



Oversight and Governance

Chief Executive's Department
Plymouth City Council
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CITY COUNCIL

Monday 19 November 2018

2.20 pm

Council House, Plymouth

Members:

Councillor Sam Davey, Chair

Councillor Mavin, Vice Chair

Councillors Mrs Aspinall, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Mrs Bridgeman, Buchan, Carson, Churchill, Coker, Cook, Corvid, Dann, Darcy, Deacon, Derrick, Downie, Drean, Evans OBE, Fletcher, K Foster, Goslin, Haydon, Hendy, James, Mrs Johnson, Jordan, Kelly, Laing, Michael Leaves, Samantha Leaves, Loveridge, Lowry, Dr Mahony, McDonald, Morris, Murphy, Neil, Nicholson, Parker-Delaz-Ajete, Penberthy, Mrs Pengelly, Rennie, Singh, P Smith, R Smith, Stevens, Jon Taylor, Kate Taylor, Tuffin, Tuohy, Vincent, Wheeler, Wiggins and Winter.

Members are invited to attend the above meeting to consider the items of business overleaf.

This meeting will be webcast and available on-line after the meeting. By entering the Council Chamber, councillors are consenting to being filmed during the meeting and to the use of the recording for the webcast.

The Council is a data controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with authority's published policy.

For further information on attending Council meetings and how to engage in the democratic process please follow this link - [Get Involved](#)

Tracey Lee

Chief Executive

City Council

Agenda

1. Apologies

To receive apologies for absence submitted by councillors.

2. Minutes

(Pages 1 - 14)

To approve and sign the minutes of the meeting held on 17 September 2018 as a correct record.

3. Declarations of Interest

(Pages 15 - 16)

Members will be asked to declare interests in respect of items on the agenda.

4. Appointments to Committees, Outside Bodies etc

The Acting Monitoring Officer will report on vacancies on committees, outside bodies etc and of changes notified to us for Council to note.

5. Announcements

(a) To receive announcements from the Lord Mayor, Chief Executive, Assistant Director for Finance or Acting Monitoring Officer;

(b) To receive announcements from the Leader, Cabinet Members or Committee Chairs.

6. Questions by the Public

To receive questions from and provide answers to the public in relation to matters which are about something the council is responsible for or something that directly affects people in the city, in accordance with Part B, paragraph 11 of the Constitution.

Questions, of no longer than 50 words, can be submitted to the Democratic Support Unit, Plymouth City Council, Ballard House, West Hoe Road, Plymouth, PL1 3BJ, or email to democraticsupport@plymouth.gov.uk. Any questions must be received at least five complete working days before the meeting.

7. Medium Term Financial Strategy

(Pages 17 - 66)

The City Council will be asked to approve the Medium Term Financial Strategy.

8. Capital & Revenue Monitoring Report 2018/19 - Quarter 2 (To Follow)

The City Council are asked to approve the recommendations within the report, following consideration at Cabinet on the 13 November 2018.

9. Gambling Act 2005 - Statement of Licensing Policy (Pages 67 - 126)

That the City Council will be asked to adopt the Gambling Act Statement of Licensing Policy contained in Appendix A with effect from 31 January 2019.

10. Licensing Act 2003 - Statement of Licensing Policy (To Follow)

The City Council will be asked to adopt the Licensing Statement of Policy with effect from 31 March 2019, following consideration at Cabinet on the 13 November 2018.

11. Audit and Governance Committee Recommendations (Pages 127 - 132)

The City Council will be asked to approve the recommendations in the report.

12. Organisational Design (Pages 133 - 146)

The City Council will be asked to approve the recommendations in the report.

13. Council Meeting Dates 2019 / 2020 (Pages 147 - 148)

The City Council will be asked to note the dates of Full Council meetings in 2019 / 2020.

14. Motions on notice

To consider motions from councillors in accordance with Part B, paragraph 14 of the Constitution.

15. Questions by Councillors

Questions to the Leader, Cabinet Members and Committee Chairs covering aspects for their areas of responsibility or concern by councillors in accordance with Part B, paragraph 12 of the constitution.

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City Council

Monday 17 September 2018

PRESENT:

Councillor Sam Davey, in the Chair.

Councillor Mavin, Vice Chair.

Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Mrs Bridgeman, Buchan, Carson, Churchill, Coker, Cook, Corvid, Dann, Deacon, Derrick, Downie, Drear, Evans OBE, Fletcher, Goslin, Haydon, Hendy, James, Mrs Johnson, Jordan, Kelly, Laing, Michael Leaves, Samantha Leaves, Loveridge, Lowry, Dr Mahony, McDonald, Morris, Murphy, Neil, Nicholson, Parker-Delaz-Ajete, Penberthy, Mrs Pengelly, Rennie, Singh, P Smith, R Smith, Stevens, Jon Taylor, Tuffin, Tuohy, Vincent, Wheeler, Wiggins and Winter.

Apologies for absence: Councillors Mrs Aspinall, Darcy, K Foster and Kate Taylor

The meeting started at 2pm and finished at 7.45pm.

Note: The full discussion can be viewed on the webcast of the City Council meeting at www.plymouth.gov.uk. At a future meeting, the Council will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

22. **Minutes**

Agreed the minutes of the meeting held on the 25 June 2018.

23. **Declarations of Interest**

The following declarations of interest were made by councillors in accordance with the code of conduct in respect of items under consideration at the meeting -

Name	Minute Number	Reason	Interest
Cllr Mrs Pengelly	39	Plymouth Argyle Season Ticket Holder	Personal
Cllr Mrs Bowyer	39	Son is a Plymouth Argyle Season Ticket Holder.	Personal
Cllr Bowyer	39	Son is a Plymouth Argyle Season Ticket Holder.	Personal
Cllr Carson	37	Son attended youth events	Personal
Cllr Jordan	37	Director trustees of Plymouth youth Sailing	Personal
Cllr Stevens	35	Employee of Devon and Cornwall Police	Disclosable Pecuniary Interest

24. **Political Proportionality / Appointments to Committees, Outside Bodies etc**

Council noted the Political Proportionality and following changes to committee appointments.

Committee	Previous Member	New Member
Education and Children's Social Care Overview and Scrutiny Panel	Philippa Davey	Councillor Gareth Derrick
Tamar Estuaries Consultative Forum	Councillor Darren Winter	Councillor Pam Buchan
Independent Remuneration Panel	Vacancy	Jane Hopkinson

25. **Announcements**

a) **Lord Mayor**

- Plymouth City Council Star Awards

b) **The Leader, Cabinet Members or Chairs of Committees**

- The Leader
 - House of Fraser – Dingles Plymouth
 - Parliamentary Boundaries

26. **Questions by the Public**

There were no questions from members of the public.

27. **Adoption of Motor Neurone Disease Charter**

The Lord Mayor, in accordance with article 14.1(b) of the Constitution and Council Procedure Rule 21, moved to suspend the usual procedural rules of debate to allow a variation of the order of business to enable this Motion on Notice to be brought forward on the agenda. The Deputy Lord Mayor seconded the motion and following a show of hands the motion was carried.

Councillor Tuffin (Cabinet Member for Health and Adult Social Care), proposed a motion regarding the Motor Neurone Disease Charter. Councillor Mrs Bowyer seconded the motion.

Following a short debate council agreed to -

- a) Adopt the MND Charter
- b) Ask the Strategic Director for People to ensure that council services are delivered in accordance with this Charter.

For the motion (53)

Councillors Coker, Corvid, Dann, Evans OBE, Goslin, Haydon, Hendy, Laing, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, P Smith, Stevens, J Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Deacon, Downie, Drean, Fletcher, Mrs Johnson, James, Jordan, Kelly, Michael Leaves, Mrs Leaves, Dr Mahoney, Nicholson, Mrs Pengelly, Wiggins, Mrs Bridgeman, Buchan, Derrick, , Mavin, Carson, Winter, Mrs Loveridge, Cook, R Smith and Neil.

Against the motion (0)

Abstentions (0)

Absent / Did Not Vote (4)

Councillors Aspinall, Darcy, Foster and K Taylor.

28. **Capital and Revenue Monitoring Report Quarter 1**

Councillor Lowry (Cabinet Member for Finance) presented the report on the Capital and Revenue Monitoring Report 2018/19 quarter one. Councillor Evans OBE (Leader) seconded the report.

Following a short debate and vote Council agreed to –

1. note the current revenue monitoring position and action plans in place to reduce/mitigate shortfalls;
2. approve that the Capital Budget 2018 -2023 is revised to £581.1m (as shown in Table 6).

For the motion (52)

Councillors Coker, Corvid, Dann, Evans OBE, Goslin, Haydon, Hendy, Laing, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, P Smith, Stevens, J Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Deacon, Downie, Drean, Fletcher, Mrs Johnson, James, Jordan, Kelly, Michael Leaves, Mrs Leaves, Dr Mahoney, Nicholson, Mrs Pengelly, Wiggins, Mrs Bridgeman, Buchan, Derrick, , Mavin, Carson, Winter, Mrs Loveridge, Cook, R Smith and Neil.

Against the motion (0)

Abstentions (1)

Lord Mayor

Absent / Did Not Vote (4)

Councillors Aspinall, Darcy, Foster and K Taylor.

29. **Appointment of Deputy Electoral Registration Officer**

Councillor P Smith (Deputy Leader) proposed and Councillors Stevens seconded a report and recommendations on the appointment of the Deputy Electoral Registration Officer.

Council agreed that the Head of Electoral Services be appointed as the DERO, with full powers of the ERO in her absence.

For the motion (52)

Councillors Coker, Corvid, Dann, Evans OBE, Goslin, Haydon, Hendy, Laing, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, P Smith, Stevens, J Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Deacon, Downie, Drear, Fletcher, Mrs Johnson, James, Jordan, Kelly, Michael Leaves, Mrs Leaves, Dr Mahoney, Nicholson, Mrs Pengelly, Wiggins, Mrs Bridgeman, Buchan, Derrick, , Mavin, Carson, Winter, Mrs Loveridge, Cook, R Smith and Neil.

Against the motion (0)

Abstentions (1)

Lord Mayor

Absent / Did Not Vote (4)

Councillors Aspinall, Darcy, Foster and K Taylor.

30. **Scrutiny arrangements for the Local Enterprise Partnership**

Council Morris (Chair, Brexit Infrastructure and Legislative Change Overview and Scrutiny Committee) proposed Councillor Winter (Vice Chair, Performance, Finance and Customer Focus Overview and Scrutiny Committee) seconded a report and recommendations on Scrutiny Arrangements for the Local Enterprise Partnership.

Following a debate council agreed to –

1. approve the implementation of a Joint Scrutiny function (Committee) for the South West Local Enterprise Partnership (LEP) and the Terms of Reference and Operating Procedures, as outlined in appendix I
2. delegate any consequential amendments to the Constitution to the Monitoring Officer, reflecting the new joint arrangements and the strategic Scrutiny of the LEP functions (as outlined in the roles, duties and responsibilities of appendix I);

For the motion (52)

Councillors Coker, Corvid, Dann, Evans OBE, Goslin, Haydon, Hendy, Laing, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, P Smith, Stevens, J Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Deacon, Downie, Drear, Fletcher, Mrs Johnson, James, Jordan, Kelly, Michael Leaves, Mrs Leaves, Dr Mahoney, Nicholson, Mrs Pengelly, Wiggins, Mrs Bridgeman, Buchan, Derrick, , Mavin, Carson, Winter, Mrs Loveridge, Cook, R Smith and Neil.

Against the motion (0)

Abstentions (1)

Lord Mayor

Absent / Did Not Vote (4)

Councillors Aspinall, Darcy, Foster and K Taylor.

31. Constitutional Amendments

Councillor Dr Mahoney (Vice Chair, Audit and Governance Committee) proposed and Councillor Stevens seconded a report and recommendations on Constitutional Amendments.

Following a debate council agreed –

1. that the constitution is amended to reflect that the day on which executive decisions are usually published is Wednesday. (Part C of the Constitution Para 4.4)
2. that the new definition of a Key Decision as outlined at appendix one is adopted;
3. to note the Forward Plan and Call-in processes;
4. that subject to (1&2) above, delegate to the Monitoring Officer any required consequential amendments to the constitution.

For the motion (52)

Councillors Coker, Corvid, Dann, Evans OBE, Goslin, Haydon, Hendy, Laing, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, P Smith, Stevens, J Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Deacon, Downie, Drear, Fletcher, Mrs Johnson, James, Jordan, Kelly, Michael Leaves, Mrs Leaves, Dr Mahoney, Nicholson, Mrs Pengelly, Wigens, Mrs Bridgeman, Buchan, Derrick, , Mavin, Carson, Winter, Mrs Loveridge, Cook, R Smith and Neil.

Against the motion (0)

Abstentions (1)

Lord Mayor

Absent / Did Not Vote (4)

Councillors Aspinall, Darcy, Foster and K Taylor.

32. Tamar Bridge and Torpoint Ferry - Remedial Works

Councillor Coker (Cabinet Member for Strategic Planning and Infrastructure) proposed and Councillor Wheeler (Joint Chair, Tamar Bridge and Torpoint Ferry Joint Committee) seconded a report on the emergency action undertaken by the Chief Executive in relation to the Tamar Bridge.

Council noted the report.

33. **Motions on Notice**

34. **Modern Day Slavery**

Councillor Penberthy (Cabinet Member for Housing and Co-operative Development), proposed a motion regarding the Modern Day Slavery. Councillor Tuffin (Cabinet Member for Health and Social Care) seconded the motion.

Following a debate council agreed to -

1. ask all Service Directors, Scrutiny Panels and Cabinet Members to examine the work of the Council for which they have responsibility or oversight to ensure that the Council works to eliminate modern slavery from Plymouth.
2. adopt the Co-operative Party's Charter against Modern Slavery to ensure our procurement practices don't support modern slavery.

For the motion (53)

Lord Mayor, Councillors Coker, Corvid, Dann, Evans OBE, Goslin, Haydon, Hendy, Laing, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, P Smith, Stevens, J Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Deacon, Downie, Drean, Fletcher, Mrs Johnson, James, Jordan, Kelly, Michael Leaves, Mrs Leaves, Dr Mahoney, Nicholson, Mrs Pengelly, Wiggins, Mrs Bridgeman, Buchan, Derrick, , Mavin, Carson, Winter, Mrs Loveridge, Cook, R Smith and Neil.

Against the motion (0)

Abstentions (0)

Absent / Did Not Vote (4)

Councillors Aspinall, Darcy, Foster and K Taylor.

35. **Devon & Cornwall and Dorset Police Merger**

Councillor Haydon (Cabinet Member for Customer Focus and Community Safety), proposed a motion regarding the Devon & Cornwall and Dorset police Merger. Councillor Bowyer seconded the motion.

Following a debate council agreed to -

1. Express its severe reservations to the Chief Constables and Police and Crime commissioners of the Devon and Cornwall and Dorset police forces about the proposed merger of Devon and Cornwall Police with Dorset Police, specifically the proposal's failure to adequately address:
 - a. essential practice of providing key stakeholders with full details of the proposed merger until the engagement period has concluded. This raises considerable alarm about the lack of transparency and failure to disclose key facts that would enable informed feedback from stakeholders;

- b. opportunities to formally consult with key stakeholders such as Local Authorities on a process that directly impacts local areas and local communities;
 - c. financial modelling sufficient to justify the proposal, or to demonstrate value for money to citizens;
 - d. discrepancies in how additional income will be generated and allocated as a result of the merger, with specific reference to funding the proposed additional 430 police officers or staff;
 - e. whether any increase in revenue to the proposed merged force will be reinvested back into the city's policing offer;
 - f. whether policing resources will be committed to meet the specific needs of urban areas such as Plymouth, given its status in the force area, and how Plymouth's policing model will be affected;
 - g. whether the merger will result in further reductions in neighbourhood policing, specifically Police Community Support Officers (PCSOs) and neighbourhood beat managers (NBMs);
 - h. whether the city will remain a Basic Command Unit within the new force, and what commitments are made to the visibility of senior police staff and the Police and Crime Commissioner in the city within a greatly enlarged force area;
 - i. the impact assessment of the merger, specifically with respect to equalities and diversity, and as a result of any potential rise in council tax payments on the city's most vulnerable residents;
 - j. the failure to reference any intention to improve the condition and use of the police estate in Plymouth in line with the ambitions of a modern police force.
2. write to both Police and Crime Commissioners and Chief Constables requesting that they review their arrangements for consultation, endorsing the view set out in 1(a-j) above, to allow Plymouth City Council and other key stakeholders to review a business case that fully addresses all the above concerns prior to its submission to the Home Office.
3. write to the Home Secretary expressing its severe reservations about the proposed merger between Devon and Cornwall Police with Dorset Police, while highlighting the request to both Police and Crime Commissioners and Chief Constables to review their arrangements for consultation to allow key stakeholders to review a business case that fully addresses our concerns prior to its submission to the Home Office.
4. irrespective of the outcome of the police merger proposal, endorse the following Policing asks for the city:
- a. Investment back into neighbourhood policing, specifically the provision of more PCSOs and
 - b. Neighbourhood Beat Officers;
 - c. Improvements are made to local 999 responses;
 - d. Commitment to improve the condition and use of the police estate in Plymouth in line with the ambitions of a modern police force;
 - e. A spend profile for Plymouth that reflects the complexity of needs and demands of policing a major urban centre;
 - f. Retention of the city's Basic Command Unit.

For the motion (52)

Lord Mayor, Councillors Coker, Corvid, Dann, Evans OBE, Goslin, Haydon, Hendy, Laing, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, P Smith, J Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Deacon, Downie, Drear, Fletcher, Mrs Johnson, James, Jordan, Kelly, Michael Leaves, Mrs Leaves, Dr Mahoney, Nicholson, Mrs Pengelly, Wiggins, Mrs Bridgeman, Buchan, Derrick, Mavin, Carson, Winter, Mrs Loveridge, Cook, R Smith and Neil.

Against the motion (0)

Abstentions (0)

Absent / Did Not Vote (4)

Councillors Aspinall, Darcy, Foster, Stevens and K Taylor.

(Councillor Stevens was absent due to interests declared)

36. Delivery of the Plymouth Road Junction improvements

Councillor Nicholson proposed a motion regarding the Delivery of the Plymouth Road Junction improvements. Councillor Mrs Beer seconded the motion.

After a short debate Councillor Coker proposed that the motion was put to the vote. Councillor Coker seconded the motion. Following a vote the motion was carried.

For the motion (28)

Councillors Buchan, Coker, Corvid, Dann, Derrick, Evans OBE, Goslin, Haydon, Hendy, Laing, Lowry, Mavin, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, P Smith, Stevens, J Taylor, Tuffin, Tuohy, Vincent, Winter, Wheeler and Neil.

Against the motion (24)

Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Deacon, Downie, Drear, Fletcher, Mrs Johnson, James, Jordan, Kelly, Michael Leaves, Mrs Leaves, Dr Mahoney, Nicholson, Mrs Pengelly, Wiggins, Mrs Bridgeman, Carson, Mrs Loveridge, Cook and R Smith.

Abstentions (1)

Lord Mayor

Absent / Did Not Vote (4)

Councillors Aspinall, Darcy, Foster and K Taylor.

Following Councillor Nicholson's summation the motion was put to the vote and was lost.

For the motion (24)

Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Deacon, Downie, Drear, Fletcher, Mrs Johnson, James, Jordan, Kelly, Michael Leaves, Mrs Leaves, Dr Mahoney, Nicholson, Mrs Pengelly, Wiggins, Mrs Bridgeman, Carson, Mrs Loveridge, Cook and R Smith.

Against the motion (28)

Councillors Buchan, Coker, Corvid, Dann, Derrick, Evans OBE, Goslin, Haydon, Hendy, Laing, Lowry, Mavin, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, P Smith, Stevens, J Taylor, Tuffin, Tuohy, Vincent, Winter, Wheeler and Neil.

Abstentions (1)

Lord Mayor

Absent / Did Not Vote (4)

Councillors Aspinall, Darcy, Foster and K Taylor.

37. **Cuts to Youth Services**

Councillor J Taylor (Cabinet Member for Education, Skills and Transformation), proposed a motion regarding the Cuts to Youth Services. Councillor McDonald (Cabinet Member for Children and Young People) seconded the motion.

Following a debate council agreed to instruct the Director of Children's Services to write to the relevant government minister(s) formally asking the Government to:

1. Devolve a proportion of the funding allocated to the NCS to local government so that councils can increase spending on year-round provision for young people in the community.
2. Consider the introduction of new legislation requiring local authorities to provide a statutory minimum level of support for young people so that in future frontline youth services are better protected from Government cuts.

For the motion (28)

Councillors Buchan, Coker, Corvid, Dann, Derrick, Evans OBE, Goslin, Haydon, Hendy, Laing, Lowry, Mavin, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, P Smith, Stevens, J Taylor, Tuffin, Tuohy, Vincent, Winter, Wheeler and Neil.

Against the motion (0)

Abstentions (25)

Lord Mayor, Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Deacon, Downie, Drear, Fletcher, Mrs Johnson, James, Jordan, Kelly, Michael Leaves, Mrs Leaves, Dr Mahoney, Nicholson, Mrs Pengelly, Wiggins, Mrs Bridgeman, Carson, Mrs Loveridge, Cook and R Smith.

Absent / Did Not Vote (4)

Councillors Aspinall, Darcy, Foster and K Taylor.

38. **Clean our Patch**

The Lord Mayor, in accordance with article 14.1(b) of the Constitution and Council Procedure Rule 21, moved to suspend the usual procedural rules of debate to allow order of business was varied to enable this Motion on Notice to be brought forward on the agenda.

The Deputy Lord Mayor seconded the motion and following a show of hands the motion was carried.

Councillor Stevens (Chair of Planning Committee), proposed a motion regarding Clean Our Patch. Councillor Corvid seconded the motion.

Following a debate council agreed to

Congratulate Clean Our Patch, a vibrant community group dedicated to keeping Plymouth tidy and making our city a nicer place for everyone to enjoy. Starting from a small number of people in Keyham, Clean Our Patch is increasing in number and regularly organises community litter in Devonport, Mutley, Greenbank, Mount Wise, Plympton and further afield. As resources from the Government continue to decrease, Plymouth City Council will continue to do what we can, but the emergence of local voluntary groups is a welcome addition to help in very localised efforts.

Working closely with Councillors and residents, Clean Our Patch represents the very best in community spirit and deserves the ongoing support of Plymouth City Council. We pledge to continue to work alongside this dedicated and expanding group and others like them to support their efforts in making Plymouth's neighbourhoods areas we can be proud of and raising awareness of how we can all help keep our city clean and tidy.

For the motion (53)

Lord Mayor, Councillors Coker, Corvid, Dann, Evans OBE, Goslin, Haydon, Hendy, Laing, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, P Smith, Stevens, J Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Deacon, Downie, Drean, Fletcher, Mrs Johnson, James, Jordan, Kelly, Michael Leaves, Mrs Leaves, Dr Mahoney, Nicholson, Mrs Pengelly, Wiggins, Mrs Bridgeman, Buchan, Derrick, , Mavin, Carson, Winter, Mrs Loveridge, Cook, R Smith and Neil.

Against the motion (0)

Abstentions (0)

Absent / Did Not Vote (4)

Councillors Aspinall, Darcy, Foster and K Taylor.

39. **Woolwell to The George Road widening scheme**

Councillor Nicholson proposed a motion regarding the Woolwell to The George Road Widening Scheme. Councillor Deacon seconded the motion.

Following a short debate the motion Councillor Nicholson withdrew the motion.

40. **Support for the introduction of safe standing in football grounds**

Councillor Winter (Vice Chair, Performance, Finance and Customer Focus Overview and Scrutiny Committee), proposed a motion regarding Safe Standing at Football Grounds.

Councillor Morris (Chair, Brexit, Infrastructure and Legislative Change Overview and Scrutiny Committee) seconded the motion.

Following a debate council agreed to ask the Leader of the Council to-

1. Write to the board of Plymouth Argyle FC supporting its aspiration to introduce a safe standing section in its Home Park redevelopment plans.
2. Write to the Secretary of State for the Department of Culture, Media and Sport, highlighting this council's support for legislative change to allow football clubs in England to introduce safe standing in stadiums.

For the motion (38)

Councillors Coker, Corvid, Dann, Evans OBE, Goslin, Haydon, Hendy, Laing, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, P Smith, Stevens, J Taylor, Tuffin, Tuohy, Vincent, Wheeler, Mrs Bowyer, Churchill, Deacon, Downie, Drean, James, Jordan, Buchan, Derrick, Mavin, Carson, Winter, Mrs Loveridge, Cook and Neil.

Against the motion (1)

Councillor Michael Leaves

Abstentions (12)

Lord Mayor, Councillors Ball, Mrs Beer, Bowyer, Fletcher, Mrs Johnson, Kelly, Mrs Leaves, Dr Mahoney, Nicholson, R Smith and Mrs Bridgeman.

Absent / Did Not Vote (6)

Councillors Aspinall, Darcy, Foster, K Taylor, Mrs Pengelly and Wiggins.

41. **Conservative Attempts to Stop People Voting**

Councillor Stevens (Chair of Planning Committee), proposed a motion regarding Conservative Attempts to Stop People Voting. Councillor Wheeler (Joint Chair of Tamar Bridge and Torpoint Ferry Joint Committee) seconded the motion.

Following a debate council agreed to –

- I. Support The Salvation Army, AGE UK, The Royal National Institute of Blind People, Stonewall, The National Union of Students and numerous other groups in opposing the Conservative Government's plans to make voting in British elections more difficult by requiring photo identification at Polling Stations.
 - In 2017, only 28 allegations of identity fraud were made out of nearly 45 million votes being cast, representing a potential problem of 0.00006222% if all the allegations were true. To date only one successful prosecution has been seen. As introducing these plans for General Elections is estimated at around £20 million, we believe £700,000 to address each allegation is somewhat excessive. This appears to be a calculated Conservative attempt to put barriers in the way of ordinary people wanting to vote for the representatives of their choice. Around 3.5 million adults (7.5% of voters) have no photo identification and 11 million have no passport or driving licence.

- In pilots of the plans in five Council areas, 350 voters were turned away because they did not have sufficient identification documentation. There is no way of knowing how many others didn't bother to go because they knew or assumed they would not be allowed to vote.
 - Voting in elections should be actively encouraged, not made more difficult as the Conservative Government wants, particularly for those from minorities and poorer parts of the UK.
2. To this end we ask the Audit and Governance Committee to examine what these plans mean for Plymouth voters, and what steps can be taken to increase, not decrease, the number of voters taking part in our elections.

For the motion (28)

Councillors Buchan, Coker, Corvid, Dann, Derrick, Evans OBE, Goslin, Haydon, Hendy, Laing, Lowry, Mavin, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, P Smith, Stevens, J Taylor, Tuffin, Tuohy, Vincent, Winter, Wheeler and Neil.

Against the motion (23)

Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Deacon, Downie, Drean, Fletcher, Mrs Johnson, James, Jordan, Kelly, Michael Leaves, Mrs Leaves, Dr Mahoney, Nicholson, Mrs Pengelly, Wiggins, Mrs Bridgeman, Carson, Mrs Loveridge, Cook and R Smith.

Abstentions (1)

Lord Mayor

Absent / Did Not Vote (5)

Councillors Aspinall, Darcy, Foster, Wiggins and K Taylor.

