resource limitations.



The SIAS Client Audit Manager referred to Section 3 of the report, which provided an overview of Internal Audit activity at the Council in 2018/19, and Section 4 which outlined the performance of SIAS in 2018/19. It was noted that the 2019/20 Audit Charter, attached as Appendix D to the report, was unchanged from the 2018/19 version.

The Assistant Director (Finance and Estates) confirmed that the scope and resources for internal audit were not subject to any inappropriate limitations in 2018/19.

It was **RESOLVED**:

1. That the Annual Assurance Statement and Internal Audit Report be noted.
2. That the results of the self-assessment required by the Public Sector Internal Standards (PSIAS) and the Quality Assurance and Improvement Programme (QAIP) be noted.
3. That the SIAS Audit Charter 2019/20 be accepted.
4. That management assurance be given that the scope and resources for internal audit were not subject to inappropriate limitations in 2018/19.

## **10 ANNUAL GOVERNANCE STATEMENT 2018/19**

The Committee considered a report regarding the content of the Council's Annual Governance Statement (AGS), following the review of the effectiveness of the Council's system of internal control and governance arrangements.

The Committee noted progress against the 2018/19 AGS, as well as planned improvement activity for 2019/20. The Framework for compiling the AGS was set out in Appendix 2 to the report; evidences and processes in Appendix 3; and Business Unit level Assurance Statements in Appendix 4. The Corporate Governance Group met quarterly to monitor progress against the actions contained in the AGS.

In reply to a Members' comment, Officers confirmed that the questions posed to Assistant Directors as part of the process in developing the Annual Governance Statement (in accordance with the CIPFA/SOLACE Framework) were challenging and robust.

It was **RESOLVED** that the Council's Annual Governance Statement 2018/19, as attached at Appendix One to the report, be recommended for approval by the Statement of Accounts Committee.

## **11 URGENT PART 1 BUSINESS**

None.

## **12 EXCLUSION OF PUBLIC AND PRESS**

It was **RESOLVED** that:

1. Under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as described in paragraphs 1-7 of Part 1 of Schedule 12A of the Act as amended by Local Government (Access to information) (Variation) Order 2006.
2. Members considered the reasons for the following reports being in Part II and determined that the exemption from disclosure of the information contained therein outweighed the public interest in disclosure.

## **13 STRATEGIC RISK REGISTER**

The Committee considered a Part II report in respect of the latest Strategic Risk Register for the Council and developments on risk management issues.

The Interim Strategic Director answered a number Members' questions regarding ICT issues.

It was **RESOLVED**:

1. That the latest Strategic Risk Register (set out in Appendices A1 – A3 to the report) be noted.
2. That developments on risk management issues be noted.

## **14 URGENT PART II BUSINESS**

None.

## **15 PART II MINUTES - AUDIT COMMITTEE - 19 MARCH 2019**

It was **RESOLVED** that the Part II Minutes of the Audit Committee meeting held on 19 March 2019 be approved as a correct record and signed by the Chair.

## **CHAIR**

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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