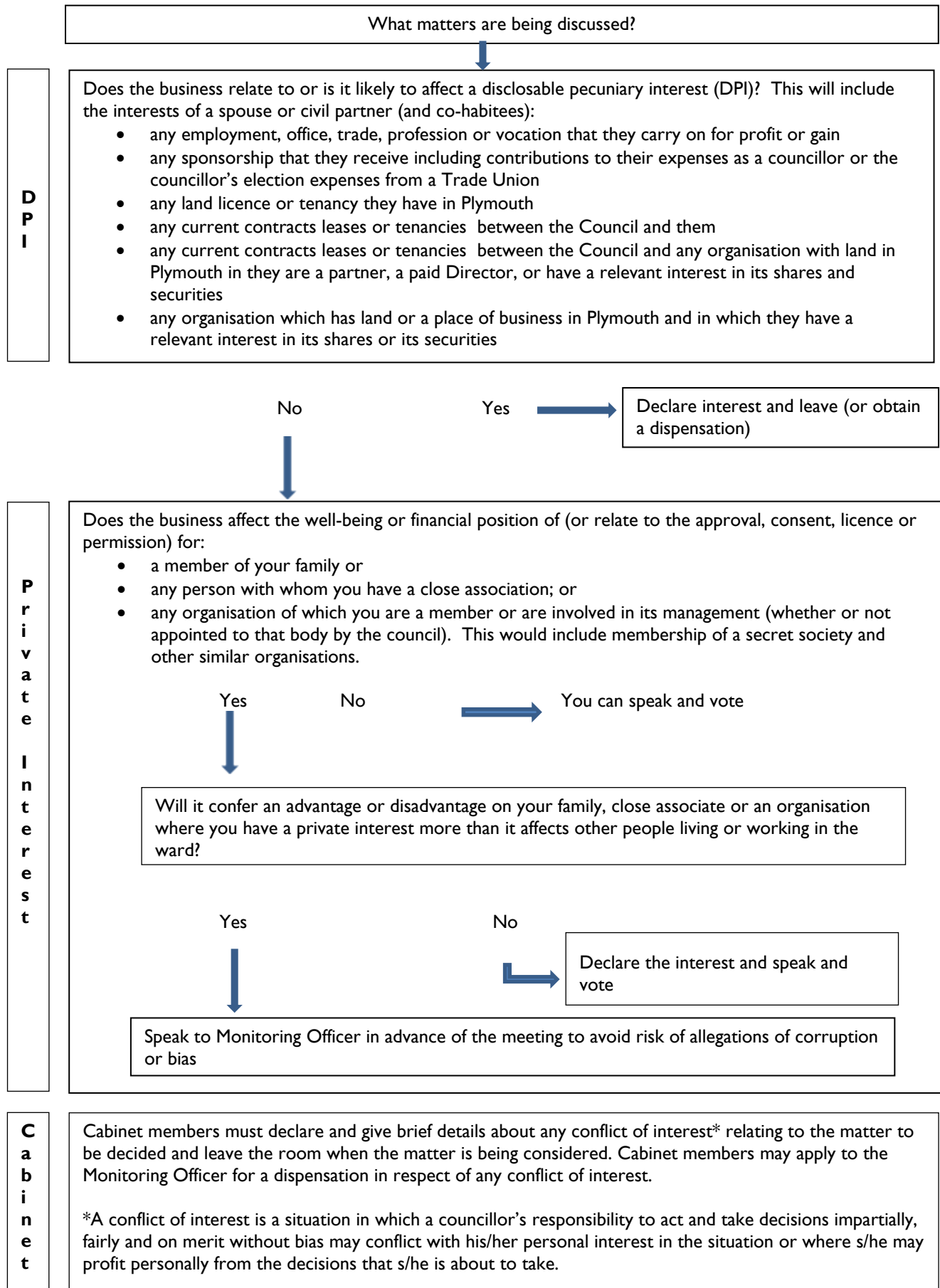
42. Questions by Councillors

	From	To	Topic
1	Cllr Bowyer	Cllr Evans OBE	The content of the question was ruled out of order by the Lord Mayor.
2	Cllr Carson	Cllr P Smith	Trade Union subsidies.
3	Cllr Deacon	Cllr P Smith	"There but not there" Charity and WWI commemoration.
4	Cllr Kelly	Cllr Lowry	Woolwell to the George Road widening scheme.
5	Cllr Kelly	Cllr Dann	Alternative weekly collections.
6	Cllr Ball	Cllr Coker	Roads Schemes and impacts on local business.
7	Cllr beer	Cllr McDonald	School commitment to Operation Encompass.
8	Cllr James	Cllr Dann	Update on Cot Hill Bridge.

9	Cllr R Smith	Cllr Lowry	CCTV at Oreston quay.
10	Cllr Johnson	Cllr Dann	Greenspace at Hartley Vale.
11	Cllr Churchill	Cllr Dann	Bamboo replacements for single use plastic cups.
12	Cllr Laing	Cllr Coker	Residents parking schemes.
13	Cllr Kelly	Cllr Dann	Street Service Staff deployment.
14	Cllr Jordan	Cllr Penberthy	Traveller temporary stopping places.
15	Cllr Beer	Cllr J Taylor	Number of home schooled children in Plymouth.
16	Cllr Nicholson	Cllr Dann	Cot Hill bridge.
17	Cllr Ball	Cllr Dann	Trees and television reception.
18	Cllr S Leaves	Cllr Dann	Planning for impact of phasing out of diesel and petrol vehicles.
19	Cllr Dr Mahoney	Cllr Dann	Grass cutting.
20	Cllr Jordan	Cllr Penberthy	Changes in the law in relation to trespass.
21	Cllr Beer	Cllr Evans OBE	Response to a resident's letter.
22	Cllr Dr Mahoney	Cllr Haydon	Travellers incursion onto central park.
23	Cllr Johnson	Cllr Penberthy	Council Tax suspension for families affected by Barne Barton fire.
24	Cllr Beer	Cllr Dann	Vegetation obscuring highway signage.
25	Cllr Dr Mahoney	Cllr Dann	Central Park play area.

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DECLARING INTERESTS – QUESTIONS TO ASK YOURSELF



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PLYMOUTH CITY COUNCIL

Subject: Medium Term Financial Strategy
Committee: Council
Date: 19 November 2018
Cabinet Member: Cllr Mark Lowry, Cabinet Member for Finance
CMT Member: Andrew Hardingham – Interim Strategic Director for Transformation and Change
Author: Paul Looby - Head of Financial Planning and Reporting
Contact details: Tel 01752 307271
paul.looby@plymouth.gov.uk
Ref:
Key Decision: No
Part: I

Purpose of the report:

Under the Council's Financial Regulations, the Responsible Financial Officer (Section 151 officer) is required to report the medium term budget prospects. Cabinet is asked to consider the Medium Term Financial Strategy for the period 2019/20 to 2021/22.

The Strategy reflects the latest funding position. The Strategy sets out projected savings over the plan period.

The Medium Term Financial Strategy is recommended by Cabinet to Council.

The Council Corporate Plan 2016/19:

The Medium Term Financial Strategy sets out the resources available to deliver the Corporate Plan.

**Implications for Medium Term Financial Plan and Resource Implications:
Including finance, human, IT and land:**

The resource implications are set out in the body of the report and the Medium Term Financial Strategy.

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management:

The Medium Term Financial Strategy provides the maximum resources achievable to address key policy areas. A risk register is included.

The equalities impact of specific budget changes will be evaluated item by item where appropriate.

That Council approves Medium Term Financial Strategy

The Medium Term Financial Strategy is a key planning document for the Council and fulfills its statutory obligations to maintain a balanced budget.

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Fin	SA18.19.104	Leg	ALT/30508	Mon Off		HR		Ass ets		IT		Strat Proc	
Originating SMT Member Andrew Hardingham													
Has the Cabinet Member(s) agreed the content of the report? Yes													

1.0 Introduction

- 1.1 The Medium Term Financial Strategy (MTFS) is the Council's primary financial strategic and planning document linking the revenue budget, the capital programme and the treasury management strategy.
- 1.2 The Strategy sets out the financial planning assumptions for the next three years and ensures resource allocation is in line with Plymouth's priorities.
- 1.3 The previously published MTFS was approved by Council in November 2017 and was last updated in February 2018 when the 2018/19 budget was approved.
- 1.4 The updated Strategy sets out the national context and the Council's key assumptions for resources. The Strategy is set in the context of a considerable amount of uncertainty with respect to local government funding due to changes to Business Rates and the Government's review of local government finance.
- 1.5 As the lead administrator for the Devon Business Rates Pool, Plymouth submitted a successful pilot submission for 100% Business Rates Retention (BRR) in October 2017. The Devon Pool has been operating as a pilot since April 2018.
- 1.6 The Government has postponed the move to 100% Business Rates Retention and instead are moving to 75% BRR in April 2020. The Devon Pool was expecting to continue as a pilot building upon the existing arrangements, however the Government have invited all local authorities to make a new bid to become a Pilot from April 2019 for the 75% BRR scheme. If the Devon bid is unsuccessful the Devon Pool will revert back to the 50% BRR scheme.
- 1.7 In addition to the changes for Business Rates the Government will be resetting baseline funding levels for all local authorities which sets the minimum funding a local authority receives as part of BRR and there will be a business rates revaluation in April 2021.
- 1.8 The Government also intends to implement changes arising from the Fair Funding Review. The purpose of this review is to design a fairer, more transparent and less complex methodology for allocating resources to local government.
- 1.10 Due to the forthcoming funding changes and uncertainty as to whether the Devon Pool will continue beyond March 2019, it is extremely difficult developing a robust financial strategy from 2020/21 onwards. The government will be issuing further consultation papers over the next year however due to the complexity and magnitude of the changes expected it is unlikely the financial outlook for local government will be set out until late 2019.
- 1.11 The MTFS sets out in detail the key financial issues. This includes changes to the council's revenue support grant and assumed levels for council income and business rates.
- 1.12 Additional costs have been identified and built into the base budget and proposed efficiencies and savings identified to reduce the budget gap.
- 1.13 In summary for 2019/20 there are additional costs of £13.501m and savings identified to date of £14.044m.
- 1.14 Cabinet is asked to review the latest version of the MTFS and recommend that it is presented to Council at its meeting on 19 November 2018.

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MEDIUM TERM FINANCIAL STRATEGY

2019/20 to 2021/22



The Medium Term Financial Strategy (MTFS) covers the financial years 2019/20 to 2021/22. The Plan sets out how the Council will finance the priorities for the Council, having regard to the Plymouth Plan and the Corporate Plan.

Foreword

Councillor Tudor Evans OBE
Leader of Plymouth City Council



“As part of our Manifesto commitment we made 100 Pledges for Plymouth. These cover the things that are important to the residents of Plymouth including Jobs and Prosperity, Keeping Plymouth on the Move, Housing, Marine and Maritime, Children and Young People, Health and Adult Social Care, a Safe and Green City, a Cleaner City and Sports and Leisure. The MTFS will provide the financial framework to deliver our pledges.”



Tracey Lee
Chief Executive of
Plymouth City Council

“The journey for improved services and ongoing efficiencies continues with over £11.5m of savings delivered in 2018/19 and a further £36m of efficiencies required over the next three years. This programme of continued improvement is supported by the Council’s Transformation Agenda. The Medium Term Financial Strategy shows how our improvements link to the City; people’s jobs, homes, health and how we will pay for the services we provide.”

Councillor Mark Lowry
Cabinet Member for Finance



“The Council provides a wide range of diverse and complex services. High quality services are essential to meet the needs of our local residents. The financial outlook has never been tougher due to the ongoing reductions of financial support from Government. However despite these challenges Plymouth will maximise the limited resources it has through providing value for money across all services and maximising income from growing the City ”



Andrew Hardingham
Strategic Director for Transformation
and Change

“The expectation of residents for high quality services in the context of reducing financial resources highlights the importance of a well developed and implemented Medium Term Financial Strategy, which forms the core part of the Council’s strategic framework. By ensuring the Council is able to plan and manage its finances, this will enable the priorities of the Corporate Plan to be put into action.”

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Introduction

The Medium Term Financial Strategy (MTFS) links the revenue budget, capital programme and treasury management strategy and;

- Is a central document for our financial planning;
- Plays a key role in the budget setting process;
- Ensures the budget is prepared in line with Plymouth priorities;
- Covers a 3 year period and is updated and reviewed regularly and approved annually by Council;
- Identifies sustainable, alternative and increased sources of income;
- Delivers the Asset Management Plan and maximise the community value of our assets.

The MTFS is based on a set of financial principles and objectives. These are set out below.

Financial Principles

1. Managers must contain their expenditure within their approved budget.
2. The Council will achieve a balanced budget year on year.
3. Services will be charged for under the Council's agreed Fees and Charges Policy. Charges will be increased for inflation.
4. Provision for pay inflation will be made centrally. Available resources will be allocated to service budgets following the local government pay settlement.
5. Specific grants will be included in service budgets. Any later reduction in a grant must be absorbed by the service budget, except in exceptional circumstances.
6. If appropriate cross cutting savings may be held centrally. In-year savings will be reported separately. Savings will be deducted from service budgets the year after implementation.
7. Service departments are expected to meet the capital financing costs of projects. Corporate or cross cutting schemes may be funded centrally.
8. ICT expenditure is financed by service departments. Corporate or cross cutting schemes will be funded centrally.

Financial Objectives

1. Generate the maximum possible funding towards delivering the priorities as set out in the Plymouth Plan and our Corporate Plan.
2. Prioritise capital schemes based on deliverability of tangible outcomes whilst considering the context of the overall capital and revenue affordability.
3. Support the local Plymouth economy working in partnership with local businesses.
4. Council Tax increases will be below the level to trigger a referendum.
5. Maximise income opportunities primarily through structured growth of the City and proactive partnership working.
6. Continue to maximise savings from transforming services and seek new opportunities where possible.
7. Achieve a return on investment of 1.3% in 2018/19, and 1.4% in later years.
8. Borrowing not to exceed £650m in 2018/19 and £675m in 2019/20.
9. Provide for borrowing costs in the MTFS.
10. Retain a general fund revenue balance of at least 5% of net expenditure.

One of Europe's most vibrant waterfront cities where an outstanding quality of life is enjoyed by everyone

THE PLYMOUTH PLAN 2014 - 2034

WHAT WE WANT TO ACHIEVE...

LEADING CITY

A city fulfilling its strategic role as a major economic driver for the heart of the South West

HEALTHY CITY

People live in happy, healthy, safe and aspiring communities

GROWING CITY

A city which has used its strengths to deliver quality and sustainable growth

INTERNATIONAL CITY

Plymouth is internationally renowned as the UK's premier marine city, and famous for its waterfront, maritime heritage and culture.

HOW WILL WE KNOW WE'RE SUCCESSFUL?

Plymouth is recognised as a **key regional economic driver**

Plymouth has **high quality strategic** services and facilities

The quality and resilience of Plymouth's **transport and digital connectivity** has improved

Plymouth's strategic **defence role** has been safeguarded and strengthened

Plymouth's stunning setting and **natural assets** have been enhanced

People get the **best start to life**, enjoy a better quality of life and increased life expectancy

More people are taking care of themselves or **finding care** within their community

More residents are contributing to and **involved in their community**

There is **good quality health** and social care for people who need it

Plymouth has good quality neighbourhoods where people feel **safe and happy**

Plymouth's population has grown to more than **300,000**

Plymouth continues to be recognised as a **leading Green City**

Plymouth has more vibrant, productive and **innovative businesses**

People have the skills to be **school ready and work ready** to meet the needs of the city

Plymouth has the right environment for **growth and investment**

Plymouth offers a diverse **cultural experience** with a major events programme

Plymouth is internationally renowned as a leading UK **tourist destination**

Plymouth is recognised internationally for **marine science** and high technology manufacturing

Plymouth has a reputation for **world class universities** and research institutions

Plymouth has a reputation as a **welcoming and multicultural city** with diverse communities

WHAT PRINCIPLES WILL GUIDE US?



POWER

People have confidence that they can influence decisions that affect them.



OPPORTUNITY

People have more opportunities to contribute to and benefit from the Plan Area's future.



ROOTS

People belong and care about their communities future and their own.



CONNECTIONS

People mix, learn from each other and work together.



FLOURISH

People, communities and businesses thrive in a creative and diverse environment.





Corporate Plan

The Corporate Plan 2016 to 2019 sets out our vision to be 'one team serving our city' and retains our ambition to be a Pioneering, Growing, Caring and Confident City.

OUR PLAN A CITY TO BE PROUD OF



CITY VISION Britain's Ocean City

One of Europe's most vibrant waterfront cities, where an outstanding quality of life is enjoyed by everyone.

OUR MISSION Making Plymouth a fairer city, where everyone does their bit.

OUR VALUES

WE ARE DEMOCRATIC

We will provide strong community leadership and work together to deliver our common ambition.

WE ARE RESPONSIBLE

We take responsibility for our actions, care about our impact on others and expect others will do the same.

WE ARE FAIR

We are honest and open in how we act, treat everyone with respect, champion fairness and create opportunities.

WE ARE CO-OPERATIVE

We will work together with partners to serve the best interests of our city and its communities.

OUR PRIORITIES

A GROWING CITY

- A clean and tidy city
- An efficient transport network
- A broad range of homes
- Economic growth that benefits as many people as possible
- Quality jobs and valuable skills
- A vibrant cultural offer
- A green, sustainable city that cares about the environment.

A CARING COUNCIL

- Improved schools where pupils achieve better outcomes
- Keep children, young people and adults protected
- Focus on prevention and early intervention
- People feel safe in Plymouth
- Reduced health inequalities
- A welcoming city.

HOW WE WILL DELIVER

Listening to our customers and communities.

Providing quality public services.

Motivated, skilled and engaged staff.

Spending money wisely.

A strong voice for Plymouth regionally and nationally.

National Context

Reform of local Government funding

In July 2016 the Government began a fundamental review of how local authorities are funded. Two consultation papers were issued on Fair Funding and 100% Business Rates Retention (BRR). These were two of the biggest changes to local Government finance in decades. The purpose of fair funding is to design a fairer, transparent and less complex methodology for allocating resources to local government and BRR was to meet the government's commitment to allow local government to retain 100% of business rates collected locally. The changes proposed will inevitably have a significant impact on the Council's budgets and creates further complexity and financial risk to the Council in terms of its medium term financial planning.

With respect to Business Rates a further consultation paper was issued in February 2017 and it was planned for the new system to be in place by April 2019. As part of the planned changes from April there was the first tranche of 100% BRR pilots to enable the Government to assess the impact of the new system.

Following the May 2017 General Election the Government omitted the Local Government Finance Bill from its legislative programme which meant 100% BRR could not be implemented as previously planned. At this time, the Department of Communities and Local Government (DCLG) have said they were committed to deliver the manifesto pledge to help local authorities to control more of the money they raise locally and will work closely with local government to agree the best way to achieve this. The delay has created further uncertainty for the future of local government funding.

The Government announced in the summer of 2017 that they proposed to move to 75% BRR from April 2020 and this was followed by the announcement of a further tranche of pilots for 100% BRR from April 2018. As the lead administrator for the Devon Business Rates Pool, Plymouth submitted a successful pilot submission and the Devon Pool have been operating as a 100% pilot in 2018/19.

With the move to 75% BRR in April 2020 the Devon Pool were expecting to continue as a pilot, however the Government have invited all local authorities to make a new bid to become a Pilot from April 2019 for the 75% BRR scheme. If the Devon bid is unsuccessful the Devon Pool will revert back to the 50% BRR scheme.

In addition to the changes set out above the Government will be resetting baseline funding levels for all local authorities which sets the minimum funding a local authority receives as part of BRR and there will be a business rates revaluation in April 2021.

Due to the forthcoming funding changes and uncertainty as to whether the Devon Pool will continue beyond March 2019, it is extremely difficult to develop a robust financial strategy from 2020/21 onwards. The government will be issuing further consultation papers over the next year however due to the complexity and magnitude of the changes expected it is unlikely the financial outlook for local government will be set out until late 2019.

Working together to grow the wider economy

Plymouth City Council, together with all the councils across Devon and Somerset and Torbay Council have been working with the Heart of the South West Local Strategic Partnership, three Clinical Commissioning Groups and the two National Parks for a number of years to create a strong partnership of local leaders. In March 2018, the partnership moved to a more formalised structure and established the Heart of the South West Joint Committee, and at the same time they published their Productivity Strategy.

The Joint Committee and Local Enterprise Partnership are now developing the Delivery Plan and Investment Framework to implement the Strategy. The area has recently been selected as one of only a handful nationally to co-design a Local Industrial Strategy (LIS) with Government. The LIS will identify and promote the key industries where the Heart of the South West has significant national or global potential, and will build on these to benefit the regional economy as well as the UK as a whole.

Four Year Local Government Finance Settlement

2019/20 will be the fourth and final year of the four year Settlement offered by government. The City Council supported the move to longer funding Settlements on the grounds of reducing financial risk and uncertainty. However an early indication as to whether longer Settlements are to continue and clarity on the timetable for Business Rates Retention would be welcomed.

The Government will consult on the 2019/20 funding Settlement in the autumn of 2018 with final figures announced in 2019.

Flexible use of Capital Receipts

A Flexible Use of Capital Receipts Strategy was submitted to Council as part of the 2018/19 budget process. This supports local authorities to deliver more efficient and sustainable services by allowing local authorities to spend up to 100% of their fixed asset receipts (excluding Right to Buy receipts) on the revenue costs of transformation projects.

New Homes Bonus and Better Care Fund

The Government announced changes in the autumn 2016 budget to New Homes Bonus. Entitlements has been reduced from 6 years to 4 years and a 0.4% threshold has been introduced where no new homes bonus is paid on new property growth below this percentage.

The Government is considering increasing the threshold for 2019/20 and changing the scheme from 2020/21 to incentivise more growth. Any changes to the threshold will have a negative impact upon Plymouth with every 0.1% increase in the threshold resulting in loss income of £0.160m. Nationally, the reduction in New Homes Bonus has been re-directed to the Better Care Fund. Provisional Better Care Fund allocations are assumed in the savings table in the Medium Term Financial Strategy. Student accommodation – whilst not subject to Council tax – attracts new Homes Bonus.

Brexit

The Government anticipates a negotiated withdrawal will be agreed with EU by autumn 2018, however a 'No Deal' outcome cannot be ruled out. We are currently scoping the potential additional impacts that might arise in these circumstances which could not be adequately mitigated from council reserves.

- We are likely to see upward wage pressure in the social care sector (as a result of declining numbers of EU migrants in the labour force once freedom of movement ends) this could significantly increase the cost of providing statutory adult social care.

- A downturn in the housing market and new starts could impact on New Homes Bonus.
- Changes to interest rates would impact the Council's investment income.
- Reduced development of business premises could impact on PCC business rates income.
- The Council has significant industrial and commercial holdings and any fall in rental levels or demand for premises could have an adverse impact on income budgets.
- We may see a reduced level of structural and investment funding after December 2020 when the current EU funding rounds ends.
- Impacts from Brexit on the wider economy will depend to a large extent on the precise terms on which we leave in broad terms the looser our economic ties with the EU after Brexit the greater the economic impact.

Responding with Innovation

The Council continues to explore innovative solutions to the resourcing challenges presented by the shift in financing local government. One such strategy is the use of Alternative Service Delivery Vehicles, such as joint venture companies or wholly owned companies, where they can improve service delivery and drive efficiency and innovation. At the same time as resolving the challenges to improve service delivery and maximise capital investment we are also taking a longer term strategic view to make sure our tax planning is also adding value.

Local Economy

With a population of 263,100 (2017), Plymouth is the most significant economic centre in the south west peninsula and the largest urban area in the Heart of the South West Local Enterprise Partnership, making it a key location for growth. Since the 2009 recession the city's economic performance has improved with Plymouth demonstrating increased and sustained output growth. The city has an annual total Gross Value Added (GVA) of £4.99bn (2016), an increase from £4.95bn in 2015.

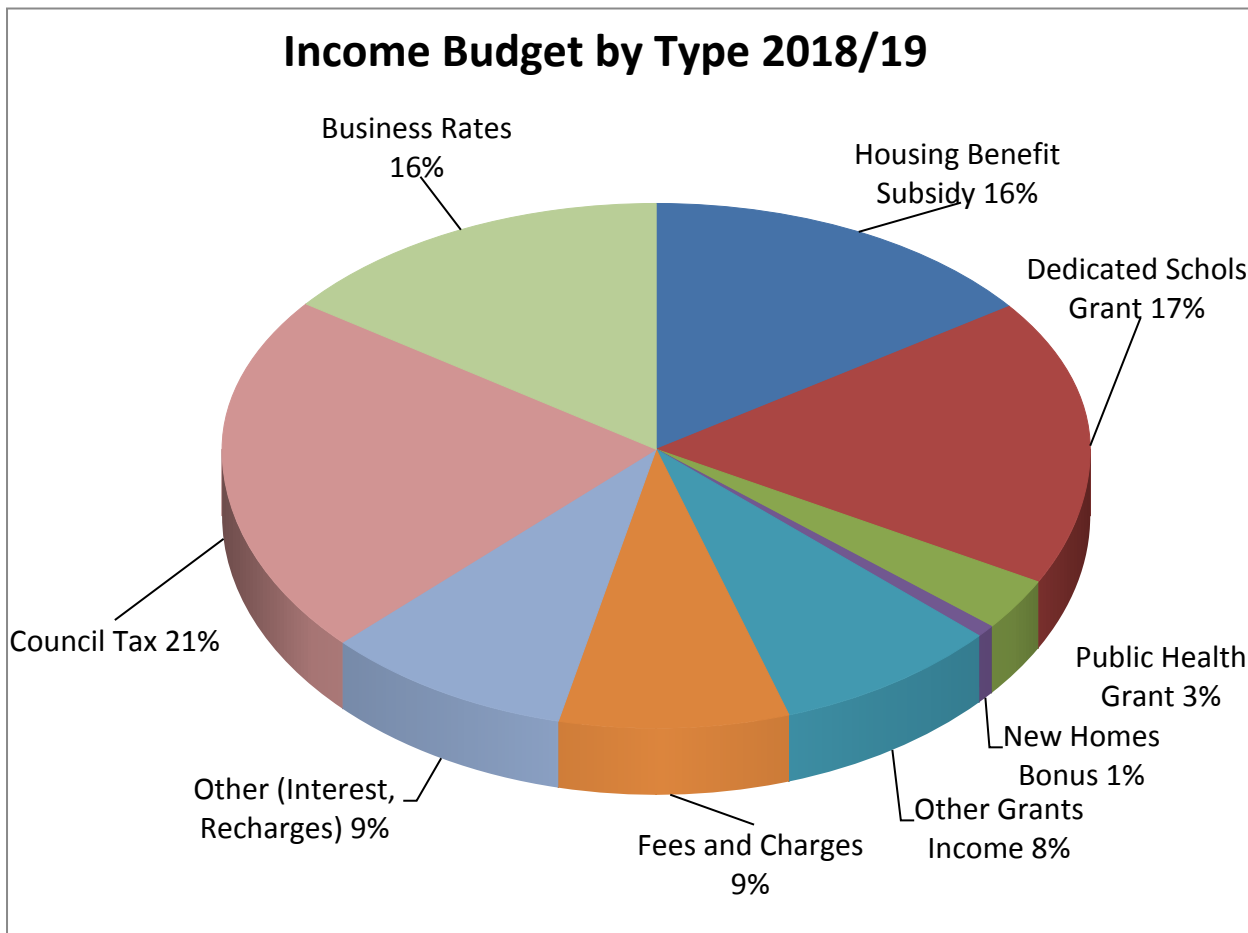
Plymouth currently has a higher employment rate than nationally (75.2 per cent compared to 75 per cent) and an economic activity rate also slightly higher than the national figure (78.7 per cent compared to 78.4 per cent). Since employment reached near full-employment levels during the post-recession recovery, employment growth has slowed and it is productivity led growth that will further drive output growth. Plymouth's future growth potential is likely to lie in productivity led growth with a focus on the 'quality' of jobs created. This means increased private sector jobs over public sector jobs and the creation of more high-productivity jobs with opportunities to progress into these jobs through career and wage progression. Plymouth's role in the HotSW LEP and our [Productivity Strategy](#) sets out how this will be achieved. Key city economic data:

- Plymouth's total GVA annual total value now exceeds £4.99 Billion (2016). (Revised ONS "Balanced" measure (includes income and production):
- 78.7% of economically active people are in work, compared to 80.9% for the South West and 78.4% nationally:

- Plymouth's (2016) Gross disposable household income is £15,147, a reduction of 1.7%:
- The gap in pay between Plymouth & the South West (Annual-Resident full-time) is -2.29% and nationally -8.0% (2017):
- Total employment increased from 130,000 to 130,900 (2017).

Resources available

Although our 2018/19 budget is expressed in net terms of £186m, the actual gross spend for the Council is £500m per annum. This reflects a number of significant income streams which the Council either manage, or passport on to third parties.



Medium Term Financial Forecast

	2018/19 £m	2019/20 £m	2020/21 £m	2021/22 £m
	BUDGET	FORECAST		
REVENUE RESOURCES AVAILABLE	185.556	183.624	183.970	182.393
Baseline spend requirement	183.883	185.556	183.624	183.970
Plus identified additional costs	13.207	13.501	11.118	9.380
Overall spend requirement	197.090	199.057	194.742	193.350
In-year shortfall to be found	11.534	15.433	10.772	10.957
Cumulative shortfall	11.534	26.967	37.739	48.696
Savings	11.534	14.044	3.536	(0.822)
REVISED SPENDING FOR YEAR	185.556	185.013	191.206	194.172
Budget Gap	0.000	1.389	7.236	11.779

- Funding is reducing year on year from £186m in 2018/19 to £182m in 2021/22.
- Most of the increasing costs are outside of the control of the Council such as the National Minimum Wage and the cost of Adult and Children's Social Care.
- The gap is reduced by delivering savings of £16m over the next 3 years.

Savings Summary

Savings	2018/19 £m	2019/20 £m	2020/21 £m	2021/22 £m
New Homes Bonus	(1.659)	0.076	(0.734)	(1.022)
Better Care Fund Gain	4.579	4.111		
Adult Social Care Support Grant	(1.300)	1.000	1.000	
Chief Executive Office	0.080	0.044		
Place Directorate including GAME 2	1.132	0.563	0.100	0.200
Federated Directorates (People, Children's & ODPH) "One System, One Aim"	4.748	7.148	2.550	
Transformation & Change Directorate (Transformation of Corporate Centre)	3.653	2.552	0.570	
Corporate items	0.301	(1.450)	0.050	
Total Savings	11.534	14.044	3.536	(0.822)

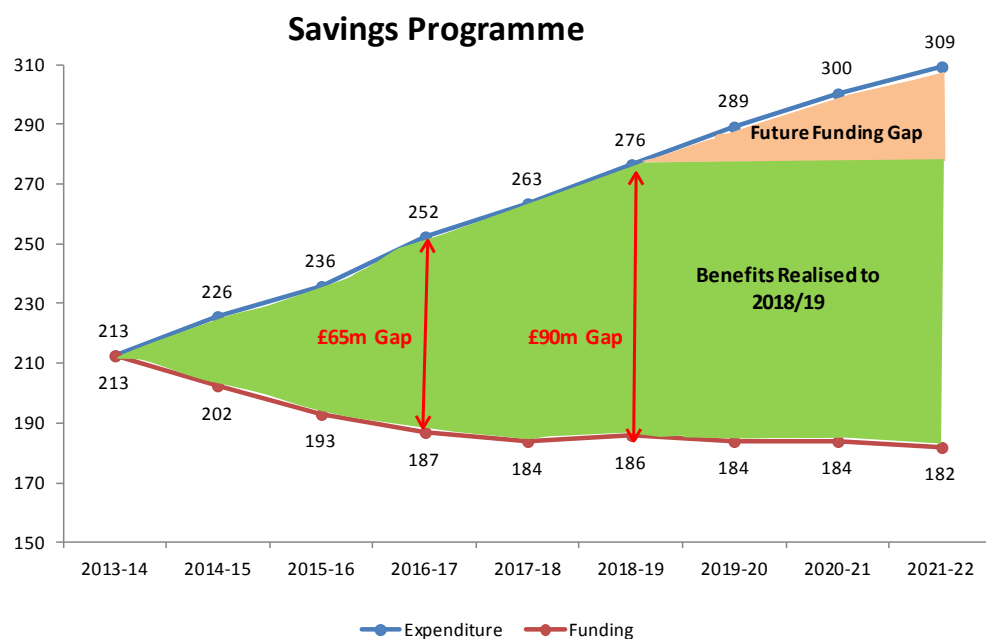
Savings Detail

Savings	2018/19 £m	2019/20 £m	2020/21 £m	2021/22 £m
New Homes bonus	(1.659)	0.076	(0.734)	(1.022)
Better Care Fund Gain	4.579	4.111		
Adult Social Care Support Grant	(1.300)	1.000	1.000	
Chief Executive Office	0.080	0.044	0.000	
Place Directorate including GAME 2				
Real time passenger information	0.150	(0.150)		
Commercial Events	0.150	0.050		
Energy-Related Initiatives: Dividend from Ernesettle Solar Farm	0.023			
Energy-Related Initiatives: Additional Capitalisation of Low Carbon Team Posts	0.053	(0.053)		
Additional Efficiencies	0.198	0.126		
Asset Investment Fund	0.650	0.200	0.100	0.200
GAME 2 - Fleet Modernisation	(0.600)			
Fees & Charges in accordance with Policy	0.003	0.003		
Additional Savings Target		0.387		
Vacancy Management Target	0.505			
Federated Directorates (People, Children's & ODPH) "One System, One Aim"				
ODPH Directorate	0.113	0.178	0.050	
Integrated Commissioning	2.105	2.310	1.555	
Integrated Delivery		1.905		
Community Connections	0.050	0.030	0.015	
Children, young people, youth and families	1.263	1.415	0.700	
Education, Participation, Skills	0.421	0.460	0.230	
People directorate review	0.200			
Additional Savings Target		0.850		
Vacancy Management Target	0.596			
Transformation and Change Directorate (Transformation of Corporate Centre)				
Transformation Review	1.580			
Systems Review - Community Facilities	0.033			
Further Efficiency Savings	0.294	0.187		
Service Centre	0.500	0.100		
Smart working	0.043	0.234		
Revision to office cleaning arrangements (Soft FM)	0.100			
Anti-Fraud Partnership with Devon Audit Partnership	0.050	0.025	0.025	
Review of Coroners arrangements	0.040			
Human Resources and Organisation Development	0.050			
Treasury Management Savings	0.786	1.522		

Savings	2018/19 £m	2019/20 £m	2020/21 £m	2021/22 £m
Fraud Detection		0.070	0.095	
Hotel Development		0.250	0.450	
Fees & Charges in accordance with Policy	0.002	0.002		
Fees & Charges in accordance with Policy - Court Costs	(0.311)			
Additional Savings Target		0.162		
Vacancy Management Target	0.486			
Corporate Items				
Staff Travel	(0.344)			
Fees & Charges in accordance with Policy - Additional Income	0.250			
Procurement	(0.678)			
CST & Cross Cutting	(0.400)			
Capitalisation		0.550	0.050	
Reduction in Reserve	0.073			
Reduction in Working balances	0.050			
Flexible use of capital receipts	(1.500)	(2.000)		
Use of S106 contributions (into base going forward)	2.850			
Total Savings	11.534	14.044	3.536	(0.822)

Our Financial Position – what we projected

In 2013 we worked out what the estimated gap by 2016 would be if we did nothing and this was £65m.



- In 2013 the gap was estimated to be £65m by 2016
- By 2018 £90m of savings have been identified
- From 2019 to 2021 the funding gap is £37m
- Savings of £16m have so far been identified to cover the future gap

Due to transformation savings the Council has overcome the £65m gap identified in 2013. Forecasting further ahead the future funding gap from 2020/21 is £37m and to date £16m of savings have been identified.

Financing the Council

Financial Planning Assumptions

The Medium Term Financial Strategy is based on the national and local economic context and local strategic direction.

Key Financial Planning Considerations

The four-year Revenue Support Grant settlement.

Uncertainty to future funding due to the delay in 100% Business Rates Retention. Reductions in other Government grant funding without matching reductions and responsibility for related services provision.

Uncertainty about impact of Fair Funding Review.

A continuing range of increasing costs in order to meet the demands on the Council and maintain key services, particularly in Adult Social Care, Children's Social Care and Waste.

Increased costs of meeting new initiatives.

An expected increase in annual pay inflation and the LGA's national review of spinal points.

A continued increase in employer pension contributions.

General inflation relating to external spend and contracts have not been accounted for on the understanding that smarter procurement practices will continue to contain significantly increased spending.

Key Assumptions

Benefit from the Devon-wide Business Rates Pool continues into future years however there is uncertainty as to whether Plymouth will remain a Pilot authority in 2019/20.

Build on the strong relationship with key partners such as the NHS N.E.W Devon Clinical Commissioning Group through the S75 Agreement implemented April 2015 and the Integrated Fund.

Maintain a minimum 5% Working Balance. This reserve has been steadily built up over the years and stands at £9.4 million as at March 2017. This equates to approximately 5.0% of the Council's net revenue budget which is about the average for Unitary Councils.

Revenue Resources

Plymouth City Council, in line with all other Local Authorities, continues to face diminishing resources and increasing demand and costs.

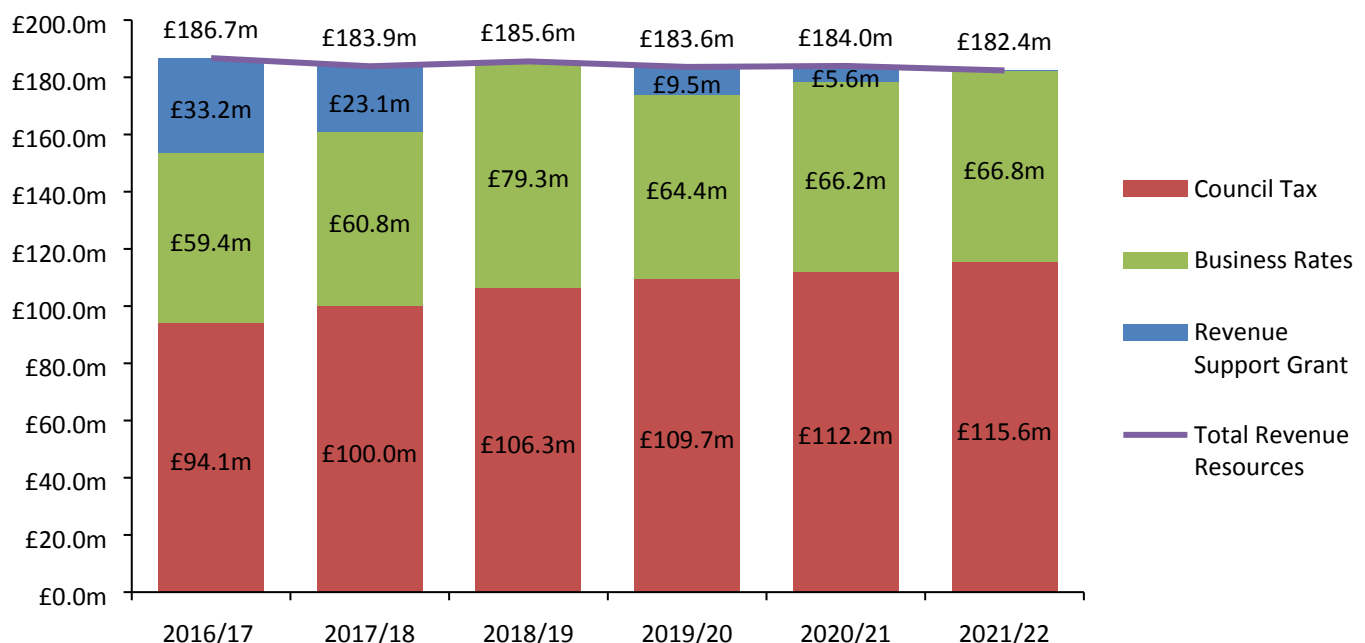
Our Council tax assumptions reflect a steadily increasing tax base, and the levying of an additional 2% Council Tax increase in 2019/20 as allowed by Government. The Business Rates forecast assumes a full growth dividend. It is expected that Devon Business Rates pooling gains will continue. A moderate RPI increase has been assumed.

	2018/19	2019/20	2020/21	2021/22
	Budget	Forecast		
	£m	£m	£m	£m
Revenue Support Grant*		9.533	5.567	0
Council Tax	106.279	109.700	112.227	115.603
Business Rates	79.277	64.391	66.176	66.790
Total	185.556	183.624	183.970	182.393

*In 2018/19 the RSG has been replaced by the 100 business rate retention pilot.

The scale of the funding reductions is the financial challenge facing the Council over the next four years. The Council faces a continuing reduction in core central funding from the Revenue Support Grant with the expectation this will be zero in the medium term.

Revenue Resources



Treatment of Specific Grant Funding

Housing Benefit Subsidy

Normal housing benefit payments are subsidised at 100%. Housing Benefit Subsidy Grant is estimated to be £79m in 2018/19. However overpayments attract only a 40% subsidy rate.

Increased levels of claimant error are being notified to Councils by DWP under Real Time Information. An additional £0.250m has been provided in 2018/19 to address the subsidy implications.

Dedicated Schools Grant

The largest specific grant that the Council receives is the Dedicated Schools Grant (DSG) which is a net £77m for 2018/19 and £192m gross including monies allocated for academies. The funding is spent either directly by Schools, (Primary, Secondary and Special), through their formula allocations, or by the authority on their behalf. The Schools Forum, (a representative group of Head Teachers and relevant stakeholders), are consulted on the local authority's formula distribution and the amounts administered centrally.

Any over or under spends on the DSG are carried forward to the following financial year with a neutral impact on the Council's general fund. However, accumulated school balances do form part of the Council's overall reserves and provisions.

Pupil Premium

In addition to the Dedicated Schools Grant the Council also receives additional schools funding through the Pupil Premium. This allocates additional funding to schools that have pupils who are:

- Eligible for free school meals;
- Looked after by the City Council;
- Have parents who are currently serving in the armed forces.

Public Health Grant

This Government Grant supports the Council's public health responsibilities. Grant conditions apply including responsibilities for 0-5 children services.

For 2018/19 the Public Health ring-fenced grant is £15.735m which is a reduction of £0.405m from 2017/18. Not yet confirmed but a similar reduction for 2019/20 would give a further reduction in the grant to £14.925m.

Since 2014/15, Plymouth's allocation will have seen a cumulative reduction of more than £2.0m, nearly 12%.

Grant funds may only be spent on activities whose main purpose is to improve the public health of our local population. This includes some specific requirements around health improvement, sexual health, drug and alcohol services, children and young people's PH services, NHS Healthchecks and health protection, as well as providing healthcare public health advice to support the commissioning of health and wellbeing services.

New Homes Bonus/Better Care Fund

The New Homes Bonus (NHB) is a Government scheme which is aimed at encouraging local authorities to grant planning permissions for the building of new houses in return for additional revenue. Local authorities are not obliged to use the NHB funding for housing development. The scheme was introduced in April 2011 and to date the Council has received in excess of £26m up to 2018/19. The amount of NHB that each authority receives is dependent upon these elements;

- The Council tax band of each additional property built, multiplied by the national average Council tax level from the preceding year i.e. 2018/19 allocations are based upon the average Band D Council tax set in 2018/19 at £1,591
- A payment of £350 for each affordable home
- Empty homes coming back into use
- No payment is made on growth in new homes of less than 0.4% as this is deemed to be 'normal' growth
- Each years bonus is payable for 4 years

The New Homes Bonus allocation for 2018/19 is £3.487m. The estimate for 2019/20 to 2021/22 is based on the current calculation. The Government has recently announced a consultation which is likely to see the threshold at which homes are included increase from 0.4% and changes to the scheme from 2020/21 to further incentivise growth in new homes. To reflect this an assumption that the threshold will increase to 0.6% and the forecast has been adjusted to reflect this.

New Homes Bonus	2018/19	2019/20	2020/21	2021/22
	£m	£m	£m	£m
Year 1	0.602	1.319	1.168	0.398
Year 2	1.319	1.168	0.398	0.678
Year 3	1.168	0.398	0.678	0.585
Year 4	0.398	0.678	0.585	0.146
Total Payable	3.487	3.563	2.829	1.807

Improved Better Care Fund

Referred to as iBCF, the Improved Better Care Fund was first announced in the 2015 Spending Review. This is paid as a Specific Grant to us as the local authority with a condition that it is pooled into the existing local BCF plan with the Clinical Commissioning Group (CCG). The grant allocations were announced as part of the 2017 Spring Budget.

The grant is time-limited for three years with the additional funding totalling £11.275m; it is front-loaded with the allocations:

2017/18 £5.800m;

2018/19 £3.663m;

2019/20 £1.815m.

This is additional funding for the provision of adult social care and this is therefore not an on-going revenue stream and cannot be subsumed into "business as usual" to close the funding gap for adult social care. There are clear ministerial guidelines on the areas this money can be used for and Plymouth City Council,

working in partnership with key stakeholders such as NEW Devon CCG will ensure the funds are invested in transforming the social care system and reducing delayed transfers of care.

The Plymouth Integrated Fund

As part of a collaborative transformation programme, Plymouth City Council and NHS Northern, Eastern and Western (NEW) Devon Clinical Commissioning Group (CCG) continue to draw on the Plymouth Integrated Fund. This has been created by pooling or aligning the vast majority of the People Directorate budget and the Public Health commissioned services budget to form a fully integrated health and social care commissioning budget. Implemented via a Section 75 Agreement under the Health and Social Care Act 2012, the Plymouth Integrated Fund has a combined net budget of £490m and was established specifically to create an integrated population based system of health and wellbeing for Plymouth.

Our four integrated commissioning strategies, developed in conjunction with the NEW Devon CCG, continue to provide the direction and guidance for a place-based, whole system approach to health and well being outcomes in Plymouth and help identify how the Plymouth Integrated Fund will be used to optimum effect. The Integrated Fund for 2018/19 is £677m. Each of the two partners contributes to the fund as follows:

- NHS N.E.W. Devon Clinical Commissioning Group: £425m;
- Plymouth City Council: £252m.

The Plymouth Integrated Fund also incorporates the Better Care Fund, which is a national programme aimed at accelerating integration between the NHS and Local Government. It creates a local single integrated budget to incentivise the NHS and Local Government to work more closely, placing wellbeing as the focus of the health and social care services. For 2018/19 the total combined BCF and iBCF is £29.345m (2017/18 £26.4m) made up of the Better Care Fund (BCF) £20.342m for both partners plus Plymouth City Council's Improved Better Care Fund (iBCF) allocations of £5.343m and £3.660m. The Plymouth Integrated Fund is supported based on a 72% Clinical Commissioning Group 28% Council share of financial benefits and risks. This agreement limits the transfer of any over or under spends between the partners to a defined prudent maximum. The development of the Plymouth Integrated Fund has created greater opportunity to deliver improved outcomes and financial savings, recognising the existing budget pressures in both organisations, which have developed plans to address underlying overspends in the Plymouth Integrated Fund. Livewell Southwest – a Community Interest Company (CIC) – deliver community health and social care to people living in Plymouth, South Hams and West Devon and is an example of how the transfer of the adult social care staff enabled a fully integrated approach to both health and social care assessments for the people of Plymouth.

Sustainability and Transformation Plan (STP)

The Wider Devon Sustainability and Transformation Plan sets out ambitious plans to improve health and care services for people across Devon in a way that is clinically and financially sustainable.

Health and care organisations as well as Plymouth City Council and the other local authorities across Devon have been working together to create the shared five-year vision to meet the increasing health and care needs of the population – while ensuring services are sustainable and affordable.

The STP provides the framework within which detailed proposals for how services across Devon will develop – between now and 2020/21.

A key theme throughout the STP is an increased focus on preventing ill health and promoting people's independence through the provision of more joined up services in or closer to people's homes.

Seven priority areas have been identified as key programmes of work:

- Ill health prevention and early intervention
- Integrated care model
- Primary care
- Mental health and learning disabilities
- Acute hospital and specialist services
- Increasing service productivity
- Children and young people

Plymouth is a key contributor to the STP and we ensure our transformation programme for Integrated Health & Wellbeing dovetails with the programme.

Council Tax

The Council increased Council Tax for 2018/19 by 1.47%. The Council Tax increase is assumed to be 2% each year through to 2021/22 in the MTFs. A 0% increase for Adult Social Care precept has been assumed from 2019/20 through to 2021/22. In the table below we have set out the implications on our overall resources for 2019/20 to 2021/22 of three alternative options on future changes:

- A general Council tax freeze in each year;
- A general Council tax increase of 1% year-on-year;
- An increase up to the referendum limit of 2.99% in each year.

Every 1% movement in the Council Tax base equates to £1.000m.

	2018/19	2019/20	2020/21	2021/22
	£m	£m	£m	£m
No Adult social care precept assumed	106.279	106.279	106.279	106.279
		1.068	1.079	1.089
Based on 1.00% increase 2018/19 only	106.279	107.347	108.426	109.515
		1.068	1.079	1.089
Based on 2.00% increase 2018/19 only	106.279	108.415	109.505	110.604

Income Collection

The 2018/19 revenue budget and MTFs assumptions are based on achieving the collection targets. Bad debt provisions are kept under regular review by the Section 151 Officer.

Type of debt	Target % 2017/18	Target % 2018/19	Target % 2019/20	Target % 2020/21	Target % 2021/22
Council Tax	98.6	98.7	98.8	98.8	98.8
Business Rates	98.6	98.7	98.8	98.8	98.8
Commercial Rents	98.5	98.5	98.5	98.5	98.5
Sundry Debt	98.0	98.0	98.0	98.0	98.0

The targets for Council tax collection and business rates are stretched for 2018/19 onwards. These are ambitious targets and the increase is not currently assumed in the MTFS. The average in-year Council tax collection rate for unitary authorities was 96.9% in 2017/18. The average in-year business rates collection for unitary authorities was 98.2% in 2017/18.

Additional costs

Additional costs accepted within the MTFS are exceptional in nature with the inherent assumption that spending departments will absorb the increased cost of service demand and inflation through proactive management action and efficiencies through “business as usual” operations. A clear business case must be approved through the Corporate Management Team (CMT) in order to incorporate future year funding allocations.

Utilities have been a significant additional cost in recent years. However, through office rationalisation, carbon reduction investment and falling prices, we have not incorporated such pressures within our MTFS at this stage. Likewise, general inflation relating to external spend and contracts has not been accounted for on the understanding that smarter procurement practices will continue to contain significantly increased spending. The additional costs within the 2019/20 MTFS are detailed below. Additional costs are kept under constant review as part of on-going budget monitoring.

Item / area	2018/19	2019/20	2020/21	2021/22
	£m	£m	£m	£m
Salary and Pension Inflation	1.800	2.321	1.600	1.600
Increase Working balance in line with General Fund Balance		0.294		
Pension actuarial review	0.900	0.250	0.250	
Adult Social Care – Care Packages cost and volume	2.813	3.506	1.861	1.860
National Living Wage – Adult Social Care	2.054	3.393	3.364	3.360
Children’s Social Care - cost and volume	3.200	1.806	1.960	1.960
Homelessness	0.250			
Education Services Grant – Legacy Costs	1.300			

Item / area	2018/19	2019/20	2020/21	2021/22
Major Investments – South Marine Yard/Mayflower Celebration	(0.550)	0.371	0.483	
Plymouth Plan (one-off)	(0.210)			
Loss of Rental Income		0.160		
Street Services Operations	0.250			
ICT re-provisioning	0.300	0.300	0.300	
Revenue costs arising from capital investment decisions	0.250	0.450	0.800	0.600
Organisational Development	0.500	0.500	0.500	
Elections	0.100			
Housing Benefit Subsidy	0.250			
Customer Experience		0.150		
Total	13.207	13.501	11.118	9.380

Salary and Pension / Inflation

Pay awards have been significantly reduced over recent years, including a prolonged period of staff pay freeze. A one per cent increase in our payroll roughly equates to £0.8m added revenue spend within our base budget. Looking forward, we have assumed a two per cent award 2019/20, 2020/21 and 2020/21. In addition to the annual pay award the LGA are currently reviewing the national 'spinal points'. Modelling work has commenced and the MTFS will be updated to reflect local and national modelling. At this stage it is estimated that there could be up to a 3% uplift required to reflect the outcome of the spinal point review. £0.721m has been included for pay scale changes. Additional funding has been allocated towards our pension deficit.

With the move towards alternative service delivery vehicles such as DELT (www.deltservices.co.uk) and CaterEd (www.plymouth.gov.uk/catered), future one off costs will need to be quantified in terms of ensuring that there is no pension deficit at the point of transfer.

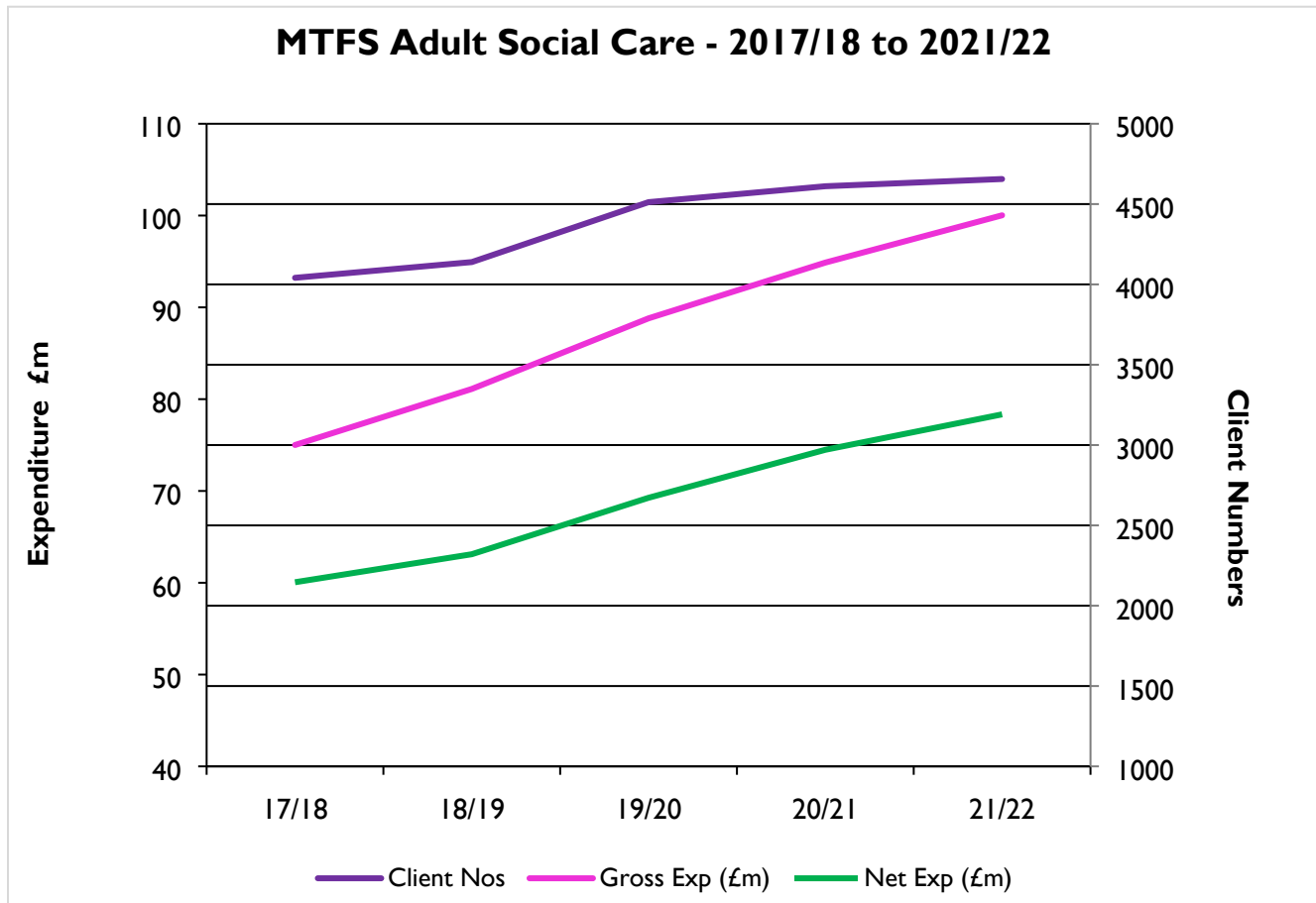
Adult and Children Social Care, plus National Living Wage

A significant proportion of our revenue budget is spent on two main areas; adult care services and children's social care provision. Nationally and locally the costs of providing health and wellbeing services are rising as demand increases. We have an ageing population with more complex needs and higher levels of young children requiring our services.

The National Living Wage was increased to £7.83 per hour from April 2018. This increasing cost is shown separately in our additional costs analysis but in reality is a key driver in the increasing costs of providing our adult social care packages and services.

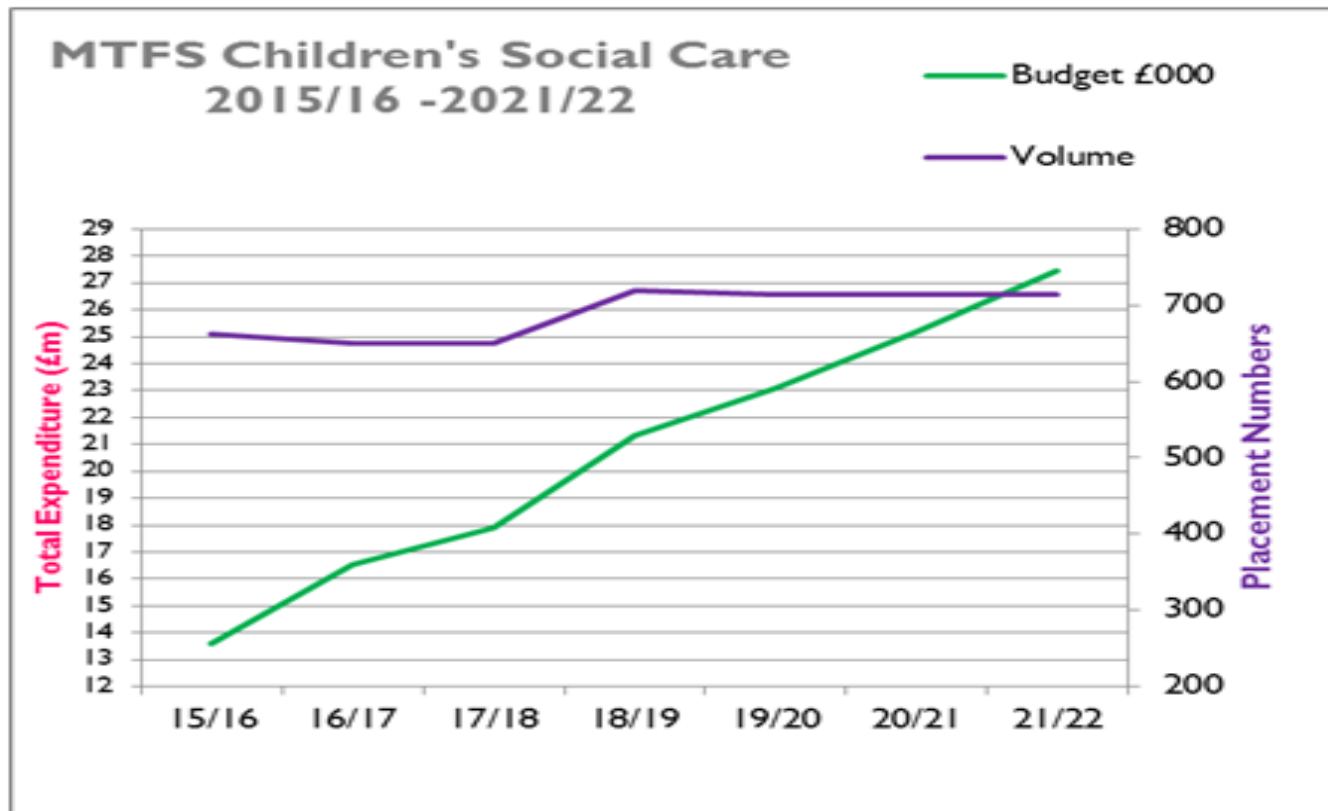
The MTFS has provided £3.393m in 2019/20 and increases in each year as we move towards the Government's pledge of £9 per hour by 2020/21. Reflecting this year-on-year increase sees additional allocations of £3.364m in 2020/21 and a further £3.360m in 2021/22 on the basis the increases will continue into this year.

For our own workforce, the Council pays the Foundation Living Wage (currently at £8.75) and this will be reviewed or capped for affordability in future years whilst the new National Living Wage catches up.



Adult Social Care Cost + Volume analysis – 2017/18 – 2021/22

	2017/18 Outturn £m	2018/19 Budget £m	2019/20 MTFS £m	2020/21 MTFS £m	2021/22 MTFS £m
Net budget for ASC care packages (before savings)	57.492	62.359	69.258	74.483	79.704
Additional MTFS provision		4.867	6.899	5.225	5.220
Split between:					
Cost and Volume		2.813	3.506	1.861	1.560
National Living Wage		2.054	3.393	3.364	3.660



Children's Care Cost + Volume analysis

	2017/18 Outturn £m	2018/19 Budget £m	2019/20 MTFS £m	2020/21 MTFS £m	2021/22 MTFS £m
Net budget for children's care packages (before savings)	18.093	21.293	23.099	25.059	27.019
Additional MTFS provision		3.200	1.806	1.960	1.960

The additional funding allocated in future years reflects a levelling out in the trend of the number of children coming into care and an increase in the cost of the care packages and placements. The numbers reflected for 2019/20 and 2020/21 and 2021/22 are based on trend analysis at this stage and will be refined going forward.

Major Investments

We are creating the South Yard Marine Industries Production Campus site. This is a long term investment project which will create employment opportunities and generate commercial income in future years.

Plymouth City Council is working towards the 400th celebration of the sailing of the Mayflower from Plymouth and has set out ambitious plans to ensure the occasion is marked nationally as well as locally. This allocation is to cover the revenue associated costs of planning and hosting events up to and including 2021.

The MTFS phases the budgets based on their annual spend. The budgets are forecast to conclude by 20/21 for Mayflower and 21/22 for South Yard.

ICT re-provisioning

The MTFS provides £0.300m in 2019/20 and 2020/21 for ICT re-provisioning. The cost of replacing our current stock of ICT equipment, covering desktop and laptop equipment and printers etc. will fall on revenue resources rather than the capital programme.

Revenue costs arising from capital investment decisions

£0.250m was included for the revenue costs arising from capital investment decisions in 2018/19 with a step up of a further £0.450m in 2019/20 and £0.800m in 2020/21 and £0.600m in 2021/22. Borrowing costs associated with investment projects follow the “Invest to save” principle and are repaid by the project. There will be other cases where investment is required, such as Transport projects, Schools and Health and Safety, where there is no financial payback. The loan repayments will be funded corporately.

Organisation Development Costs (including EVRS/Redundancy)

Our workforce has reduced significantly in the last three years as a result of transformational changes that have impacted on the shape and size of the organisation. Staffing reductions have been delivered through a mix of natural turnover of staff, transfers out to alternative service delivery mechanisms (e.g. Delt shared services, Livewell SW and CaterEd) and as a direct result of Service Reviews where we have looked to realign services in line with our Council target operation model (‘blueprint’) and in line with budgetary savings required within the relevant financial period. £0.500m was included in 2018/19 MTFS period as a prudent provision for future costs associated with EVRS and redundancy of staff, £0.500m in 2019/20 and £0.500m in 2020/21.

Housing Benefit Subsidy

As mentioned on page 18, normal housing benefit payments are subsidised by DWP at 100%. Claimant error is subsidised at 40%, but is recoverable from the claimant. If the claimant is still in receipt of housing benefit there is a regulatory limit to the amount that can be recovered of £10.95 per week.

Since 2014 DWP has compared its database of payroll and family credit information with monthly extracts of Local Authority housing benefit records. Benefits authorities are notified of any claimant error by DWP. Given the increased scale of claimant error and the difficulties of recovering overpayments in many cases, it is prudent to provide £0.250m in the revised MTFS for loss of housing benefit subsidy.

Transformation Programmes

Local Government is changing rapidly as traditional sources of funding are reducing and the demand for our services is increasing. Our transformation programmes are designed to enable us to meet the £37m funding gap by continuing to transform the way we do things at pace. We know we cannot continue to deliver services in the same way we have done in the past and our transformation portfolio is taking a pioneering and ambitious approach to addressing these challenges while seeking to improve outcomes for Plymouth citizens.

This means providing services in new ways, joining up with partners wherever possible, investing in ways of doing things more efficiently, making the most of our assets, raising income by taking a more commercial approach and a focus and clarity on our organisational purpose.

There are three transformation programmes that involve a wide range of projects touching every area of our work. The transformation programme comprises:

I. Growth, Assets and Municipal Enterprise (GAME 2 Programme)

This programme is investing in accelerating Plymouth's economic growth, which will raise income through business rates, New Homes Bonus and Council tax. It includes a wide range of initiatives to create more jobs and deliver more homes in Plymouth, guided by the Plymouth Plan and the Plan for Homes.

We are also maximising the opportunities to increase income by making best use of our assets and taking a more commercial approach to the way we commission and run services.

Street Services

A Street Services Modernisation Board has been set up to drive the next phase of the modernisation of waste management and street scene services to create a seamless, sustainable system in partnership with our residents.

A plan has been produced to ensure frontline services are efficient, effective and ultimately deliver good outcomes for customers. The plan aligns with the new Corporate Plan by helping to create a city to be proud of and focusing on delivery of the following priorities: a clean and tidy city; a green, sustainable city that cares about the environment; and a welcoming city. The Plan tackles three key themes of Service Improvement, Culture and Systems all feeding the objective of better customer outcomes. These themes also reflect the Corporate Plan by delivering improvements through: listening to our customers and communities; providing quality public spaces; and motivated, skilled and engaged staff. A key deliverable will be the Street Services Information Management System (SSIMS) which through a combination of technology, handheld devices and better data management will help transform how frontline teams work; digitising processes including task management.

Asset Investment Fund

In 2015/16, against a backdrop of local authorities increasingly investing in property as an asset class, we drew on our in-house property expertise, proven track record in managing the Council's existing £88 million property portfolio and its access to historically low borrowing costs to establish an Asset Investment Fund. In the three years to 2018/19 over £3m of income has been generated from the fund.

The Asset Investment Fund has a mandate to invest up to £155 million (subject to approvals) in income-producing, direct development and forward funding commercial property schemes to deliver:-

- Stimulation of economic and employment growth and regeneration in the city.
- Long-term income generation (via rental revenues) to support the wider financial position of the Council.

The Asset Investment Fund has a well-defined investment strategy to manage risk. A key pillar of this is establishing a diversified portfolio with regards to property sector (retail, office and industrial), tenant type and income-expiry profile. The investment approach is also to primarily target secure investments, which generate a net initial yield in excess of 5% per annum (before debt servicing).

The adoption of an Asset Investment Framework provides a sound basis and evaluation criteria on which future property investment acquisitions can be assessed and the performance of the existing investments monitored. This will ensure that the Council's commercial estate will provide a secure long term income stream to help front line service delivery and support the economic development of the city.

Growth Dividend

We will continue to be proactive in securing greater value from our assets and driving projects that deliver growth which brings long term economic and financial benefits for the city such as through securing New Homes Bonus, new Council tax and business rate revenues and additional Community Infrastructure Levy.

These measures include:

- The Plan for Homes which provides a comprehensive delivery framework to respond to need to increase the supply and quality of new housing in the city. The Plan for Homes extends to 2021, with an £80m commitment to housing investment to support the deliver over 1,000 new homes per year – 5,000 homes over the next five years. The plan will deliver 2453 jobs and generate £102.7m GVA benefits to the Plymouth economy. The plan is on track with 4,461 homes delivered in first 4 years with further 1,108 under construction. The plan is currently in its second iteration with a 3rd version to be developed in early 2019.
- Focusing the delivery of major projects that will have the greatest impact on revenue such as Drake Circus Leisure, Civic Centre, Seaton Neighbourhood, Railway Station, Colin Campbell Court, Bath Street, 1620 Hotel and Millbay;
- Continuing the programme of Direct Development to drive rental income and NNDR across the Land Property portfolio;
- Continuing to drive housing developments on Council land.

One Public Estate

This initiative involves working with public sector partners to deliver savings by better, more efficient and joined up use of public sector land and property. This includes regeneration of the railway station and surrounding area; creating a programme of Health and Wellbeing hubs across the city; master planning the Mount Gould Hospital site and demolishing unused buildings for housing. Since its launch, Plymouth City's OPE Partnership have secured c£1.2m of revenue funding over the phases of OPE 3-5 inclusive, to progress the schemes mentioned above.

In OPE phase 6 we submitted a successful bid and were awarded c£3.9m capital funding, to facilitate unlocking local authority land for development. The funding was known as Land Release Fund, granted by Ministry of Housing, Communities and Local Government (MHCLG). We were successful in our bid, and were awarded funding for 6 schemes (namely Colin Campbell Court, Bath Street; Stirling House, Corporate Asset Release Programme, Prince Maurice Road, Effort Youth Centre).

2. Integration of Health and Wellbeing programme



With a significant proportion of our revenue budget continuing to be spent on delivering care to adults, children and young people the programme continues to work alongside the business to provide the necessary structure, capacity and challenge for Service improvement to reduce cost pressures and deliver MTFs efficiencies. The cost of providing health and wellbeing services has risen with volume increases, growing demand and increases in care costs. The programme has already reduced costs to our adult social care services by integrating them with health and wellbeing services, it has redesigned our offer in Children's Social Care to deliver improved outcomes for children and young people. Nevertheless, we continue to innovate around preventative and early intervention services to reduce demand for crisis services and to develop a more sustainable

system. Our focus remains on delivering the “right care, at the right time, in the right place”. Outcomes are consistent with the NHS 5 Year Forward View, which sets out the wider challenges facing the health and care system, characterised by three gaps which must be closed if the system is to continue to be sustainable and meet expectations:

- **The Health and Wellbeing gap:** if prevention is not taken seriously then recent progress in healthy life expectancies will stall and health inequalities will widen.
- **The care and quality gap:** unless we reshape care delivery, harness technology, and drive down variations in quality and safety of care, then patients’ changing needs will go unmet.
- **The funding and efficiency gap:** if we fail to match reasonable funding levels with wide-ranging and sometimes controversial system efficiencies, the result will be some combination of worse services, fewer staff, deficits and restrictions on new treatments.

Adopting a commissioning-led approach, Programme resource is now embedded within Strategic Commissioning and will support the development of Commissioning Plans to realise the outcomes in Plymouth’s Health and Wellbeing System’s Strategic Commissioning Intentions 2018-20; across the four integrated strategies, with the following priorities:

- Developing Integrated Commissioning as a System Enabler;
- Commissioning for Wellbeing and Prevention;
- Transformed and Sustainable Primary Care;
- Integrated Children’s Young People and Families Services;
- Commissioning an Integrated Care Partnership;
- Local, Integrated and Responsive Mental Health Services;
- Enhanced Care and Support.

Our focus in the next three years will see a shift of support for more people in Plymouth to live happy, healthy lives at home. Innovation sits at the heart of our next phase and we will continue to work collaboratively with our local communities and partner organisations.

The People, Children’s and Public Health Directorates have adopted a federated approach and will continue a review of all areas to remodel services within the Directorate whilst seeking to maximise all available grant funding and additional income opportunities.

3. Transformation of the Corporate Centre (TCC) Programme

This programme has been established to deliver a vision of making things more efficient and simpler for staff and customers by focusing on the delivery of two key outcomes:

- **Create New Ways of Working;**
- **Grow Shared Services.**

The programme is supporting the delivery of the following agreed outcomes:

- Supporting cost effective, easy to use and highly accessible services;
- Enabling informed decision making by joining up systems within PCC to create integrated views of Citizens, Costs, Services and outcomes and Performance;

- Automating manual/paper tasks to reduce costs and improve quality;
- Enabling smart/mobile working to allow services to be delivered where they are needed and reducing accommodation costs; Commercialising PCC services that have proven their efficiency by transferring them to Delt or seeking to trade these services directly with other local partners;
- Delivering modern, high productivity technical tools to staff meeting the needs of a professional workforce and helping to attract and retain talent to the authority.

In supporting the programme delivering its three outcomes the following projects have been mobilised:

• **Create New Ways of Working**

The Way We Work Project

The way we work programme has developed a vision “to deliver a flexible workforce with access to the right technology, information and workspaces to work seamlessly and securely across locations and partners” and created a set of projects to change our:

- Technology - equipping our staff and work places with standardised devices and ICT equipment for mobility and collaboration;
- Accommodation - actively pursuing opportunities in the creation of an accommodation strategy and deliver standard, modern and efficient working spaces as well as
 - Rationalise: the need for office space and reduce the premises costs,
 - Modernise: A flexible and mobile workforce served by a flexible and technology enabled corporate office estate with minimum welfare standards and
 - Grow: Use the space no longer required by PCC to support Plymouth’s economic growth
- Information management - Equipping our staff with ways to store and access information in an accessible, secure and compliant way

As the Council continues to change in shape and our workforce continues to reduce in size, it is essential that we change the way we work to enable our people to deliver or commission services in the most efficient and effective ways possible.

The benefits will be measured in:

- Lower operating costs;
- Higher productivity;
- Enhanced staff wellbeing;
- Better service delivery;
- Lower risks;
- Better collaboration;
- Increased security and compliance.

An important part of this project will be focusing on our organisational culture and the behaviours and mind-sets of our people, to ensure that we place the customer and citizen at the heart of all that we do to be at our best. ‘How we work’, a separate workstream within the way we work programme, is directly aligned to the People Strategy 2016-2020 vision for a motivated, engaged and skilled workforce, through a focus on TLC – Talent, Leadership and Culture.

● **Grow Shared Services**

Service Centre – this will support all Council departments who manage customer (including internal customer) requests and enquiries. The highest volume of customer contacts are the least complex and it is these transactions that will be managed by the Service Centre. Customer interactions will be simplified and standardised and will provide clear and transparent performance metrics. The Service Centre’s capacity to support will increase as System Reviews are completed when suitable high volume, low complexity processes will be migrated and deliver economies of scale. Where services are not moved into the Service Centre it also provides advice and best practise to Council departments to manage customer contact and other transactional services more efficiently.

Future Shared Services – following the creation of an internal service centre, this project supports the Council’s objectives of delivering better value for money services and reducing the revenue budget through sharing. Sharing can be achieved through transferring IT based services to a shared services provider (Delt) and/or creating direct relationships between PCC and other partners to trade services in order to:

- Improve customer experience;
- Provide a lower net cost per transaction / service;
- Increase resilience for services;
- Provide a lower annual cost per service;
- Retain jobs and investment in the local economy;
- Grow relations and networks with public sector service providers;
- Increase opportunities for income generation.

Other Transformation Activity

Systems Reviews

A key element of our transformation is breaking down service silos and joining up the way we work both internally and with partners to deliver better and more efficient services.

Reviewing and restructuring services in the context of the bigger organisational picture against our Blueprint framework helps to identify opportunities to:

- Standardise, simplify and share our service provision for the city
- Design changes that reinforce each other that result in sustainable change
- Align with our vision and purpose
- Deliver our Customer Service Strategy
- Focus on our People, Organisation and Culture to deliver our People Strategy
- Underpin any organisational change with strong Communications, Planning and Performance management
- Support our service delivery and commissioning strategies
- Standardise and simplify our processes and transactions
- Strengthen our infrastructure informed by information management and in alignment with our ICT Strategy

The Future of Transformation

Our transformation programmes will be aligned to our organisational Purpose:

- Everything we do is about:
 - Facilitating relationships so that everyone can help develop Plymouth.
- We do this by:
 - Being relentless in placing digital at the heart of all that we do;
 - Focusing on building networks and partnerships and supporting them to thrive;
 - Being straightforward with people about the challenges we face so they can help solve them;
 - Co-ordinating our activity effectively.

We will ensure that the basic fundamentals such as an excellent performance management are in place, working well and adding value.

We will be clear how we manage demand for better outcomes through working to breakdown departmental silos in order to meet customer needs. Our work will also set clear service standards, empower staff and provide digital service offerings

The future shape of Plymouth City Council will reflect an intelligent organisation making effective use of the data available to us, working closely with our communities, developing models for alternative service delivery vehicles, supported by streamlined services and placing the customer at the heart of our culture.

Capital Budget and Programme

Over recent years the Council has reviewed its management of the capital programme based on specific funding streams, to produce a more strategic capital budget. The capital budget now represents the approved capital programme that is in delivery and an estimate of future income resources for capital.

The level of capital resource available has also been diminishing and will continue to do so for some time. Less is now available through direct capital allocation with increased need to bid for specific pots of funding linked to specific outcomes, for example, major road infrastructure projects and large cultural projects such as The Box etc. The Council's ability to maximise investment into the city through vehicles such as the Growth Fund and the Heart of the South West Local Enterprise Partnership has become an increasing priority.

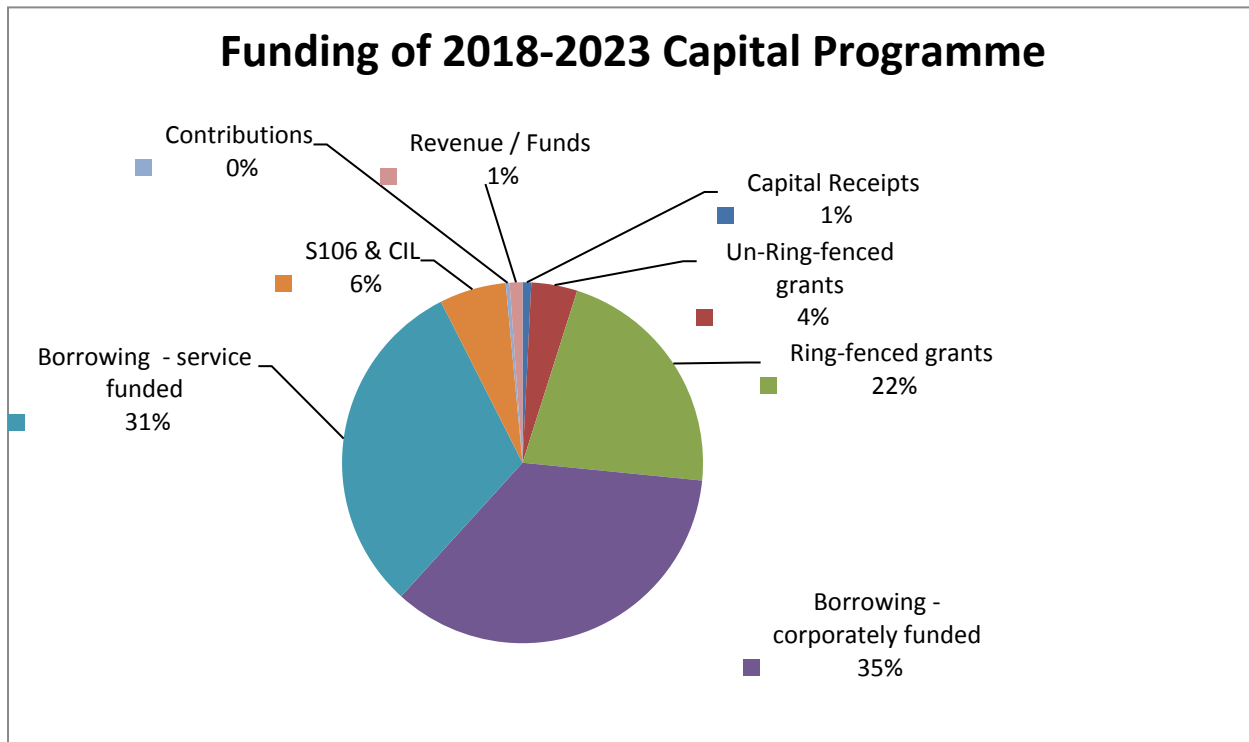
The Council has decided to provide direct investment into the Plymouth Plan increasing by its long term borrowing to help fund the capital expenditure. In February 2017 the Council agreed a Priority List of projects that they would like to develop over five years to the value of £417m which includes £266m of borrowing.

We continually challenge and update all capital income streams in order to estimate the total resources at our disposal. Maximising developer contributions, under Section 106 (S106) of the Town and Country Planning Act 1990, and forecasting for the future generation of capital receipts through planned and structured asset disposals, remain vital income streams. There are a number of risks inherent within the calculation of forecast resources, the majority of which are reflected by the use of an appropriate RAG rating.

The Capital budget for 2018 to 2023 as at 30 June 2018 consists of the following elements:

Description	£m	
Capital Programme	199.1	
Priority List (outstanding allocations)	169.4	
Income Assumptions *	212.6	
Total Revised Capital Budget for Approval (2018-2023)	581.1	

* Estimate of income to be received to finance future capital projects



Funding Assumptions

Capital Receipts

Capital receipts arise from the sale of an asset. Usually the sale of an asset cannot be used to fund ongoing revenue purposes, without exceptional rules in place (i.e. capitalisation directions, or for one off transformational purposes), thus the sale of assets is used to re-invest in capital investment. Furthermore capital receipts can be ring-fenced or un-ring-fenced subject to specific circumstances or agreed decisions to earmark a specific capital receipt.

The current methodology for predicting capital receipts is obtained from the Capital Receipts working group which tracks progress against scheduled sales of capital receipts. This results in a relatively straight forward forecast of known assets for sale which is then RAG rated based on expected timing and value.

Non Ring-fenced Grants

Un-ring-fenced Grants are best described as the “block allocation” of capital grants awarded to the Council by Central Government, based on a needs assessment. The blocks typically cover education and transport. Historically, the Council allocated the blocks to the applicable services and the services have drawn down against these funds with projects, in essence there has been a ring-fencing of sorts internally. The position is now changed with the Council deciding that all un-ring-fenced resources should first be available to the relevant service area, and if unused be held in a central pool with all priorities being considered. This may mean that funds passed to the Council by the Government for transport may be used for anything else.

The method of prediction is aligned to the spending reviews and settlements. In immediate years the block allocations tend to be announced as confirmed. This is often accompanied by indicative future year announcements (based on an assessment of need). As we move into the future we are using the information provided within these settlements and from central Government announcements.

Ring-fenced Grants

These grants are paid to PCC to deliver schemes, or outcomes, which will be defined in the terms and conditions from the funder, and may include time barring and future obligations for the Council. There will be penalties for the terms and conditions not being met.

Our income assumptions include mandated projects in our pipeline.

Borrowing

Loans are taken out to fund capital expenditure from approved lenders based on the treasury management knowledge on interest rates and borrowing. The repayment of the loan principle and interest is paid for from revenue.

Service Borrowing is where a service area has a capital project and the capital spending will improve the service or change the way the service is being delivered which makes savings. The savings are used to pay for the borrowing e.g. The Asset Investment Fund has taken out borrowing to purchase commercial properties that deliver an income to the Council above the cost of paying the service borrowing.

Corporate borrowing is used to pay for some or part of the capital projects in the Priority List and the cost of borrowing should be provided in the revenue budget.

Developer Contributions

Our Planning department forward forecast is based on known future developments. This is then RAG rated based on expected timing and value.

Community Infrastructure Levy (which replaced the S106 Tariff). The levy is used to support new developments by funding infrastructure needs – for example, new road schemes, park improvements or improvements to local school capacity. This is charged on a £ per square metre rate of the proposed new development.

Section 106 – Negotiated Obligations and tariff

Negotiated Element - this is negotiated with the developer and is used to fund specific works, normally linked to the development.

Planning Development Tariff - pooled into categories to be used in such areas such as Transport, Education and Libraries. The Regime has been replaced by CIL but resources continue to be collected.

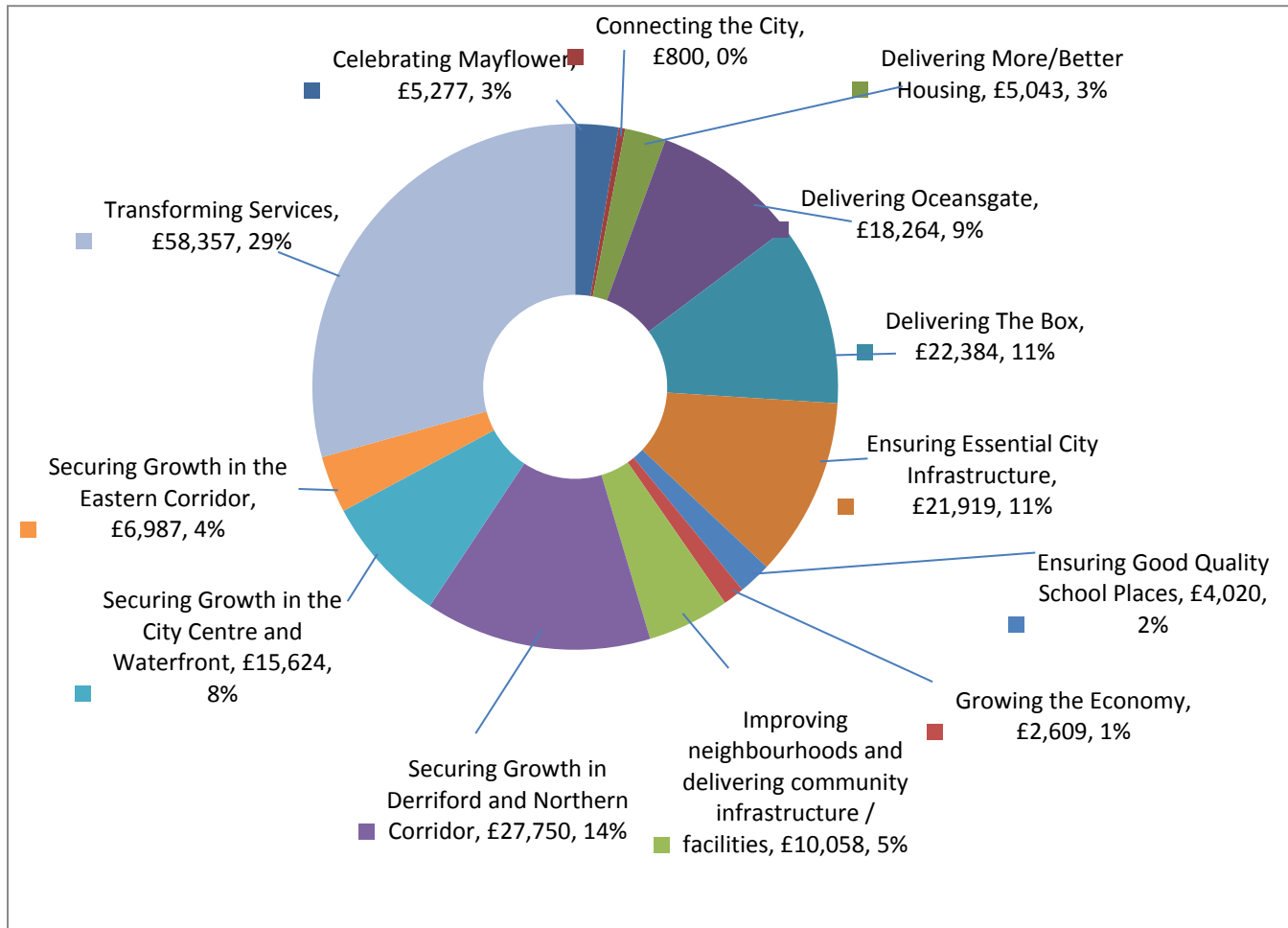
External Contributions

A sum provided by a funder, but not specifically as a grant. This is a direct award of resources for a specified purpose, for example the £2.1m contribution from British Land towards the new Mayflower Coach Station.

Revenue

The use of the revenue budget to directly fund capital spend: This is known as a Revenue Contribution to Capital Outlay (RCCO).

Capital Programme by Outcomes



Capital Programme

Officers will remain proactive at securing external grant funding wherever possible in order to continue to deliver significant, ambitious capital investment in the city. The budget will be continually updated as further details of funding are made available. Projects utilising funding are submitted and considered by our City Council Investment Board (CCIB) who make recommendations to the Leader of the Council.

The Council is currently investing up to £417m in the city as part of the Priority List which was approved in February 2017 and aims to meet the objectives of the Plan for Plymouth over the next five years. The Council is investing up to £145m in Corporate Borrowing as part of its contribution to the capital schemes.

Projects seeking to fund proposals from service borrowing will be required to meet the principle of “Invest to save”. Business cases will evidence that a loan to fund capital spend can be repaid from the net revenue benefits achieved from the investment, as evidenced in a discounted cash flow. This ensures a net present value of a capital project over the life of the asset. The repayment of the loan principle and interest is paid for annually from the revenue account. The repayment of loans taken out based on approved capital projects is reported through regular revenue monitoring, until the loan is repaid. Proposed projects will

continue to have to meet this “Invest To Save” criteria, and that the revenue impact of this will continue to be met from the relevant service revenue accounts.

We remain committed to a significant capital investment programme. The Council will engage with partners in major regeneration of the city, not only contributing towards improvements, but also to sustain local work opportunities, for example, the construction industry. We will ensure that we maximise the outcomes and revenue savings generated through capital investment. For example, we will grow businesses in the city and build more houses to generate business rate income, New Homes Bonus and Council tax.

Our Capital Budget for 2018/19 to 2022/23 is £581m and our Capital Programme includes some of the following projects:

Investment in Road infrastructure

We will continue with our £20m capital investment in our road infrastructure with planned carriageway resurfacing to repair pot holes and improve road junctions and traffic flows.

Investment in schools

We will continue to invest in providing improved schools and additional capacity for the increasing number of school age children in the city, ensuring there is a school place for every child and education opportunities which will improve their quality of life. We are investing £2.346m in Yealmpstone Farm Primary school.

Plan for Homes

£80m investment will be available to assist house building across the city. Individual draw down against this scheme will be subject to due diligence and outcomes delivered in terms of number and types of dwellings to be built.

Forder Valley Link Road

The FVLR is a new one-kilometre road linking Forder Valley Road and Novorossiysk Road to William Prance Road in Derriford, providing a direct route between Derriford and all traffic from the east.

Asset Investment Fund

Up to £100m is being invested into strategic property investments that will help grow local businesses and will create additional income to support the Council's revenue budget.

Railway Station

£40m will be invested to improve the area in and around Plymouth Station This will deliver a new car park and other developments and improved access for both vehicles and pedestrians.

The Box

Over £34m is being invested to transform the museum into a cutting-edge cultural centre, three times its existing size, providing 86% more exhibition space and 100% more flexible learning space. Construction is underway ahead of an anticipated opening in 2020 for the Mayflower celebrations.

Central Park Improvements

Investment of £9m is underway in central park to deliver the Central Park Masterplan.

Oceansgate

£22.6m is being invested into the former Royal Navy dockyard to provide industrial units and office space for the marine industry. The site will eventually have access to former naval dry docks. The first phase has been completed and has 1,300 square metres of new and converted marine based workspaces. The second phase is underway to provide additional 3,112 square metres of marine based workspace.

Treasury Management

Changes to the Treasury Management Code:

CIPFA published its new 2017 editions of Treasury Management in the Public Services Code of Practice and Guidance Notes and in the Prudential Code for Capital Finance in Local Authorities. The Ministry of Housing, Communities and Local Government (MHCLG) also published revised statutory guidance on Local Authority Investments for England in February 2018.

There has been a change to the definition of treasury management “Investments” so that it now covers all the financial assets of the organisation, and “other non-financial assets” which the organisation holds primarily for financial returns, such as investment property portfolios. This may therefore include investments which are not managed as part of normal treasury management or under treasury management delegations. All investments require an appropriate investment management and risk management framework under this Code.”

The Council will produce a new Capital Strategy and an Investment Strategy stating the specific policies and arrangements for non-treasury investments. It will also give the Council’s risk appetite and it will recognise that the risk appetite for these activities may differ from that for treasury management.

The Prudential Code requires authorities to look at capital expenditure and investment plans in the light of overall organisational strategy and resources and ensure that decisions are being made with sufficient regard to the long run financing implications and potential risks to the authority. Effective financial planning, option appraisal and governance processes are essential in achieving a prudential approach to capital expenditure, investment and debt.

The Council’s approach to Treasury Management has been significantly revised due to the global economic environment and by the recent decision to leave the European Market. These events have led to the Bank of England start increasing the bank rate from its all-time low of 0.25%.

Despite being risk adverse, we continue to explore opportunities for generating significant revenue returns through close management of the business’s working capital and associated cash flows.

The Asset Investment Fund has been investing in local property by borrowing at unprecedented low interest rates. This will enable the Council to increase its investment income as well as supporting its revenue budget.

With falling interest rates on the Council’s main bank and call accounts, we have also been proactive in seeking alternative investment vehicles for money that we are able to put aside for a longer time period. For example, our £20m investment in property funds generated a return of more than 3.5% in 2017/18.

The Council’s published Treasury Management Strategy details our borrowing limits and specifies approved institutes for investment, (with maximum limits), based on credit ratings and other pertinent factors. We also publish Prudential Indicators which set investment and borrowing performance indicators to ensure that we stay within these guidelines. We maintain regular engagement with our Treasury Management advisors, Arlingclose, and constantly seek their advice on our strategic direction and key operational decisions.

Borrowing Limits

The Council is required to set out its annual Borrowing and Investment Strategy recognising its implications on the Council’s revenue budget. It is a statutory duty under the Local Government Act 2003 for the Council to determine and keep under review how much it can afford to borrow. The Council must have regard to the Prudential Code when setting its Authorised Borrowing Limit, which essentially requires it to ensure that total capital investment remains within sustainable limits and, in particular, that the impact upon its future Council Tax and Council rent levels is acceptable.

The Council approved its revised Treasury Management and Investment Strategy for 2018/19 in February 2018. In this Strategy we have approved the authorised borrowing limits as:

- 2018/19 £650m
- 2019/20 £675m

The Council will consider the use of borrowing if evidenced by a robust business case which clearly details financial and non-financial outcomes achievable through the proposed capital investment. Such cases require approval through the City Council Investment Board (CCIB) with the associated revenue cost of borrowing the money charged against the relevant service department to which the investment relates.

Minimum Revenue Provision (MRP) Policy

The Council is required to put aside cash each year from its revenue budget to provide for the repayment of loans taken out to finance capitalised expenditure. The Government's Capital Financing Regulations place the duty for an authority to make an amount of Minimum Revenue Provision which it considers to be "prudent". The prudent provision is to ensure that debt is repaid over a period reasonably in line with that over which the assets provides benefits. The charge starting

The guidance requires the Council to approve an annual MRP Statement each year in which it states the method of calculating a prudent amount of MRP. The MRP payment is funded from revenue with an option that part or all of the payment could be funded from capital receipts.

The Council's MRP policy uses the annuity method and commences the year after the assets comes into operation. This, not only spreads the cost of the borrowing over the life of the assets, but also takes into account the time value of money.

The Council does not use the straight line method over 25 years because the current council tax payers would pay a relative higher charge than council tax payers in the future. For example, if an asset cost £20m to build and has a life of 20 years then there would have been a £1m charged each year on the straight line basis. The annuity method takes into account the time value because £1m today has a higher value (Net Present Value) than £1m in 20 years' time.

Financial Governance, Performance and Risk Management

The Council continues to improve its financial and governance arrangements. Financial Management has improved, performance management has improved, scrutiny has developed and an independent audit committee is operating well.

Finance Business Partners are an integral part of Department Management Teams. They offer financial advice and challenge to Senior Management as part of the process.

The Council's medium term strategy focuses on joining up the individual elements to ensure effective, integrated monitoring and management of:

- Corporate Plan and Priorities
- Benchmarking spend and key performance indicator information
- Revenue budget and spending linked to priorities
- Delivery against revenue delivery plans
- Cost and Volume analysis for Children's and Adult Social Care expenditure
- Delivery of the capital programme

We will continue to build upon the existing reporting template which joins up these core elements. We have an embedded reporting process with quarterly integrated reports (supplemented by monthly scorecards) which will continue to be presented and challenged by:

- Corporate Management Team
- Cabinet
- Scrutiny Committees

In addition, we produce a joint Plymouth City Council and Clinical Commissioning Group monthly finance report to monitor our performance against our aligned net budget for health and wellbeing of circa £495m for 2017/18. This report is a management tool for Cabinet and the Clinical Commissioning Group Board and also the Integrated Commissioning Board.

The Audit Committee will continue to provide an essential role in ensuring that we provide effective governance. In particular, their quarterly meetings will challenge progress made against the annual governance statement, internal and external audit plan, reports and recommendations. In addition, the audit committee has a lead member role in challenging and placing assurance on the Council's Treasury Management arrangements. To ensure that our financial procedures and practices are reviewed, up to date and reflect the operational business requirements and risks that the Council faces, Financial Regulations and levels of Delegated Authority will be submitted to, and approved by our audit committee on an annual basis.

Our internal audit service continues to be provided through the Devon Audit Partnership, a shared service arrangement with Devon County and Torbay Councils. The core objective of this arrangement is to improve the quality and efficiency of audit services.

The Council has created a number of specific reserves and provisions in order to plan in advance for known and anticipated future revenue costs. We will regularly review the appropriateness and use of these reserves throughout each financial year. As a minimum, all specific reserves will be reviewed on an annual basis in as part of the end of year accounting closedown.

A brief description of the purpose of each of our significant reserves and provisions is as follows:

Redundancy Costs

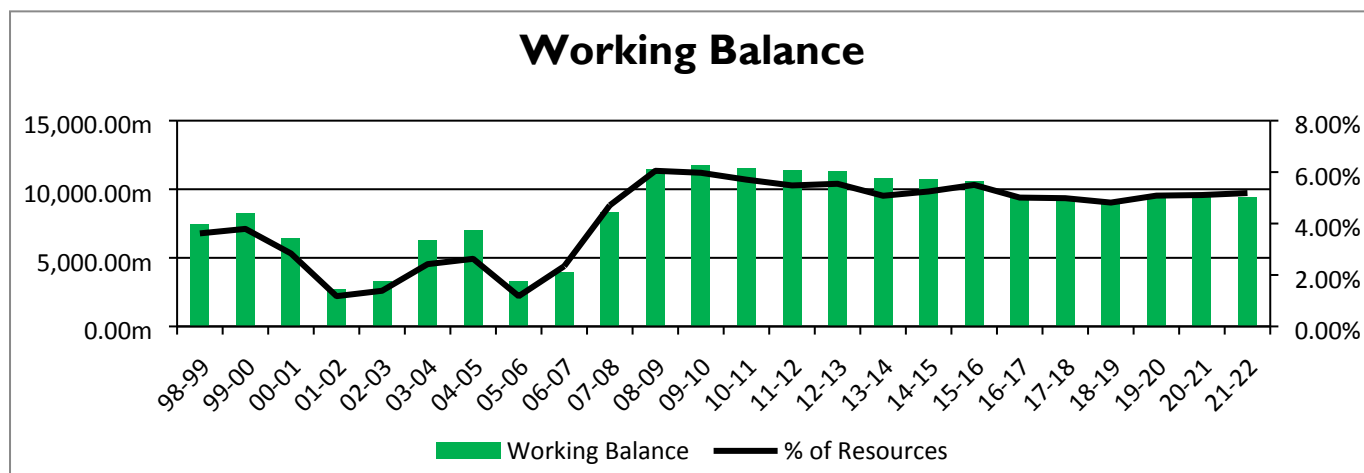
Over recent years, a number of management actions and budget delivery plans have relied on restructuring staffing and/or rationalising management. Whereas the Council is committed to minimising the number of compulsory redundancies unfortunately, on occasions, they are necessary. This specific reserve is set aside to meet with the Council's corporate redundancy costs.

Insurance Fund Reserve

A provision that has been set up to meet the cost of anticipated future insurance claims based on existing known liabilities and estimated future liabilities. It enables the Council to reduce its payments to external insurance providers by transferring some of the risks of small claims to the authority.

Working Balance

The Council's Working Balance is the revenue reserve that is put aside to cover any significant business risks that might arise. This reserve has been steadily built up over the years and was £9.168m as at March 2018. Given the significant constraints that will be placed on public sector spending for the foreseeable future, the Council's reserves should be adequate to cover potential risks. Plymouth has significantly improved its approach to risk management over recent years. Our strategic and operational risk registers are comprehensive and are regularly reported to, discussed and challenged by senior officers and members. Given the size of the financial challenges in 2018/19 and beyond it is even more appropriate that we are maintaining this value in our working balance.



For the MTFS period to 2021/22 The MTFS includes movements to ensure the working balance is maintained at 5% of the General fund balance for the period 2019/20 to 2021/22.

The Councils Reserves

The Council holds a number of reserves in the Balance Sheet. The following table outlines the main reserves held at the end of the 2017/18 financial year.

Analysis of Reserves	31 March 2017	31 March 2018
	£000	£000
Usable Reserves		
General Fund Balance	9,352	9,168
Earmarked General Fund Reserves	21,056	25,742
Capital Receipts Reserve	18,600	18,253
Capital Grants and Contributions Unapplied	5,201	6,573
Total Usable Reserves	54,209	59,736
Unusable Reserves		
Revaluation Reserve	157,167	158,115
Capital Adjustment Account	222,247	218,752
Financial Instruments Adjustment Account	(18,985)	(18,446)
Pensions Reserve	(613,855)	(576,385)
Collection Fund Adjustment Account	(2,336)	(5,756)
Accumulating Compensated Absences Adjustment Account	(2,792)	(2,302)
Deferred Capital Receipts	1,928	227
Available for Sale Financial Instruments Reserve	2,025	2,656
Total Unusable Reserves	(254,601)	(223,139)
Total Reserves	(200,392)	(163,403)

General Fund Balance

See note on Working Balance on page 42.

Earmarked General Fund Reserves

Provide financing for future expenditure plans and policy initiatives.

Capital Receipts Reserve

Capital receipts are received by the Council for the sale of assets and the repayment of mortgage loans. 75 per cent of receipts relating to former HRA Right to Buy sales, including mortgage repayments, are paid over to Central Government.

Capital Grants and Contributions Unapplied

The Council receives various grants (mainly from Central Government) and contributions towards the financing of its capital programme each year.

Revaluation Reserve

The revaluation reserve covers gains and losses arising for the revaluation of assets.

Capital Adjustment Account

The Capital Adjustment Account absorbs the timing differences arising from the different arrangements for accounting for the consumption of non-current assets and for financing the acquisition, construction or enhancement of those assets under statutory provisions:

- To finance capital expenditure:
- To be set aside to finance future repayment of debt.

Pensions Reserve

The Pensions Reserve absorbs the timing differences arising from the different arrangements for accounting for post-employment benefits and for funding benefits in accordance with statutory provisions.

MTFS Risk Register

Risk	Mitigation	Likelihood	Impact	Score
National and local economic situation including revision to scheme - impact on New Homes Bonus	Proactive approach to new development	4	3	12
Change to economic outlook (nationally and locally) –impact on Business Rates income	Proactive approach to new development and promoting business investment in PCC	3	3	9
Economic outlook - impact upon investment returns	Ongoing review of investment policy and use of property fund to maintain returns	3	3	9
Change of Government - 4-year RSG settlement at risk	Work with partners and local government bodies to protect the settlement	2	2	4
Fair funding review disadvantages PCC	Work proactively to lobby for increased PCC resources that recognise the particular needs of the City	4	5	20
100% business rates retention does not direct a fair share of resources to PCC or does not allow the benefits of rates growth to be fully retained	Work proactively to lobby for increased PCC resources and promote a system that is not unduly favourable to authorities with a higher business rates base	3	5	15
Volume of demand and demographics beyond MTFS assumptions- adults	Although provision has been made in the MTFS for additional costs in this area, the position will need careful monitoring	3	5	15
Volume of demand beyond MTFS assumptions - children	Although provision has been made in the MTFS for additional costs in this area, the position will need careful monitoring	4	5	20
Risk to Council tax collection rates following the roll out of Universal Credit	The MTFS is based on realistic collection assumptions, but the position will need to be carefully monitored and additional resources allocated for collection activity as necessary	3	3	9
Risk of additional costs through pension fund deficits beyond MTFS assumptions	Some provision has been made in the MTFS for additional pension costs, but the position will need to be carefully monitored. The Government Actuary is to have a new role in signing off deficit reduction timescales	3	3	9
Delivery of planned savings	The achieved value of Transformation Stretch savings is part of regular budget monitoring. Corrective management action is taken where adverse variations are identified	3	3	9
Commercialisation Debt Risk	Borrowing to invest in commercial projects exposes PCC to additional credit risk, as the revenues that flow from these projects are inherently uncertain	2	4	8
Bank of England interest rate rises	There is a reserve to partially cover a bank interest rate rise	5	3	15

Medium Term Financial Strategy

Published by:

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Cabinet Minute No 49

Medium Term Financial Strategy



9 October 2018

Minute No. 49

Councillor Lowry (Cabinet Member for Finance) introduced the Medium Term Financial Strategy for consideration.

Following a short discussion Cabinet agreed to recommend the Medium Term Financial Strategy to the Council at its meeting of 19 November 2018.

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PLYMOUTH CITY COUNCIL

Subject: Gambling Act 2005 – Statement of Licensing Policy
Committee: Council
Date: 19 November 2018
Cabinet Member: Councillor Sally Haydon
CMT Member: Ruth Harrell, Director of Public Health
Author: Rachael Hind, Licensing Service Manager
Contact details Tel: 01752 308794
email: Rachael.hind@plymouth.gov.uk
Ref:
Key Decision: No
Part: I

Purpose of the report:

The report provides details of the three year review of the City Council's Gambling Act Statement of Licensing Policy and contains a draft policy to commence from 31 January 2019. The Statement of Licensing Policy is specified within the Council's Policy Framework, therefore, Full Council is required to consider and formally adopt the revised policy prior to the expiry of the current policy on the 30 January 2019.

The Gambling Act 2005 (the Act) creates the regulatory system that governs the provision of all gambling in Great Britain, other than for the National Lottery and spread betting.

The regulation of gambling aims to promote the following 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, and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

Plymouth City Council is designated as a licensing authority for the purposes of the Gambling Act 2005 and is responsible for granting premises licenses within its area. Gambling premises would include casinos, bingo halls, betting shops, adult gaming centres and family entertainment centres. The Gambling Commission regulate the operators of gambling activities and how gambling is undertaken.

The Act requires the Council to review and publish a Statement of Licensing Policy every three years on how we will exercise our functions over the three year period to which it applies.

The new policy includes the Council's expectations of gambling premises under the responsibility code; the need to have local risk assessments held on the premises and provides guidance on how businesses can protect children from child sexual exploitation.

Corporate Plan

The relationship to the Corporate Plan (and Plymouth Plan) –

Growth – Gambling is a part of the local leisure and entertainment industry offered within the City. This revised policy will provide businesses with a consistent and transparent view of how the Council will consider premises licence applications in respect to the design, layout and operation of premises used for gambling activities

Caring – Gambling activities could negatively affect a participant's welfare. This revised policy and the licensing system will assist in minimising the risk of negative impact as far as the law allows. The statutory controls via the Gambling Commission and Local Authorities will assist in excluding children and young persons from accessing age-restricted activities, or those with any gambling addiction.

Plymouth Plan – the Policy will assist in the delivery of Policy HEA5 – Delivering safe and strong communities and good quality neighbourhoods.

Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land

None

The Gambling (Premises Licence) Fees (England and Wales) Regulations 2007 sets out the standards to be followed in the setting of gambling fees and charges. The regulations do not set a specific fee that the authority must charge but set a maximum that cannot be exceeded.

The Council Constitution Scheme of Delegation has delegated responsibility for setting fees to the Licensing Committee, who have determined that its fees should be set at the maximum level to secure full cost recovery in carrying out its regulatory functions as specified in the Act.

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management:

Members should be aware that Section 17 of the Crime and Disorder Act 1998 puts a statutory duty on every Local Authority to exercise its various functions with due regard to the need to do all that it reasonably can do to prevent crime and disorder in its area.

The Equalities Impact Assessment concluded that the new Statement of Licensing Policy would promote equality. It is a statutory requirement that no persons under the age of eighteen shall be permitted entry to age-restricted licensed premises for the purposes of gambling, although there is no upper limit. There are no restrictions that apply to any of the other protected characteristics i.e. disability, gender, race and sexual orientation.

Problem gambling can cause significant social and health problems, irrespective of socioeconomic status. The adverse impacts on family members, including children, are also clear (34% of callers to Gamcare reported gambling affected the family, friend or partner). Problem gambling can exacerbate child poverty. Parents who have a gambling problem may adversely affect their children's well-being; they are less likely to parent well; they will have less money to spend to meet their family's needs; and they may be less able to work.

Local data identifying the number of persons who are at risk of or those that experience problem gambling is not easily obtainable. National surveys are undertaken periodically by NatCen which show that 3.9% of adults are classified as “at risk” using the Problem Gambling Severity Index (PGSI). Problem gambling was more prevalent among people who had participated in a number of gambling activities in the past year. Prevalence was 11.9% for those who participated in seven or more activities compared to 0.3% of these who had taken part in just one gambling activity in the past year.

The policy seeks to allow licensed premises the legitimate opportunity to undertake licensed gambling activities providing that they are lawful and within their licensing requirements, in particular in respect to the protection of young persons and other vulnerable persons.

Equality and Diversity

Has an Equality Impact Assessment been undertaken? Yes

Recommendations and Reasons for recommended action:

That the City Council adopts the Gambling Act Statement of Licensing Policy contained in Appendix A with effect from 31 January 2019.

Alternative options considered and rejected:

No alternative options are available

In order to comply with statutory requirements the Policy must be considered and adopted by City Council at the meeting set for 19 November 2018. There is a statutory requirement to publish the revised policy, at least four weeks before the date on which it comes into effect. Failure to meet these timescales would result in the Council not being able to process any applications after the 31 January 2019 until a new policy statement had been formally approved.

Published work / information:

[Gambling Act 2005](#)

[Gambling Commission Guidance to Local Authorities \(5th Edition\)](#)

[Plymouth City Council - Gambling Act Statement of Principles 2016 to 2019](#)

Background papers:

Title	Part I	Part II	Exemption Paragraph Number						
			1	2	3	4	5	6	7
Responses to consultation	x								
Equality Impact Assessment	X								

Sign off:

Fin	pl.18. 19.10 3	Leg	SD/3 0298 /26.9 .18	Mon Off	AL T/3 05 08.	HR		Assets		IT		Strat Proc	
Originating SMT Member													
Has the Cabinet Member(s) agreed the contents of the report? Yes													

1.0 BACKGROUND

- 1.1 The Gambling Act 2005 (the Act) contains the regulatory system that governs the provision of all gambling in Great Britain, other than for the National Lottery.
- 1.2 Plymouth City Council is designated as a 'licensing authority' for the purposes of the Gambling Act 2005 and is therefore responsible for granting premises licenses within its administrative district in respect of;
- Casino premises;
 - Bingo premises;
 - Betting premises, including tracks;
 - Adult Gaming Centres;
 - Family Entertainment Centres.
- 1.3 The Gambling Commission regulates gaming and certain lotteries. They are responsible for issuing new operating licences under the Act to organisations and individuals who are providing facilities for gambling and personal licences to certain categories of people working in the gambling industry. In general the Gambling Commission regulate the operation of the gambling activities, whilst the Licensing Authority regulates the environment in which the gambling activity takes place, such as the building.
- 1.4 The Gambling (Premises Licence) Fees (England and Wales) Regulations 2007 sets out the standards to be followed in the setting of gambling fees and charges. The regulations do not set a specific fee that the authority must charge but set a maximum that cannot be exceeded. The Council Constitution Scheme of Delegation has delegated responsibility for setting fees to the Licensing Committee, who has determined that fees should be set at the maximum level to secure full cost recovery in carrying out its regulatory functions as specified by the Act.
- 1.5 The report provides details of the 3 year review of the City Councils Gambling Act Statement of Licensing Policy and contains a draft policy to commence from 31 January 2019. The Statement of Licensing Policy is specified within the Council's Policy Framework, therefore, Full Council is required to consider and formally adopt the revised policy prior to the expiry of the current policy on the 30th January 2019.

2.0 STATEMENT OF LICENSING POLICY

- 2.1 The Council are required to publish a Statement of Licensing Policy regarding the exercise of their functions in a manner, which is consistent with three licensing objectives. The licensing objectives are:
- 1. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime
 - 2. Ensuring that gambling is conducted in a fair and open way, and
 - 3. Protecting children and other vulnerable persons from being harmed or exploited by gambling

The Council's existing Statement of Licensing Policy is due to expire on the 30 January 2019, therefore the current review must be completed and the revised policy in place by this date in order for the Council to continue to be able to administer this legislative function.

- 2.2 The Council's revised policy is divided into three parts.

Part A sets out a **statement of principles** of how the Council, as the licensing authority, will discharge its functions, its policy on the exchange of information and the better regulation principles that will be applied;

Part B sets out the **general principles of how the Council will consider applications**, its relationship with other agencies and the relevance of licensing conditions;

Part C sets out **how the Council will issue gaming machine permits**.

- 2.3 Most people who gamble do so safely most of the time. But gambling can be harmful for some. Excessive play due to inexperience or binge gambling, periods of loss of control and more serious gambling addiction. The harm suffered is not restricted to the gambler, but also felt by families, friends, communities and employers.

Inequalities and the protection of children and vulnerable persons is a priority for the City. Parents who have a gambling problem may adversely affect their children's well-being; they are less likely to parent well; they will have less money to spend to meet their family's needs; and they may be less able to work.

- 2.4 The new policy provides an additional section with regards to the Local Authorities expectations of gambling premises under the social responsibility code.

Harmful gambling is increasingly cited as a public health issue which requires a broad response; that is to say, traditional approaches that focus on single interventions do not tend to work at a population level.

Plymouth City Council Licensing Department are currently working with Public Health; Devon County Council and the other Devon and Cornwall Local Authorities; the Gambling Commission; Gamcare and a gambling machine supplier to review the findings and recommendations of the recent Local Government Association paper 'Tackling Gambling related harm – a whole Council approach'. This publication provides an overview of problem gambling, and how councils can begin to try to help local residents who are impacted by it. The Council will provide consistent support and advice to businesses to ensure they have effective procedures in place to protect people from gambling related harm and promote the licensing objectives.

- 2.5 The policy also provides clarification for existing operators and applicants about what is expected to be included in the local risk assessments to ensure that the assessments are tailored to the local area and not a generic form. The risk assessments must be available on site and copies provided if requested by the Licensing Authority.
- 2.6 Councils have the discretion to create Local Area Profiles (LAPs).

The statement of policy refers to the LAPs that will be published on the City Council's website after the statement of policy has been approved. In this way LAPs can be updated without the need for City Council approval and will make them a more responsive tool.

Local Area Profiles provide a baseline of data which will help to identify elements of our local communities which may be vulnerable to gambling activities. Areas of vulnerability must be addressed through the gambling operators risk assessments and ultimately will be used when considering the suitability of an application.

- 2.7 Further clarification has been provided about what is expected to be included in application and to ensure premise licence holders make a new application or variation where any plans of the premises are altered. Clarification has been provided to ensure there is tangible and evident separation between premises such as screening, walls, clear signage, PIR alarms etc. Site Plans should be scaled and provide sufficient detail of the layout of the premises and to assist with demonstrating how the premises will be adequately supervised.

A Pool of Licensing Conditions have been included in Appendix C to the policy to assist applicants in offering to include conditions with their applications ensure the licensing objectives are promoted.

- 2.8 The Policy clarifies what the Licensing Officers will expect during routine inspections to ensure all gambling operators can prepare for inspections and ensure all documentation is in place.
- 2.9 The requirement for premises to operate a proof of age scheme has been updated to include a 'Challenge 25' policy.

The updated policy includes a requirement for the results of any under-age testing that is carried out on the Gambling Premises to be shared with Licensing, Trading Standards or the Police and used to review the local area risk assessment.

- 2.10 Appendix B to the policy has been included to demonstrate how gambling premises licence and permit holders can assist tackling child sexual exploitation and ensure that safeguarding is everyone's business across the City.

3.0 PUBLIC CONSULTATION

- 3.1 The Council is required to consult publicly with stakeholders affected by the administration of its functions under the Act. A four week public consultation exercise was undertaken between 14 August 2018 and 14 September 2018, which included writing to the following interested parties:

Citizen's Advice Bureau
Safer Plymouth
Devon and Cornwall Constabulary
Plymouth City Council
 Social Services
 Education
 Public Health
 Team Plymouth
 Environmental Health
Devon & Somerset Fire and Rescue Service
Gambling welfare support organisations
Gambling Commission
Local businesses groups

Local faith groups
 Local residents groups
 NSPCC
 Existing licence-holders
 Voluntary & Community organisations working with children & young people
 Ward Councillors

3.2 The Gambling Act Statement of Licensing Policy is specified within the Council's Policy Framework. In accordance with the Constitution the Cabinet Member for Safer and Stronger Communities referred the draft Policy to the Performance, Finance, and Customer Focus Overview and Scrutiny Committee for consultation. The Committee did not wish to review the policy at this stage.

3.3 A total of two responses were received and are summarised below.

No	Date received	Responses received	Response from Plymouth City Council
1	21.8.18	<p>Many thanks for the letter you sent to our office on 14 August. As a part of the review I have read through the documents and would want to endorse:</p> <p>Openness</p> <p>1.13 The Council is aware that the Gambling Commission has responsibility for ensuring that gambling is conducted in a fair and open way via operating and personal licences. However, this does not preclude this from being considered during premises inspections. The Licensing Authority will need to consider this objective in detail and may add conditions in situations where an operating licence is not in place, such as in the licensing of tracks.</p> <p>Children and Vulnerable Persons</p> <p>1.14 The Council notes the Gambling Commission's Guidance to protect children and other vulnerable persons from being harmed or exploited by gambling. This objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The Council will therefore consider whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas etc.</p> <p>The Council notes the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.</p> <p>The Council recognises that the Gambling Commission does not seek to offer a definition of the term "vulnerable persons" but that "it does for regulatory purposes assume that this group includes people who gamble more than</p>	<p>Thank you for your support of these sections of the proposed policy. This will be included as documented and safeguarding will be a high priority.</p>

		<p>they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs”.</p> <p>Where physical barriers are required to separate activities due to differing age restrictions the applicant must provide sufficient information with regards to the height, transparency and materials to be used. The licensing authority will require barriers to be designed and constructed to prevent inadvertent access and viewing of restricted areas. Adequate supervision within these areas must also be maintained.</p> <p>We expect all operators to have a safeguarding policy in relation to children and vulnerable adults. All staff will be expected to undertake training regarding:</p> <p>As a part of your review please be mindful of this particular section, which impacts a wide range of people and has implications on the wider community. Our response to the consultation would be to support this definition and ask that it is understood and that Safeguarding is the highest priority.</p>	
2.	7.9.18	<p>Further to the publication of your draft policy for gambling licensing, we wish to respond to the following points:</p> <p>Throughout the document, there is repeated reference to ‘Challenge 25’. I am aware that this scheme is widely used in liquor licensing, but for gambling, all operators use a similar ‘Think 21’ scheme, which is accepted by the Gambling Commission. As an operator with around 2300 shops, we clearly need to adopt the same policy throughout our estate, so we would ask that you revise the document to reference ‘Think 21’, consistent with the rest of the country.</p> <p>We would also like to respond to the following point:</p> <p>14.1 The results of any under-age testing that is carried out by the Gambling Premises should be kept on the premises and used to review the local area risk assessment.</p> <p>We do conduct our own Age Verification testing, but the results would not be kept in branch. The results are discussed with our Primary Authority as well as the Gambling Commission, and retained centrally by our compliance department. It would not be appropriate to retain such results in shop, where all members of staff were able to see them, given that there can be disciplinary measures taken as a result of this testing.</p> <p>I would be grateful if you would consider the above points when finalising the document. If you want to</p>	<p>Thank you for your feedback. PCC encourage the use of ‘Challenge 25’, however alternatives such as ‘Think 21’ are acceptable. The wording within the policy states ‘Proof of Age Schemes such as Challenge 25’ so you are able to use an alternative. The recommended conditions have been kept with Challenge 25 as this is deemed best practice but these are only suggested conditions and will be negotiable as part of any application/variation.</p> <p>We would only require the outcome of the test purchase and would not require any confidential details to be kept. However, the wording has been altered to say that</p>

		discuss any of the above, please get in touch.	the results should be shared with Licensing, Trading Standards or the Police so that you don't have to store them onsite.
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STATEMENT OF LICENSING POLICY

Gambling Act 2005



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PART A – STATEMENT OF PRINCIPLES

I Introduction

- 1.1 The Gambling Commission was set up under the Gambling Act 2005 (The Act) to regulate gambling in Great Britain in partnership with licensing authorities. The Commission is an independent non-departmental public body sponsored by the Department for Digital, Culture, Media and Sport (DCMS) whose work is funded by fees set by DCMS and paid by the organisations and individuals whom the Commission licenses.

The Commission issues operating licences for gambling operators and, through effective regulation and public engagement, ensures that crime is kept out of gambling, that gambling is fair and open, and that children and the vulnerable are protected. The Commission works closely with other regulators, including licensing authorities, and with bodies such as police and HM Revenue and Customs to regulate the gambling industry. (Gambling Commission: Who are and what we do; April 2011) The Commission has issued guidance in accordance with Section 25 of the 2005 Act about the manner in which licensing authorities exercise their licensing functions under the Act and, in particular, the principles to be applied.

The Commission will also issue Codes of Practice under Section 24 about the way in which facilities for gambling is provided, which may also include provisions about the advertising of gambling facilities.

The Gambling Commission can be contacted at:

Gambling Commission,
Victoria Square House,
Victoria Square,
BIRMINGHAM,
B2 4BP

www.gamblingcommission.gov.uk

Email: info@gamblingcommision.gov.uk

- 1.2 Plymouth City Council (the Council) is designated as a Licensing Authority' for the purposes of the Gambling Act 2005 and is therefore responsible for granting premises licenses within its district in respect of;

- Casino premises;
- Bingo premises;
- Betting premises, including tracks;
- Adult Gaming Centres;
- Family Entertainment Centres.

The Act requires the Council to prepare and publish a Statement of Licensing Policy (Statement of Principles) that sets out the policies that the Council will generally apply to promote the Licensing Objectives when making decisions on applications made under the Act.

The policy will come into effect on the date of adoption by the Council and will be reviewed as necessary, and at least every three years from the date of adoption.

2 The Licensing Objectives

- 2.1 The Council has a duty under the Gambling Act 2005 (to carry out its licensing functions in a manner, which is consistent with three licensing objectives. The relevant licensing objectives are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime

- Ensuring that gambling is conducted in a fair and open way, and
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling
- 2.2 In discharging its responsibilities under the Act and in making decisions in relation to premises licences and temporary use notices (S.153), this Licensing Authority will aim to permit the use of premises for gambling in so far as it thinks that its use will be:
- In accordance with any relevant code of practice issued by the Gambling Commission,
 - In accordance with any relevant guidance issued by the Gambling Commission,
 - Reasonably consistent with the licensing objectives,
 - In accordance with this Licensing Authorities Statement of Licensing Policy
- 2.3 The Council particularly notes the Gambling Commission's latest Guidance to Local Authorities (from now on referred to as the Gambling Commission's Guidance)
- "In deciding to reject an application, a licensing authority should rely on reasons that demonstrate that the licensing objectives are not being, or are unlikely to be met. Licensing authorities should be aware that other considerations such as moral or ethical objections to gambling are not a valid reason to reject applications for premises licences. This is because such objections do not relate to the licensing objectives. An authority's decision cannot be based on dislike of gambling, or a general notion that it is undesirable to allow gambling premises in an area (with the exception of the casino resolution powers)."
- 2.4 Each case will be considered on its merits.
- 2.5 In deciding whether or not to grant a licence, this Licensing Authority does not have regard to the expected demand for the facilities that are the subject of the application.

3 The Geographical Area

- 3.1 Plymouth is one of the largest cities on the south coast and the 15th largest city in England with a population of approximately 262,700, an economic output of £5.2 billion, providing 108,000 jobs and with a further 100,000 people in its travel to work area (2016).
- 3.2 Plymouth is 'Britain's Ocean City', its connections to the sea go back to the sailing of the Mayflower in 1620 and now include western Europe's largest naval base, a thriving commercial and ferry port, a significant fishing industry, and one of the most significant global concentrations of marine research and production.
- The City is located in an area of outstanding beauty, with the Dartmoor National Park to the north, the natural harbour of Plymouth Sound to the south and the rivers Plym and Tamar on either side (Please refer to Figure 1). Plymouth's rich history and maritime heritage, combines the advantages of city living with the benefits of having the diverse countryside and coastline of Devon and Cornwall on its doorstep.
- 3.3 It is likely that over the next twenty years it is reasonable to expect that the population of Plymouth could rise to between 300,000 - 350,000 due to urban expansion (Mackay Vision 2003).
- 3.4 The Council recognises that the provision of entertainment is a major contributor to the economy of the City, attracting tourists and visitors, making for a vibrant City, which in turn continues to be a major employer. Commercial occupiers of premises have a legitimate expectation of an environment that is attractive and sustainable for their businesses.
- 3.5 The Licensing Authority has developed local area profiles which contain neighbourhood based data. The local area profiles will help to develop our Statement of Gambling Policy and set out

our expectations of operators of gambling premises. The profiles will be maintained separately from this statement to enable the profiles to be updated when required.

Figure 1: The Plymouth City Council boundary



4 Statement of Principles

- 4.1 Licensing authorities are required by the Act to publish a statement of the principles which they propose to apply when exercising their functions. This statement must be published at least every three years (or alternate time period as may be imposed by statutory provision). The statement must also be reviewed from “time to time” and any amended parts re-consulted upon. The statement must be then re-published.

This Statement of Principles is written to conform to the provisions of the Act and its associated regulations. The Gambling Commission’s Guidance issued under S.25 of the Act by the Gambling Commission outlines the way that this Licensing Authority will deal with applications for a range of premises licences, permits and enforcement of the Act.

- 4.2 This Statement or Principles is effective from the 31 January 2019 for a three-year period (or alternate time period as may be imposed by statutory provision) after which time it will be the subject of a further public consultation. The Statement of Principles may also be reviewed from time to time where there are significant changes in government guidance at which point an appropriate public consultation will be undertaken prior to any amendments being re-published.

The Council’s current Statement of Principles can be seen in the Council’s website www.plymouth.gov.uk/gamblingpolicy.htm

Should you have comments regarding this Statement of Principles please email the Licensing Service Manager at licensing@plymouth.gov.uk or send them to Licensing Department, Windsor House, Plymouth, PL6 5UF.

It should be noted that this Statement of Principles 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.

Review Procedures

- 4.3 The Act requires that the following parties are consulted by licensing authorities:
- The Chief Officer of Police;
 - One or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area;
 - One or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under the Act.
- 4.4 The Council will also consult relevant organisations and interested parties who it considers have a relevant legal or professional interest to comment, and consider any other contribution from any other person, business or organisation that it considers as relevant.

Organisations and Interested Parties

The Council may consult the following organisations /persons as part of any public consultation;

- Citizen's Advice Bureau
 - Community Safety Partnership
 - Devon and Cornwall Constabulary
 - Plymouth City Council Adult Social Care
 - Plymouth City Council Children's Social Care
 - Plymouth City Council Planning Services
 - Office of Director of Public Health
 - Plymouth City Council Environmental Health Service
 - Gamblers Anonymous
 - Gamcare
 - Gambling Commission
 - Local Chambers of Commerce and Federation of Small Businesses
 - Local faith groups
 - Local residents groups
 - NSPCC
 - Existing licence-holders
 - Voluntary & Community organisations working with children & young people
 - Ward Councillors
 - Team Plymouth Managers
- 4.5 Proper weight will be given to the views of all those who have been consulted prior to the date of implementation of the Statement of Principles.
- 4.6 In producing the published Statement of Principles, this Licensing Authority declares that it has had regard to the licensing objectives of the Act, the Gambling Commission's Guidance and any responses from those consulted on the statement.

5 Fees

- 5.1 The Gambling (Premises Licence) Fees (England and Wales) Regulations 2007 sets out the standards to be followed in the setting of gambling fees and charges. The regulations do not set a specific fee that the authority must charge but set a maximum that cannot be exceeded. The Council Constitution Scheme of Delegation has delegated responsibility for setting fees to the Licensing Committee.
- 5.2 The Council takes the matter of non-payment of annual licence fees seriously and in accordance with Section 193 of the Gambling Act 2005 where an operator fails to pay, without reasonable excuse, the annual fee shall revoke the premises licence.
- When dealing with public money the Council has a duty to secure prompt payment as any delay in settling debt can undermine the effective operation of services within the city. Prompt payment of bills will avoid possible imposition of late payment charges.
- The same principles will apply to permits and the Council will exercise its powers under Schedule 13 paragraph 17 of the Gambling Act and cancel the permit.
- Each case will be treated on its own merits and consideration may be given to mitigating circumstances.

6. Relationship with Other Legislation

- 6.1 The Council will seek 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.
- 6.2 The grant of a licence does not imply the approval of other legislative requirements. Applicants for Premises Licences for Casinos, Bingo Halls, Adult or Family Entertainment Centres (licensed or unlicensed) or Permits are advised to speak to the Planning Services of this Council before making a formal application.
- Email: - planningconsents@plymouth.gov.uk

7 Responsible Authorities

- 7.1 Responsible authorities are those public bodies, as specified by the Act, which must be notified of applications for premises licences. Such bodies are entitled to make representations in relation to applications. All representations made by responsible authorities are relevant if they relate to the licensing objectives. The responsible authorities are detailed in Appendix A.
- 7.2 The Council is required by regulation to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:
- The need for the body to be responsible for an area covering the whole of the Licensing Authority's area; and
 - The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

In accordance with the Gambling Commission's Guidance this Authority designates the Children Young People and Family Service, Plymouth City Council, Midland House, Notte Street, Plymouth, PL1 2EJ for this purpose.

8 Interested Parties

- 8.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. An Interested Party is defined in the Act as;

“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 -

- Lives sufficiently close to the premises to be likely to be affected by the authorised activities
- Has business interests that might be affected by the authorised activities, or
- Represents persons who satisfy paragraph (a) or (b)” (S.158)

- 8.2 The Council 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 that will apply are that;

- Each case will be decided upon its merits.
- Will not apply a rigid rule to its decision-making.
- Will consider considerations provided in the Gambling Commission’s Guidance.

Examples include interested parties who may be democratically elected councillors or MPs; people living close to the premises; the nature and scope of business interests that could be affected; and people who may represent those in the above categories.

Other than these we will expect written evidence that a person/body (e.g. an advocate/relative) ‘represents’ a person 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.

- 8.3 The Council will also consider the Gambling Commission’s Guidance that ‘business interests’ should be given the widest possible interpretation and include, for example partnerships, charities, faith groups and medical practices.

9 Exchange of Information

- 9.1 The Council is required to include in their Statement of Principles the procedure to be applied in exercising the functions under S.29 and 30 of the Act in respect to the exchange of information with the Gambling Commission. The functions under S.350 of the Act with the respect to the exchange of information with persons and bodies are listed in Schedule 6 to the Act.

- 9.2 The Council will apply the provisions of the Gambling Act 2005 in its exchange of information, which includes the provision that the General Data Protection Regulation 2018 will not be contravened and any Guidance issued by the Gambling Commission or the Secretary of State under the powers provided in the Act.

- 9.3 The Council will work closely with the Gambling Commission, Devon and Cornwall Police and with Responsible Authorities where there is a need to exchange information on specific premises. Should any protocols be established in respect to the exchange of information with other bodies then they will be made available.

- 9.4 The privacy of those making representations will be respected, but it may be necessary for the identity of those making representations to be passed on to Responsible Authorities and the

Gambling Commission for the purpose of determining licensing applications or in any subsequent appeal that may be made.

- 9.5 This Licensing Authority will maintain a Licensing Register of all premises licences and permits issued and this will be available on the Council's web site at www.plymouth.gov.uk/licensingregister.htm

10 Enforcement

- 10.1 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 S.346 of the Act to institute criminal proceedings in respect of the offences specified.
- 10.2 The main enforcement and compliance role for the licensing authority in terms of the Gambling Act 2005 is to ensure compliance with the premises licences and other permissions which it authorises.
- 10.3 The Council will undertake routine inspections using the premises assessment templates available at www.gamblingcommission.gov.uk/for-licensing-authorities/Licensing-authority-toolkit/Premises-assessments/Premises-assessments-templates.aspx
- 10.4 During proactive or pre-planned compliance visits the Licensing Enforcement Officers will review documentation including:
- Site Plan to ensure this reflects the actual layout of the premises
 - Local area risk assessments
 - Training policies and training undertaken by staff
 - Records of refusals to serve or admit on age grounds
 - The premise's approach to managing self-exclusion, how the premises fulfils the requirement to participate in multi-operator schemes and the numbers of people currently self-excluded
 - The involvement or impact of any work in local gambling schemes such as Betwatch
 - That appropriate signage and information is in place.
- 10.4 The Council's compliance and enforcement functions will be guided by the Gambling Commission's Guidance, Regulators Compliance Code, Better Regulation principles, Primary Authority partnerships schemes and the Public Protection Service Enforcement Policy in that the following guiding principles are applied;
- **Proportionality** - regulators should only intervene when necessary: Remedies should be appropriate to the risk posed, and costs identified and minimised;
 - **Accountability** - regulators must be able to justify decisions, and be subject to public scrutiny;
 - **Fairness and Consistency** - rules and standards must be joined up and implemented fairly;
 - **Openness and Transparency** - regulators should be open, and keep regulations simple and user friendly; and
 - **Targeted Enforcement** - regulation should be focused on the problem, and minimise side effects.
- 10.5 In line with the Gambling Commission's Guidance the Council will endeavour to avoid duplication with other regulatory regimes so far as reasonably possible.
- 10.6 The Council will apply in principle of risk-based inspection based on;

- The Licensing Objectives
- Relevant Codes of Practice
- [Gambling Commission's Guidance](#), in particular Part 36 on Compliance and Enforcement
- [Public Protection Service Enforcement Policy](#)
- The Current Statement of Licensing Policy ([Statement of Principles](#))

10.7 The Council's enforcement and compliance role in terms of the Gambling Act 2005 is to ensure compliance with the premises licences and other permissions, which it authorises having regard to the Gambling Commission's guidance Part 36.

11 Licensing Authority Functions

11.1 Licensing Authorities have a duty under the Act to;

- Issue premises licences where gambling activities are to take place
- Issue Provisional Statements where gambling activities are to take place
- Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities by 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 premises licensed under the Licensing Act 2003 for the use of up to two gaming machines on the premises
- Grant 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 on the premises
- 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
- Maintain registers of the permits and licences that are issued

Local licensing authorities are not involved in licensing remote gambling, which is regulated by the Gambling Commission via operating licences. The National Lottery is regulated by the National Lottery Commission and Online (Remote) Gambling is dealt with by the Gambling Commission.

12 The Licensing Process

12.1 A Licensing Committee, a Licensing Sub-Committee, or officers acting under delegated authority may carry out the powers of the Licensing Authority under the Act.

12.2 Many of the licensing procedures are largely administrative in nature. In the interests of efficiency, non-contentious procedures are delegated to licensing officers.

12.3 The Council will ensure that all Licensing Officers and Members of the Licensing Committee receive adequate training to enable them to undertake their role under the Act.

- 12.4 Where admissible and relevant representations are received in relation to an application for a premises licence, or in relation to the review of a premises licence, a Licensing Sub-Committee is delegated to hear the matter.

13.0 Gambling Prevalence and Social Responsibility

- 13.1 Harmful gambling is defined as any type of repetitive gambling that disrupts or damages a person, family or recreational pursuits. It can have many and varied impact, including on an individual's physical and mental health, relationships, housing and finances and affect a wide range of people, such as families, colleagues and wider local communities (for example where problem gambling is associated with crime or homelessness) and society as a whole (in terms of the costs that may be created by problem gambling).
- 13.2 Evidence suggests that certain groups are more vulnerable to problem gambling including children and young people, people with mental health issues, certain minority ethnic groups, the unemployed, homeless people, those with low intellectual functioning, people with financially constrained circumstances and those living in deprived areas. Harms may include financial hardship, relationship breakdown, domestic violence, mental health problems and suicidal thoughts.
- 13.3 A recent investigation published by the Citizens Advice reported research suggesting that for every problem gambler there are on average between 6 to 10 additional people who are directly affected by it.
- 13.4 Gambling Operators must comply with the Gambling Commission's licensing conditions and code of practice (LCCP). The social responsibility code requires gambling operators to have and put into effect policies and procedures to promote socially responsible gambling and these should reduce the risk of and seek to identify problem gambling.
- 13.5 The requirements on gambling premises under the social responsibility code are based upon key areas:
- **Provision of information on gambling responsibly** – for example, the availability of time or monetary limits for players and information on where to get help and advice about gambling.
 - **Customer interaction** – licensees are required to have policies and procedures in place governing customer interaction where there are concerns that a customer is displaying signs of problem gambling. These will include staff training and the types of behaviour that may trigger an intervention or where staff may consider refusing services to customers.
 - **Layout of the premises** - operators must ensure that the layout of a gambling premises supports the effective supervision of the premises.
 - **Self-exclusion** – licensees must have procedures for self-exclusion that ensure that individuals who wish to self-exclude from gambling are prevented from participating in gambling. In addition to operating their own self-exclusion schemes all licensees must offer the facility for customers to self-exclude on a multi-operator basis, meaning that an individual who self-excludes from one operator should be able to self-exclude from all operators offering the same type of gambling in the same locality. Trade bodies for different sectors of the gambling industry have led on the development of multi-operator self-exclusion arrangements for each sector.
- 13.6 Any marketing communications for gambling must be socially responsible, with particular regard to the need to protect children, young persons and other vulnerable persons from being harmed or exploited. Licensees are required to comply with the Social Responsibility Code 5 of the Code of Practice.

I4.0 Test Purchasing

- I4.1 The results of any under-age testing that is carried out on the Gambling Premises should be shared with Licensing, Trading Standards or the Police and used to review the local area risk assessment.

PART B - PREMISES LICENCES – CONSIDERATION OF APPLICATIONS

I. General Principles

Introduction

- I.1 Premises Licences are subject to the requirements set out in the Act and associated regulations, as well as specific mandatory and default conditions, which are detailed in regulations issued by the Secretary of State. Licensing Authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.
- I.2 The Council is aware that in its decision-making about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is;
- In accordance with any relevant code of practice or guidance issued by the Gambling Commission
 - Reasonably consistent with the licensing objectives
 - In accordance with the Licensing Authority's Statement of Principles.

It is appreciated that in line with the Gambling Commission's Guidance **“moral objections to gambling are not a valid reason to reject applications for premises licences”** (except as regards to any 'no casino resolution' - see section on Casinos below).

The absence of unmet demand is not a criterion for a licensing authority in considering an application for a premises licence under the Gambling Act. Each application must be considered on its merits without regard to demand.

Definition of "Premises"

- I.3 The Council will have regard to the definition of 'premises' as set out in the Section 152 of the Act to include 'any place'. In addition that the intention of Section 152 is to prevent more than one premises licence applying to any place.

A single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. Particular attention will be given to the sub-division of a single building or plot to ensure that mandatory conditions relating to access between premises are observed.

Multiple Licences

- I.4 The Council will have regard to the Gambling Commission's Guidance that states '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.'

- I.5 The Council will have regard to the clarification of guidance issued by the Gambling Commission in respect to any premises granted multiple licences. These premises may be inspected to reconsider the separation control measures put in place; any material changes noted since the granting of the application and the relevance of all these factors having regard to the promotion of the licensing objectives, in particular to the protection of children and vulnerable persons from being harmed or exploited from gambling.
- I.6 The Council takes particular note of the Gambling Commission's Guidance, which states that Licensing Authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following.
- The third licensing objective seeks to protect children from being harmed by gambling. In practice, that means not only preventing them from taking part in gambling but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to, or closely observe gambling where they are prohibited from participating
 - Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not '**drift**' into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit
 - There should be tangible and evident separation between premises. Adequate separation may be obtained by means of screening, walls, clear signage, PIR alarms etc.
 - Customers should be able to participate in the activity named on the premises licence in accordance with Social Responsibility Code 9 of the Codes of Practice.
- I.7 The Council may consider the following questions as relevant factors to in its decision-making, depending on all the circumstances of the case.
- Do the premises have a separate registration for business rates?
 - Is the premises' neighbouring premises owned by the same person or someone else?
 - Can each of the premises be accessed from the street or a public passageway?
 - Can the premises only be accessed from any other gambling premises?
 - Has a risk assessment identified and adequately controlled risks

The Council will have regard to the Gambling Commission's Guidance on relevant access provisions for each premises type

Casinos

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

Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises or one with a permit (such as an unlicensed family entertainment centre (uFEC)).

Betting Shops

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

Tracks

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

Bingo Premises

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

Family Entertainment Centre

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

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

Provisional Statements

- I.8 The Council will have regard to the Gambling Commission's Guidance that a licence to use premises for gambling should only be issued in relation to premises where the licensing authority can be satisfied that the premises 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.

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.

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.

- I.9 The Council 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 and will have regard to the detailed examples of the circumstances in which such a licence may be granted set out in the Gambling Commission's Guidance.

1.10 Location

The Council is aware that demand issues cannot be considered with regard to the “location of premises” but that considerations in terms of the licensing objectives are relevant to its decision-making. Particular attention will be given to the protection of children and vulnerable persons from being harmed or exploited by gambling in addition to issues of crime and disorder.

The Council will have regard to any further guidance as regards areas where gambling premises should not be located although the existence of any policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

In determining whether a premises location is suitable for the grant of a licence regard will be given to the Local Area Profiles and to the following factors:-

- The proximity of the premises to any school, centre or establishment for the education, training or care of young and/or vulnerable persons
- The proximity of the premises to leisure centres used for sporting and similar activities by young and/or vulnerable persons
- The proximity of the premises to any youth club or similar establishment, and
- The proximity of the premises to any community, ecclesiastical, welfare, health or similar establishments used specifically, or to a large extent, by young and /or vulnerable persons
- Proximity to payday loan businesses, pawn shops or other similar premises
- The proximity of any other area or location where young and / or vulnerable persons could congregate

Where gambling premises are located in sensitive areas, e.g. near schools, the Licensing Authority will consider imposing restrictions on advertising gambling facilities on such premises where it is felt relevant and reasonably consistent with the Licensing Objectives.

Relationship with Other Agencies

- 1.11 The Council is aware of the overlap with planning, building regulations in the granting of a premises licence. In determining applications the Council will 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.

When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have to comply with the necessary planning or building consents. Nor should fire or health and safety risks be taken into account. Those matters should be dealt with under relevant planning control, building and other regulations, and must not form part of the consideration for the premises licence. Section 210 of the 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.

Planning controls may restrict the provision of gambling activities. It is a relevant to consider the evidence base for this restriction and consider the reasons for the restrictions

Crime and Disorder

- I.12 The Council is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime or being used to support crime and will pay attention to the proposed location of gambling premises in terms of this licensing objective. Where evidence is submitted that an area has known high levels of organised crime this Authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors.

The Council is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it will be taken into account.

Openness

- I.13 The Council is aware that the Gambling Commission has responsibility for ensuring that gambling is conducted in a fair and open way via operating and personal licences. However, this does not preclude this from being considered during premises inspections. The Licensing Authority will need to consider this objective in detail and may add conditions in situations where an operating licence is not in place, such as in the licensing of tracks.

Children and Vulnerable Persons

- I.14 The Council notes the Gambling Commission's Guidance to protect children and other vulnerable persons from being harmed or exploited by gambling. This objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The Council will therefore consider whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas etc.

The Council notes the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.

The Council recognises that the Gambling Commission does not seek to offer a definition of the term "vulnerable persons" but that "it does for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs".

Where physical barriers are required to separate activities due to differing age restrictions the applicant must provide sufficient information with regards to the height, transparency and materials to be used. The licensing authority will require barriers to be designed and constructed to prevent inadvertent access and viewing of restricted areas. Adequate supervision within these areas must also be maintained.

We expect all operators to have a safeguarding policy in relation to children and vulnerable adults. All staff will be expected to undertake training regarding:

- Vulnerability risk factors
- How to identify safeguarding issues
- How to report and record concerns

Appendix B provides information for licence holders and their employees to help them report, to the relevant authorities, matters of concern that could relate to the safety of children and vulnerable persons, particularly if it relates to child sexual exploitation and trafficking.

Licensing Conditions That May Be Imposed

- I.15 The Council will consider the imposition of conditions on a case-by-case basis. 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.

The Council will also expect the licence applicant to offer his/her own suggestions as to the ways in which the licensing objectives can be met effectively when making their application e.g. the use of supervisors, appropriate signage for adult only areas etc. Please refer to the suggested pool of conditions in Appendix C.

- I.16 The Council will consider specific measures, which may be required for buildings, which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-restricted premises in order to pursue the licensing objectives.

The Council will also ensure that where category C or above machines are on offer in premises to which children are admitted that the following measures are considered.

- 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.

- I.17 The Council notes that tracks may be subject to more than one premises licence, provided each licence relates to a specified area of the track. In line with the Gambling Commission's Guidance, 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.

Conditions That May Not Be Imposed

- I.18 The Council will not attach conditions to premises licences, which;
- Are impossible to comply with as an operating licence condition;
 - Relate to gaming machine categories, numbers, or method of operation;
 - Provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
 - Are in relation to stakes, fees, winning or prizes

Door Supervisors

- 1.19 Where premises attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then the entrances to the premises will be controlled by a door supervisor and attach such conditions as may be appropriate to the premises licence.

2. Adult Gaming Centres

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

Appropriate licence conditions may cover issues such as:

- Proof of age schemes such as Challenge 25
- CCTV
- Door supervisors
- Location of entry
- Notices / signage
- Physical separation of areas for example by use of screening, walls, clear signage, PIR alarms etc.
- Provision information leaflets helpline numbers for organisations such as GamCare
- Self-barring schemes/Multi-operator self-exclusion schemes (MOSES)
- Specific opening hours
- Supervision of entrances / machine areas

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

- 2.2 The Council recognises that the design and layout of adult gaming centres will vary. It will have particular regard to the siting of age restricted gaming machines within each individual premises to ensure, so far as is reasonably practicable, that staff prevent the use of these machines by children and young persons. The Council reserves the right to request that gaming machines are re-positioned where circumstances demonstrate that it is appropriate to do so.

Additional factors to be taken into consideration will include to following:

- Visual observation
- Re-location of the machines
- Door buzzers
- Remote cut-off switches
- Training provision
- Any other factor considered relevant

- 2.3 The Council will have regard to any relevant additional guidance that may be issued by the Gambling Commission in respect to adult gaming centre applications in any decision-making.

- 2.4 The Council accepts that there must be no direct entry from one adult gaming centre into another and will have regard to any relevant guidance issued by the Gambling Commission in respect to such applications.

3. (Licensed) Family Entertainment Centres

- 3.1 The Council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas that may be present.
- 3.2 The Council will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:
- Proof of age schemes such as Challenge 25
 - CCTV
 - Door supervisors
 - Location of entry
 - Measures / training for staff on how to deal with suspected truant school children on the premises
 - Notices / signage
 - Physical separation of areas for example by use of screening, walls, clear signage, PIR alarms etc.
 - Provision of information leaflets / helpline numbers for organisations such as GamCare
 - Self-barring schemes/Multi-operator self-exclusion schemes (MOSES)
 - Specific opening hours
 - Supervision of entrances / machine areas

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

- 3.3 The Council recommends applicants consider the adoption of BACTA's voluntary Code of Social Responsibility and Good Practice in respect to Adult Gaming Centres and Family Entertainment Centres. This Code of Practice promotes awareness of social responsibility and acknowledges that proactive specific and appropriate commitment will be given to educating children and young persons, thereby minimising the potential for harm.

4 Casinos

Casino – Local Policy

- 4.1 The Council has not passed a '**no casino**' resolution under Section 166 of the Gaming 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. Similarly, a resolution will not affect the ability of the casinos with preserved entitlements from the 1968 Gaming Act from continuing to operate as casinos.
- 4.2 The Council will attach conditions to casino premises licences according to the principles set out in the Gambling Commission's Guidance, bearing in mind the mandatory conditions listed, and the Licence Conditions and Codes of Practice published by the Gambling Commission.

5 Bingo Premises

- 5.1 The Council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas that may be present.
- 5.2 The Council will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:
- Proof of age schemes such as Challenge 25
 - CCTV
 - Door supervisors
 - Location of entry
 - Measures / training for staff on how to deal with suspected truant school children on the premises
 - Notices / signage
 - Physical separation of areas for example by use of screening, walls, clear signage, PIR alarms etc.
 - Provision of information leaflets / helpline numbers for organisations such as Gam Care
 - Self-barring schemes/Multi-operator self-exclusion schemes (MOSES)
 - Opening hours
 - Supervision of entrances / machine areas

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

- 5.2 The Council notes that the Gambling Commission's Guidance that it should take steps 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 licensed area and then applies for a new premises licence, or multiple licences, for those excluded areas.
- 5.3 The Council will consider it an unusual circumstance in which the **splitting of pre-existing premises** into two adjacent premises might be permitted. In these cases this Licensing Authority will have particular regard to the Gambling Commission Guidance on the 'meaning of premises' and compliance with the social responsibility code 9.
- 5.4 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.

Section 177 of the Act does not prevent the licensee from permitting the installation of cash dispensers (ATMs) on the premises. Such machines may accept credit cards (and debit cards) and the arrangement is subject to a requirement that the licensee has no other commercial connection in relation to gambling (aside from the agreement to site the machines) with the service-provider and does not profit from the arrangement, not make any payment in connection with the machines. This Licensing Authority will also take note of any restrictions and requirements on the Operating Licences for betting premises as regards credit.

6 Betting Premises

6.1 The Council recognises that the design and layout of betting premises (or any other premises including tracks) will vary. 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 prevent 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 betting machines an operator wants to offer. The Council reserve the right to request that gaming machines are re-positioned or reduce the number where circumstances demonstrate that it is appropriate to do so. Factors to be taken into consideration will include the following:

- Proof of age schemes such as Challenge 25
- CCTV
- Visual observation
- Re-location of the machines
- Door buzzers
- Remote cut-off switches
- Training provision
- Self-barring schemes/Multi-operator self-exclusion schemes (MOSES)
- Opening hours
- Any other factor considered relevant

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

7 Tracks

- 7.1 The Council is aware that tracks may be subject to more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, the impact on the protection of children and vulnerable persons from being harmed or exploited by gambling; the need to ensure that entrances to each type of premises are distinct; that children are excluded from gambling areas where they are not permitted to enter are considered.
- 7.2 The Council 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.
- 7.3 The Council will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:
- Proof of age schemes such as Challenge 25
 - CCTV
 - Location of entry
 - Notices / signage
 - Physical separation of areas for example by use of screening, walls, clear signage, PIR alarms etc.
 - Measures / training for staff on how to deal with suspected truant school children on the premises

- Provision of information leaflets / helpline numbers for organisations such as GamCare
- Self-barring schemes/Multi-operator self-exclusion schemes (MOSES)
- Specific opening hours
- Supervision of entrances / machine areas

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

Gaming Machines

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

Applicants are advised to consult the Gambling Commission's Guidance on where gaming machines may be located on tracks and any special considerations that should apply in relation, for example, to supervision of the machines and preventing children from playing them. The Council will also, in line with the Gambling Commission's Guidance, consider the location of gaming machines at tracks.

Betting Machines

- 7.5 The Council will have regard to Part 6 of the Gambling Commission's Guidance, to take account the size of the premises and the ability of staff to prevent the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.

On tracks where the potential space for such machines may be considerable, bringing with it significant problems in relation to the proliferation of such machines, the ability of track staff to supervise them if they are scattered around the track and the ability of the track operator to comply with the law and prevent children betting on the machines. The Council will generally consider restricting the number and location of betting machines, in the light of the circumstances of each application for a track betting premises licence.

8.0 Applications and Plans

- 8.1 The Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007 state that a plan to accompany an application for a Premises Licence must show:

- the extent of the boundary or perimeter of the premises
- where the premises include, or consist of, one or more buildings, the location of any external or internal walls of each such building
- where the premises forms part of a building, the location of any external or internal walls of the building which are included in the premises
- where the premises are a vessel or part of a vessel, the location of any external or internal walls of the building which are included in the premises
- the location of each point of entry to and exit from the premises, including in each case a description of the place from which entry is made or to which exit leads

- 8.2 If plans change in any material respect during the lifetime of the licence, the applicant will be in breach of their licence and would either need to make a fresh application under s. 159 or to seek an amendment to the licence under s. 187 of the Gambling Act 2005. If the changes are substantial, this may, in the opinion of the Licensing Authority, render the premises different

to those to which the licence was granted. In such cases, variation of the licence under s. 187 would not be possible and a new application would be required under s. 159.

- 8.3 The Council will require a full premises licence variation application where premises are intending to use privacy screening and/or booting to any machines. The Council will expect any application proposing the use of customer privacy screens/booths, to clearly identify how these areas can be adequately supervised.
- 8.4 The Licensing Authority expects all applicants for Gambling Premises Licences to ensure there is adequate provision for staff to supervise persons using the licensed premises. This is to identify those who have self-excluded, vulnerable persons, under age persons, persons gambling beyond limits they have set for themselves, persons who may be involved in crime, persons who may be prone to anti-social behaviour, persons who are drinking alcohol where this is prohibited and persons who are showing signs of distress in respect of their gambling.
- 8.5 Applicants must take the structure and layout of the premises into account when considering their own policies and procedures. For example, where it is not possible for counter staff to supervise persons using gambling facilities such as gaming machines, the Licensing Authority would expect applicants to volunteer conditions that floor walkers will be used or that counter staff will be able to view all areas of the premises on CCTV provided to the counter area where it can be clearly seen.
- 8.6 Arrangements must be made for how staff will deal with customers who become aggressive and for ejecting patrons who are, for example, self-excluded, vulnerable or under age. This will include staff training and ensuring there are appropriate numbers of staff to deal with problems.
- 8.7 Staff should be in a position to monitor entrances and gaming machines and challenges should be initiated at the earliest opportunity.
- 8.8 Where access to premises is restricted, the Licensing Authority expects applicants to have a Proof of Age Scheme in place such as 'Challenge 25' and to train its staff in recognising acceptable forms of identification. Posters should be displayed stating that the relevant policy is in place and that users may be challenged.
- 8.9 Licence holders should record details of persons who have self-excluded, persons who have been ejected or refused admission, persons who have been barred by the operator and any instances of crime and disorder that occurs on, or in association with, the licensed premises. Applicants should demonstrate how they will identify self-excluded persons.
- 8.10 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 judgement about whether the premises are fit for gambling. The information will also be used to plan future premises inspection activity. The plan should be scaled (1:100).

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

In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined.
- 8.12 The Council appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to

be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. 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.

9 Travelling Fairs

- 9.1 Where category D machines and/or equal chance prize gaming without a permit are available for use at travelling fairs, the Council is responsible for deciding whether the facilities for gambling are no more than an ancillary amusement at the fair.
- 9.2 The Council will also consider whether the applicant falls within the statutory definition of a travelling fair.

It is noted that the 27-day statutory maximum for the land being used as a fair, applies on a per calendar year basis, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The Council will work with its neighbouring Authorities to ensure that land, which crosses our boundaries, is monitored so that the statutory limits are not exceeded.

10 Provisional Statements

- 10.1 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.
- 10.2 S.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.
- 10.3 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.
- 10.4 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.
- 10.5 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.

- 10.6 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 statement stage;
 - 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.
- 10.7 Once an operator has completed a building, the licensing authority will be able to consider a premises licence application for it. Requiring the building to be complete ensures that the authority can inspect it fully, as can other responsible Authorities with inspection rights under Part 15 of the Act. Inspection will allow Authorities to check that gambling facilities comply with all necessary legal requirements, for example, that Category C and D machines in a licensed family entertainment centre are situated so that people under 18 do not have access to the category C machines. The physical location of the machines will be an important part of this, and inspection will allow the authority to check that the layout complies with the operator's proposals and the legal requirements.

11 Reviews

- 11.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities however it is for this Licensing Authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below;
- In accordance with any relevant code of practice issued by the Gambling Commission;
 - In accordance with any relevant guidance issued by the Gambling Commission;
 - Reasonably consistent with the licensing objectives; and
 - In accordance with the Licensing Authority's Statement of Principles.
- 11.2 The request for the review will also be subject to the consideration by the authority as to whether the request is frivolous, vexatious, or whether it will certainly not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.
- 11.3 The Council can also initiate a review of a particular premises licence or a particular class of premises licence on the basis of any reason, which it thinks is appropriate.
- 11.4 Once a valid application for a review has been received, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.
- 11.5 The Council must carry out the review as soon as possible after the 28 day period for making representations has passed.
- 11.6 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 (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.

11.7 In determining what action, if any, should be taken following a review, the Council will have regard to the principles set out in S.153 of the Act, as well as any relevant representations.

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

Once the review has been completed, the licensing authority will, 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

12 Local Area Gambling Risk Assessments

12.1 The Gambling Commissions Licence Conditions and Codes of Practice (LCCP) requires operators to consider local risks.

The Gambling Commission's Social Responsibility Code require licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks.

12.2 The local risk assessments are specific to the potential harm that gambling premises can have on one or more of the licensing objectives under the Act. They must be specific to the premises, the area and the local community and must be owned by the premises managers to ensure they are site specific. A local risk assessment of gambling premises should be carried out through a step-by-step approach. This will involve firstly assessing the local area; identify the relevant risk factors; assess the gambling operation and finally assess the premises design, both internal and external. Once the risk factors have been identified the appropriate control measures to mitigate the risks can be considered. These control measures may either already be in place or will need to be implemented.

12.3 It will be the responsibility of the gambling operator to assign an 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 assessor must 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 it is highly recommended that licensees use staff or area managers to assist in gaining an understanding of that local area.

In undertaking their risk assessments, licensees should take into account any relevant matters identified in this policy statement and any associated local area profile produced by this Licensing Authority.

12.4 It will be the responsibility of the gambling operator to ensure that a local risk assessment is provided, is regularly reviewed or updated having regard to the following circumstances;

- When applying for a new or a variation of a premises licence, including a Temporary Use Notice.

- To take account of significant changes in local circumstances, including those identified in this policy.
- When there are significant changes at a licensee's premise that may affect the level of risk or the mitigation of those risks.
- on request of the Council

12.5 The following lists set out some examples of what the Licensing Authority considers to be significant changes in local circumstances:

- The local area is classified or declassified by the Licensing Authority as being an area of heightened risk within its Statement of Licensing Principles.
- Any substantial building development or conversion of existing premises in the local area which may increase or decrease the number of visitors. For example, where premises are converted to a local supermarket or a new office building is constructed nearby.
- Any new pay day loan or pawn brokers open in the local area
- Changes are made to the provision, location and/or timings of public transport in the local area, such as a bus stop which is used by children to attend school is moved to a location in proximity to gambling premises.
- Educational facilities increase in the local area. This may occur as a result of the construction of a new school/college or where a significant change is made to an existing establishment.
- The local area is identified as having elevated crime by the police and/or Licensing Authority.
- Any vulnerable group is identified by the Licensing Authority or venues relating to those vulnerable groups are opened in proximity to gambling premises (e.g. additional homeless hostels or gambling or mental health care/support facilities are opened in the local area).
- A new gambling premises opens in the local area.

12.6 The following lists sets out some examples of what the Licensing Authority considers to be significant changes in licenced premises (some of which may also require a variation to the existing premises licence):

- Any building work or premises refit where gambling facilities are relocated within the premises.
- The premises licence is transferred to a new operator who will operate the premises with its own procedures and policies which are different to those of the previous licensee.
- Any change to the operator's internal policies which as a result requires additional or changes to existing control measures; and/or staff will require retraining on those policy changes.
- The entrance or entrances to the premises are changed,
- New gambling facilities are made available on the premises which were not provided previously, for example, bet in play, handheld gaming devices for customers, Self Service Betting Terminals, or a different category of gaming machine is provided.
- Changes in staffing levels or opening times

- The premises operator makes an application for a licence at that premises to provide an activity under a different regulatory regime, for example, to permit the sale of alcohol or to provide sexual entertainment on the premises.
- 12.7 A significant change can be temporary and any temporary changes should be considered and adjustments made to the local risk assessment if necessary.
- 12.8 Operators must establish a regular review regime in respect of their local risk assessments. This should be at least annually and can be carried out alongside other reviews on Health and Safety risk assessments for the premises. This review programme would ensure that, regardless of whether or not any of the trigger events set out above have occurred, these risk assessments are considered at regular intervals and updated if necessary.
- 12.9 The Local Risk Assessment must be kept on the premises and be available for inspection by the licensing authority. Whilst there are no plans to request that licensed premises share their risk assessments on a periodic basis, where concerns do exist, perhaps prompted by new or existing risks, the Licensing Authority is likely to request that a licensee share a copy of its risk assessment.
- 12.10 The risk assessment will set out the measures the licensee has put in place to address specific concerns, thereby potentially reducing the occasions on which a premises review and the imposition of licence conditions is required. Licensees may wish to offer voluntary conditions to be attached to any licence.

Matters to be included when undertaking a local risk assessment

The local area

- 12.11 Operators will be expected to identify the local risk factors surrounding the premises. The risk factors will differ from location to location so an understanding of the specific characteristics of the local area and the people who live, work or visit that area is important.
- To assist in assessing the local area the Council will produce and maintain a Local Area Profile. The local area profile will be held on the City Council's website at www.plymouth.gov.uk/licensingandpermits/gamblinglicencesandpermits/gamblingpremiseslicence and will be updated from time to time. The Local Area Profile sets out the demographic profile of areas of the City and the specific concerns and risks that have been identified in respect to gambling in those areas.
- 12.12 The list below is a small example of some of the risk factors that may be present in an area where gambling premises are located:
- The types of premises and their operation in the local area surrounding these premises
 - The footfall in the local area, for example, does it predominately comprise residents, workers or visitors, is it a family orientated area, popular with children and young people.
 - Socio-economic makeup of the area
 - Prevalence of dependant or addictive gambling in an area, including information from self-exclusion data
 - Transport links and parking facilities.
 - Educational facilities.
 - Community centres.

- Hospitals, mental health or gambling care providers.
- Homeless or rough sleeper shelters, hostels and support services.
- The ethnicity, age, economic makeup of the local community.
- Significant presence of young children
- Crime rates and types
- Unemployment rates
- Presence of alcohol or drug support facility
- Presence of a pawn broker/pay day loan businesses in the vicinity.
- Presence of other gambling premises in the vicinity.

The gambling operation

12.13 In assessing the risk factors associated with a gambling operation the assessor should consider how that gambling operation may affect risk. The assessor as a minimum must consider:

- How the operator conducts its business
- What gambling products it provides in the premises
- The facilities to enable gambling within the premises
- The staffing levels within the premises throughout different times of any day
- The level and requirement for staff training
- Whether loyalty or account cards are used or not
- The policies and procedures it has in place in relation to regulatory requirements of the Act or to comply with the LCCP
- The security and crime prevention arrangements it has in place
- How it advertises locally and on the premises
- The marketing material within the premises
- The display and provision of information, etc.
- The opening hours of the premises and the possible interaction of the gambling premises with any surrounding night time economy.
- Support and early intervention engagement with customers
- Issues of lone working and staff working closely with children.

The internal and external design of the premises

12.14 The design and layout of the premises is a key consideration as this could have a significant impact on the risk to the licensing objectives. The design, both internal and external should be considered and specific risk factors identified and noted. For example:

- The ability to view all parts of the gambling area and entrances, whether directly or via aids such as mirrors /CCTV
- The ability for children and young people to look into the premises and see gambling taking place
- Nature and number of advertising materials present, particularly those viewable externally

- Position of various gambling activities
- The means to segregate various gambling activities

Control measures and monitoring

- 12.15 Once the risk factors have been identified, the assessor should seek to identify control measures that would mitigate the identified risks. Some risk factors may require a combination of control measures to adequately mitigate the risk.

Adequate management arrangements must be in place to ensure any control measures are in operation and licensees may wish to record these checks as part of any due diligence defence.

Completed assessment

- 12.16 The control measures must be implemented on the premises and, if applicable, staff on the premises should be trained in their use or trained on the new policy or procedure.

A copy of the local area risk assessment must be kept on the licensed premises and made available for inspection by Licensing, Trading Standards or the Police. All staff should be made aware of the contents of the local risk assessment, including any additional control measures identified in the assessment.

The Licensing Authority will assess the risks identified and the measures implemented to mitigate those risks. When a completed assessment is provided with a new application or with a variation application, the authority will consider the assessment in the course of determining whether to grant the application or not. Some control measures identified in the assessment may be put forward as conditions to be attached to the licence to address any significant local concerns.

13. Local Area Profiles (LAP)

- 13.1 The authority may produce local area profiles which will be a relevant matter when determining applications or reviewing existing licences.

LAPs will be updated more frequently than the licensing policy to ensure they take account of the latest data and guidance. LAPs will therefore be published separately to this policy.

- 13.2 These LAPs may identify levels of risk from gambling which should be considered as part of any operator risk assessment.

PART C - PERMITS/TEMPORARY & OCCASIONAL USE NOTICES

I. **Unlicensed Family Entertainment Centres (Gaming Machine Permits)**

- I.1 The term ‘**unlicensed family entertainment centre**’ (uFECs) is one defined in the Act and refers to a premises which provides category D gaming machines along with various other amusements, such as computer games and penny-pushers. The premises is ‘unlicensed’ in that it does not require a premises licence, but does require a permit to be able to provide its category D gaming machines. It should not be confused with a ‘licensed family entertainment centre’ which does require a premises licence because it contains both category C and D gaming machines.

uFECs will be most commonly located at seaside resorts, in airports and at motorway style service centres, and will cater for families, including unaccompanied children and young persons. Only premises that are wholly or mainly used for making gaming machines available may hold an uFEC gaming machine permit or an FEC premises licence (S238 of the Act). Both a licensed FEC and an uFEC are classified as ‘premises. As a result, it is generally not permissible for such premises to correspond to an entire shopping centre, airport, motorway service station or similar. Typically, the machines would be in a designated, enclosed area.

The Council will only grant an uFEC gaming machine permit where it is satisfied that the premises will be operated as a bonafide uFEC.

In line with the Act, while conditions will not be attached to this type of permit. The Council can refuse an application if not satisfied that issues raised in this Statement of Principles have been addressed in the application.

- I.2 Where an establishment 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 (S.238 of the Act).
- I.3 The Council notes the Gambling Commission’s Guidance which states that ‘An application for a permit may be granted only if the Licensing Authority is satisfied that the premises will be used as an unlicensed Family Entertainment Centre and if the Chief Officer of Police has been consulted on the application...’ and will consider asking the applicant to demonstrate;
- A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed Family Entertainment Centres;
 - That the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and
 - That staff are, or will be trained to have a full understanding of the maximum stakes and prizes
- I.4 The Council will not attach conditions to this type of permit.
- I.5 The Statement of Licensing Policy clarifies the measures it will expect applicants to demonstrate when applying for a permit for an unlicensed family entertainment centre. This will allow this licensing authority to better determine the suitability of the applicant and the premises for a permit.
- I.5 Within this process the applicant must be able to demonstrate that:
- They are a fit and proper person to hold the permit
 - They have considered and are proposing suitable measures to promote the licensing objectives, and
 - They have a legal right to occupy the premises to which the permit is sought.

The measures suggested in this Statement of Licensing Policy will be applied although will consider any alternative measures suggested by the applicant and will substitute measures as appropriate

I.8 The Council will require the following **supporting documents** to be served with all uFEC gaming machine permit applications:

- Proof of age - a certified copy or sight of an original birth certificate, a photo style driving licence, or passport – all applicants for these permits must be aged 18 or over).
- Proof that the applicant has the right to occupy the premises - acceptable evidence would be a copy of any lease, a copy of the property's deeds or a similar document.
- A standard disclosure and barring service check issued within the previous month. This will be used to check that the applicant has no relevant convictions as defined in Schedule 7 of the Act.
- Evidence that the machines to be provided are or were supplied by a legitimate gambling machine supplier or manufacturer who holds a valid gaming machine technical operating licence issued by the Gambling Commission.
- Suitable and sufficient gambling local risk assessments where the uFEC is located adjacent to an AGC.
- Suitable and sufficient safeguarding policy.
- A plan of the premises for which the permit is sought showing the following items:
 - (i) The boundary of the building with any external or internal walls, entrances and exits to the building and any internal doorways
 - (ii) Where any category D gaming machines are positioned and the particular type of machines to be provided (e.g. slot machines, penny-falls, cranes)
 - (iii) The positioning and types of any other amusement machines on the premises
 - (iv) The location of any fixed or semi-fixed counters, booths or offices on the premises whereby staff monitor the customer floor area
 - (v) The location of any ATM/cash machines or change machines
 - (vi) The location of any fixed or temporary structures such as columns or pillars
 - (vii) The location and height of any stages in the premises; any steps, stairs, elevators, balconies or lifts in the premises
 - (viii) The location of any public toilets in the building

Unless otherwise agreed, the plan should be drawn to a standard scale with a key showing the items mentioned above. The standard scale is 1:100.

I.9 Harm in this context is not limited to harm from gambling, but includes wider protection considerations. The council will consider these policies and procedures on their merits but should (depending on the particular permit being applied for) include appropriate measures/training for staff having regard to the following:

- Maintain contact details for any local schools and or the education authority so that any truant children can be reported
- Employ policies to address problems associated with truant children who may attempt to gain access to the premises and to gamble when they should be at school
- Employ policies to address any problems that may arise when there is an increased likelihood that children may frequent the premises in greater numbers, such as half terms and summer holidays

- Safeguarding policies in place to both protect children and vulnerable adults but also staff training in relation to the identification and onward alerting of safeguarding concerns
- Display posters with the 'Child Line' phone number in discreet locations throughout the premises e.g. toilets, corridors
- Maintain a register of any incidents that arise on and around the premises related to children i.e. children gambling excessively, truant children, children being unruly or young unaccompanied children entering the premises. The register can be used to detect any trends which require action by the management of the premises.
- Take steps to ensure all young children are accompanied by a responsible adult.
- Maintain policies to deal with any young children who enter the premises unaccompanied
- Undertake satisfactory disclosure checks (criminal records checks) for all staff who will be working with children.
- Clear signage that identifies gaming machines and skill machines
- Any prizes displayed must be capable of being won
- Staff training that covers all of the controls in place

NB: Any supporting evidence of the above measures e.g. training manuals or other similar documents/written statements should be attached to the application.

I.10 The Council will expect the applicant to show that there are policies and procedures in place to **protect vulnerable persons**. The Council will assess the submitted policies and procedures on their merits, but (depending on the particular permit being applied for) should include appropriate measures/training for staff relating to the following:

- Display Gamcare helpline stickers on all gaming machines
- Display Gamcare posters in prominent locations on the premises
- Training for staff members which focuses on building an employee's ability to maintain a sense of awareness of how much (e.g. how long) customers are gambling, as part of measures to detect persons who may be vulnerable
- Consider appropriate positioning of ATM and change machines, including the display of Gamcare stickers on any such machines.
- Customer self-exclusion systems (for example where the uFEC is adjacent to an AGC).

NB: Any supporting evidence of the above measures e.g. training manuals or other similar documents/written statements should be attached to the application.

I.11 The applicant should also be mindful of the following possible control measures (depending on the particular permit being applied for) to minimise crime and disorder and the possibility of public nuisance:

- Maintain an effective CCTV system to monitor the interior and exterior of the premises
- Keep the exterior of the premises clean and tidy
- Ensure that external lighting is suitably positioned and operated so as not to cause nuisance to neighbouring or adjoining premises
- Consider the design and layout of the outside of the premises to deter the congregation of children and youths.

NB: Any supporting evidence of the above measures e.g. training manuals or other similar documents/written statements should be attached to the application.

2. (Alcohol) Licensed Premises (Gaming Machine Permits)

Automatic Entitlement: 2 Machines

- 2.1 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. The Licensing Authority will consider removing an 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. the gaming machines have been made available in a way that does not comply with requirements on the location and operation of gaming machines)
 - The premises are mainly used for gaming; or
 - An offence under the Act has been committed on the premises

Permit: 3 or More Machines

- 2.2 If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25, codes issued under s24 of the Act, and “other such matters as the Licensing Authority think relevant.”

The Council 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 harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the licensing authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff that will monitor that the machines are not being used by those under 18, or suitable Challenge scheme. Notices and signage may also be helpful. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

- 2.3 It is recognised that some alcohol-licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence. It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for but conditions (other than these) cannot be attached.
- 2.4 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine. Please refer to the ‘Advice on gaming in clubs and premises with an alcohol licence: Gambling Act 2005 (March 2016)’ at www.gamblingcommission.gov.uk/PDF/Advice-on-gaming-in-pubs-and-alcohol-licensed-premises.pdf and www.gamblingcommission.gov.uk/pdf/code-of-practice-for-gaming-machines-in-clubs-and-premises-with-an-alcohol-licence.pdf
- 2.5 All gaming machines must be located in a place within the premises so that their use can be adequately supervised, either by staff whose duties include such supervision (including bar or floor staff) or by other means.

- 2.6 A plan must accompany applications indicating where and what type of gambling machines are to be provided. This plan may take the form of an amendment to the plan attached to the Premises Licence issued under the Licensing Act 2003.
- 2.7 Applicants should be aware that only those premises which have a 'bar' (servery) at which alcohol is sold for consumption on the premises will be eligible for a machine in the bar area of the premises. This means that premises such as restaurants, which do not have a bar for serving drinks or can only, sell alcoholic drinks as an ancillary to food will no longer automatically qualify for two machines. Any gaming machines must be obtained from a licensed supplier.

3 Prize Gaming Permits

- 3.1 The Act states that a licensing authority must prepare a Statement of Licensing Policy 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'.
- 3.2 The Council will expect the applicant to set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:
- That they understand the limits to stakes and prizes that are set out in Regulations; and
 - That the gaming offered is within the law
 - Clear policies that outline the steps to be taken to protect children from harm
- 3.3 In making its decision on an application for this permit the Council does not need but may have regard to the licensing objectives but must have regard to any Gambling Commission's Guidance (Schedule 14 and Para 8.3).
- 3.4 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.

4 Club Gaming and Club Machines Permits

- 4.1 Member's Clubs (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit.

A **Club Gaming Permit** will enable the premises to provide gaming machines (3 machines of categories B3A or B4, C or D), equal chance gaming and games of chance as set out in regulations i.e. pontoon and chemin de fer. This is in addition to the exempt gaming authorised under S.269 of the Act.

Alternatively a member's club (but not commercial clubs) can apply for a **Club Gaming Machine Permit** will enable the premises to provide only gaming machines (3 machines of categories B3A or B4, C or D).

Commercial clubs are not permitted to provide non-machine gaming (other than exempt gaming under section 269 of the Act) which means that they should only apply for a Club Gaming Machine Permit. However they are not able to site category B3A gaming machines offering lottery games in their club.

- 4.2 Gambling Commission Guidance states: 'Members clubs must have at least 25 members and be established and conducted 'wholly or mainly' for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulation and these cover bridge and whist clubs, which replicates the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations'.

The Council will take steps to ensure that a club is a bonafide club within the terms set out in the Act and with this in mind reserve the right to request or require sight of evidence that confirms the status of the club. The Council may request evidence any of the follow factors for consideration in its decision-making;

- Evidence of committee members and evidence of their election by club members?
- Minutes of previous meetings (where appropriate)?
- Is the primary activity of the club something other than gaming?
- Are the club's profits retained solely for the benefit of the club's members?
- Are there 25 or more members?
- Are the addresses of club member's genuine domestic addresses and live reasonably locally to the club?
- Do members participate in the activities of the club via the internet?
- Do guest arrangements link each guest to a member?
- Is the 48 hour rule being applied for membership and being granted admission being adhered to (for member clubs)
- Are there annual club accounts available for more than one year?
- How is the club advertised and listed in directories and on the internet?
- Are children permitted in the club?
- Does the club have a constitution and can it provide evidence that the constitution was approved by members of the club?
- Submission of a plan of the premises for which the permit is sought i.e. premises, boundaries, machine position, etc.

- 4.3 The Commission Guidance also notes 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 by the police.

- 4.4 There is also a **‘fast-track’ procedure** available under the Act for premises, which hold a Club Premises Certificate under S.72 Licensing Act 2003 (Schedule 12 paragraph 10) are exempt from the stricter vetting process that applies to applications for Club Gaming and Club Gaming Machine Permits.

As the Gambling Commission’s Guidance to licensing authorities states: ‘Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police and the grounds upon which 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.
- 4.5 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.
- 4.6 All gaming machines situated on the premises must be located in a place within the premises so that their use can be supervised, either by staff whose duties include such supervision (including bar or floor staff) or by suitable other means.

5 Temporary Use Notices

- 5.1 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 Gambling Commission, would include hotels, conference centres and sporting venues.
- 5.2 The Council will only grant a temporary use notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.

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

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

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

- 5.3 The Council expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission’s Guidance.

6 Small Society Lotteries

6.1 Under the Act a lottery is unlawful unless it runs under an operating licence or is an exempt lottery. The Council will register and administer small society lotteries as defined under the Act. Promoting or facilitating a lottery will fall into two categories.

- Licensed lotteries (requiring an operating licence from the Gambling Commission)
- Exempt lotteries (including small society lotteries registered with Plymouth City Council)

Exempt lotteries are lotteries permitted to run without a licence from the Gambling Commission and are defined as:

- Small society lotteries;
- Incidental non-commercial lotteries;
- Private lotteries;
- Private society lottery;
- Work lottery;
- Residents' lottery;
- Customers' lottery.

Advice regarding the definitions of the above exempt lotteries is available from the Gambling Commission guidance and their website:

www.gamblingcommission.gov.uk/for-licensing-authorities/GLA/Guidance-to-licensing-authorities.aspx

7 Occasional Use Notices

- 7.1 The Council 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 consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.
- 7.2 The Council will consider any guidance issued by the Gambling Commission or any other statutory agency (please refer to the glossary at the end of this document) regarding non-commercial betting and race nights of how their activities can be regulated within the Act.

8 Vessels

- 8.1 The Council when considering applications for premises licences in respect of vessels will give particular weight to the views of the Maritime and Coastguard Agency in respect of promoting the licensing objectives. Where in the opinion of the Licensing Authority any of the three objectives are undermined, and this cannot be resolved through the imposition of conditions, the application will be refused.
- 8.2 Where a premises licence is sought in connection with a vessel which will be navigated whilst licensable activities take place, the licensing authority will be concerned following the receipt of relevant representations, with the promotion of the licensing objectives on-board the vessel. The licensing authority will not focus on matters relating to safe navigation or operation of the vessel, the general safety of passengers or emergency provisions, all of which are subject to regulations, which must be met before the vessel is issued with a Passenger Certificate and Safety Management Certificate. It is expected that if the Maritime and Coastguard Agency is satisfied that the vessel complies with Merchant Shipping standards for a passenger ship, the premises will normally be accepted as meeting the public safety objectives.

In respect of other public safety aspects, representations made to the licensing authority by the Maritime and Coastguard Agency will be given particular weight.

Disclaimer: The Council wishes to make clear that the Gambling Commission's Guidance to Local Authorities (5th Edition – September 2015; Parts 17, 18 and 19 updated September 2016) was the most recent information available at the time of writing and can be the subject of change within the period that this statement of principles is in force. This Licensing Authority will therefore have regard to changes in legislation, court judgements and any updated guidance issued by the Gambling Commission where it is appropriate to the application under consideration.

Appendix A - Responsible Authorities Contacts (non-emergency calls only)**Licensing Authority**

Licensing Office,
Public Protection Service,
Plymouth City Council,
Windsor House,
Plymouth,
PL6 5UF

Tel: 01752 304141

Email: licensing@plymouth.gov.uk

The Gambling Commission

Victoria Square House,
Victoria Square,
Birmingham,
B2 4BP

Tel: 0121 230 6666

Fax: 0121 230 6720

Email: info@gamblingcommission.gov.uk

H M Revenue & Customs

Excise Processing Teams
BX9 1GL
United Kingdom

Tel: 03000 322 7072 Option 7

Email: NRUBetting&Gaming@HMRC.gsi.gov.uk

Child Protection

Safeguarding Team,
Children, Young People and Families,
Plymouth City Council,
Midland House,
Notte Street,
Plymouth,
PL1 2EJ

Tel: 01752 306340

Email: childprotect@plymouth.gov.uk

Devon & Cornwall Police

Licensing Department,
Launceston Police Station,
Moorland Road,
Launceston,
Cornwall, PL15 7HY

Tel: 01566 771309
Fax: 01566 771388
Email: licensingwest@devonandcornwall.pnn.police.uk

Devon & Somerset Fire and Rescue Service

West Devon Headquarters,
Glen Road,
Plympton,
Plymouth, PL7 3XT

Tel: 01752 333600
Fax: 01752 333640
Email: westfiresafety@devfire.gov.uk

Public Protection Service

Public Protection Service,
Plymouth City Council
Windsor House,
Plymouth, PL1 2AA

Tel: 01752 304141;
Fax: 01752 226314
E-mail: public.protection@plymouth.gov.uk

Planning Authority

Development Consents Manager
Plymouth City Council
Level 2 West Wing, Ballard House
Plymouth, PL1 3BJ
Tel: 01752 304471
Fax: 01752 305523
Email: letters.of.representation@plymouth.gov.uk

Maritime & Coastguard Agency (where applicable)

Plymouth Marine Office
Unit 35, 235 Union Street
Stonehouse
Plymouth. PL1 3HQ
Tel: 01752 266211
Fax: 01752 225826
Email: mcaplymouthadmin@mcga.gov.uk

Appendix B: Child Sexual Exploitation and Trafficking of Children and Young People

Plymouth City Council is helping to tackle child sexual exploitation and trafficking by working together with key partners particularly the Police and Safeguarding Boards.

Through agencies working together and sharing information, we aim to identify and prevent sexual exploitation, disrupt the activities of perpetrators, protect children and young people and prosecute perpetrators of sexual exploitation. Sharing information with the Police and Safeguarding Boards helps to protect young people from harm. Safeguarding children and young people is everyone's business and everyone's responsibility.

Child sexual exploitation is a crime that can affect any child, anytime, anywhere – regardless of their social or ethnic background.

Sexual exploitation of children and young people involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive something, e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money, etc. as a result of them performing, and/or another or others performing on them, sexual activities. Violence, coercion and intimidation are commonly involved in such exploitative relationships.

Child sexual exploitation involves perpetrators grooming youngsters and using their powers to sexually abuse them. Sexual exploitation of children and young people can take many forms, whether it occurs through a seemingly 'consensual' relationship with an older person, or a young person having sex in return for attention, gifts, alcohol or cigarettes.

How gambling premises licence and permit holders and their employees can help tackle child sexual exploitation

Gambling establishment licence and permit holders and their employees are in a good position to help identify victims of sexual exploitation because, through the operation of certain gambling activities, licence and permit holders and their employees regularly come into contact with children, young and vulnerable people. This means that licence and permit holders and their employees are in an ideal position to help protect young and vulnerable people.

In particular, licence and permit holders and their employees should ask themselves the following questions when they see young and vulnerable people in their gambling premises:

- Do any of your customers appear to be under 18 years old?
- Are they with a much older person and appear to be in a relationship?
- Do you think that they are under the influence of alcohol or drugs?
- Are children/young people being brought regularly to your premises by older people? If so, ask yourself why?

If you have reason to suspect that a child is being abused or at risk of abuse it is your responsibility to report your concerns to and share information with the Police (Tel: 101 or if immediate risk 999) and Plymouth Children's Gateway Service on Tel: 01752 668000 or please email for enquiries and referrals to gateway@plymouth.gov.uk).

Alternatively please complete the online form:

Children - www.plymouth.gov.uk/childrenandfamilies/reportchildabuseorneglect

Appendix C – Pool of Conditions

1. The premises shall be fitted out and operational within 6 months of the issue of the licence.
2. The Licensee shall notify the Licensing Authority when the premises have been fitted out and are ready for operation, so that the Licensing Authority can inspect the premises. Such notification to the Licensing Authority shall be given no less than 10 days prior to the premises opening under the licence.
3. The licensee shall keep written records of all staff authorised to verify the age of customers who have received adequate training on the law using the SWERCOTS training package or similar, with regard to challenging persons to prevent under age gambling. The record should be kept on the licensed premises and made available for inspection by Licensing, Trading Standards or the Police.
4. There shall be a minimum of 2 staff (excluding back room staff) on duty at the premises at all times that is open, whose duties are to include the age verification of persons entering the premises who appear under the age of 25 years.
5. The Licensee shall have a 'Challenge 25' Policy whereby all customers who appear to be under the age of 25 are asked for proof of their age.
6. The Licensee shall prominently display notices advising customers of the Challenge 25 policy.
7. The following identification should only be accepted
 - Proof of age cards bearing the 'PASS' hologram symbol
 - UK Photo Driving Licence
 - Passport
8. The Licensee is to keep a register (Refusals book) to contain details of the date and time, description of underage persons entering the premises and the name of the employee who verified that the person was under age.
9. The Refusals Book is to be kept on the licensed premises and made available for inspection by Licensing, Trading Standards and the Police.
10. A CCTV system shall be maintained in good working order and fully operational covering both internal and external areas when the premises are open to the public.
11. The medium on which CCTV images are recorded will be clearly visible, stored securely and shall be retained for a period of 28 days. Recordings shall be made available for inspection by the Police or Licensing Authority upon request.
12. A copy of the local risk assessment shall be kept on the licensed premises and made available for inspection by Licensing, Trading Standards or the Police. All staff authorised to verify the age of customers should be made aware of the contents of the local risk assessment, including any additional control measures identified in the assessment.
13. Test purchase results shall be shared with Licensing, Trading Standards or the Police.
14. All staff shall wear ID badges or other measures so that customers can easily identify them for assistance, guidance or gambling advice
15. Officers shall expect to be able to interview employees who can confidently define and clearly understand which are 'Gaming Machines' and which are not (e.g. only 'Skill Machines'). Employees need to be fully conversant with the Gambling Act 2005 and familiar with their own 'Local Risk Assessment'.
16. Staff training records shall be kept on the licensed premises and made available for inspection by Licensing, Trading Standards or the Police.
17. Staff training shall include various topics including a section on 'truanting youngsters'

18. Social Responsibility Stickers/Notices shall be clearly displayed in a prominent position on all gaming machines at the point of play, to include category stickers/notices and also 'Gamcare' stickers/notices.

19. A book shall be kept at the premises, which is maintained with the following records:

- The name of the door supervisor deployed
- The SIA registration number of the door supervisor deployed
- The time they commenced and finished duty
- All incidents that the door supervisor dealt with

Glossary

An Interested Party – is a person, in the opinion of the Licensing Authority who:

- 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)

Responsible Authority –

- (i) The Licensing Authority
- (ii) The Gambling Commissioner
- (iii) The Chief Officer of Devon & Cornwall Constabulary
- (iv) The Devon and Somerset Fire & Rescue Service.
- (v) The local planning authority within the meaning given by the Town and Country Planning act 1990 (c.8) for any area in which the premises are wholly or partly situated
- (vi) The local authority by which statutory functions are exercisable in any area in which the premises are wholly or partly situated in relation to minimising or preventing the risk of pollution of the environment or of harm to human health
- (vi) A body, which is designated in writing for the purpose of this paragraph, by the Licensing Authority for an area in which the premises are wholly or partly situated, as competent to advise the authority about the protection of children from harm:
- (vii) And any other person prescribed by regulations by the Secretary of State.

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Cabinet Minute No. 50

Gambling Act 2005 – Statement of Licensing Policy



9 October 2018

Minute No. 50

Councillor Haydon (Cabinet Member for Customer Focus and Community Safety) introduced the Statement of Licensing Policy concerning gambling.

Following a short discussion Cabinet agreed to recommend to the City Council that the Gambling Act Statement of Licensing Policy contained in Appendix A is adopted with effect from 31 January 2019.

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PLYMOUTH CITY COUNCIL

Subject: Delegation of Functions to the Audit and Governance Committee –
Amendment to Constitution

Committee: Council

Date: 19 November 2018

Cabinet Member: Councillor Peter Smith, Deputy Leader

CMT Member: Andrew Hardingham Interim Director for Transformation and Change

Author: Linda Torney, Assistant Head of Legal Services

Contact details: linda.torney@plymouth.gov.uk

Ref:

Key Decision: No

Part: I

Purpose of the report:

The purpose of this report is to recommend that Council authorise the Audit and Governance Committee to approve changes to the Constitution, subject to Council retaining responsibility for those functions set out in Appendix One to the report.

This will improve the efficiency of the decision making process, and maintain open and transparent decision making.

Corporate Plan:

Maintenance of the Constitution is a central element of the Democratic process of the Council which supports the Democratic values of the Corporate Plan.

**Implications for Medium Term Financial Plan and Resource Implications:
Including finance, human, IT and land:**

As this is a change to internal business processes there are no anticipated financial implications.

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management:

None

Equality and Diversity:

Has an Equality Impact Assessment been undertaken? No

Recommendations and Reasons for recommended action:

Recommend -

- I. that Council authorises the Audit and Governance Committee to approve changes to the Constitution, set out in Appendix One to the report; subject to Council retaining responsibility for the core documents in the Constitution.

Reason: This will improve the efficiency of the decision making process and the Audit and Governance Committee will provide an appropriate forum for discussion of any technical proposals to amend the Constitution.

Alternative options considered and rejected:

Not accepting the change would not lead to efficiencies in the decision making process.

Published work / information:

None

Background papers:

Title	Part I	Part II	Exemption Paragraph Number						
			1	2	3	4	5	6	7

Sign off:

Fin	pl.1 8.19 .88	Leg	lt/3l 194/ 1209	Mon Off		HR		Assets		IT		Strat Proc	
Originating SMT Member – Andrew Hardingham													
Has the Cabinet Member(s) agreed the content of the report? Yes													

I.0 Changes to the Constitution

- I.1 The Constitution is the key document which sets out the rules of the council. It contains important information on procedures and processes from dealing with petitions to rules of conduct for council employees and councillors. It also describes which bodies and people are authorised to take decisions on behalf of the Council.
- I.2 The decision by Council to widen the scope of the Audit Committee to include Governance gives an opportunity to reduce the number of reports that go to Council in respect of constitutional matters by authorising the Audit and Governance Committee to deal with changes to some of the parts of the Constitution.
- I.3 The proposals draw a distinction between the more durable core of a Council constitution i.e. the Articles which establish the Council and empower its main decision-making bodies; the functions that are dealt with at the Annual General Meeting; and the codes and procedural documents which are more likely to be subject to periodic up-dating, replacement and revision. However it is proposed that Council will retain responsibility for the Councillor's Code of Conduct, the Members Allowance Scheme, the Policy Framework, Neighbourhood Working and the Rules of Debate.
- I.4 This means that all Councillors will continue to be involved in decisions about the key elements of the constitution, however procedural changes can be dealt with by the Audit and Governance Committee in order to be more efficient.
- I.5 Any proposed changes to the constitution will be notified to all members via email when the relevant agendas are published to the Audit and Governance Committee to allow for members representations. Any changes to the constitution agreed at the Audit and Governance Committee will be notified to all members via email and published on the city council website.

Proposed Amendments to the Constitution

Existing Article 13.3

13.3 Changes to the Constitution

- (a) The Monitoring Officer can change the constitution, in consultation with the appropriate Cabinet member and the Chief Executive, if it is to put right clerical mistakes, to make it follow or clarify the law or to comply with full Council decisions to amend the constitution.
- (b) The Monitoring Officer can also change the Leader's Scheme Part C Responsibility for executive functions to reflect the wishes of the Leader.
- (c) Any other changes must be agreed by Council after considering a report from the Monitoring Officer.

Proposed new Article 13.3

13.3 Changes to the Constitution

- (a) The Audit and Governance Committee can change the following parts of the Constitution:
Part F – Access to Information Procedure Rules,
Part G – Codes and Protocols apart from the Councillor's Code of Conduct,
Part H – Standing Orders and Regulations.
- (b) The Audit and Governance Committee can also make changes to the Council Procedures, the Budget and Policy Procedure Rules, the Call In Procedure Rules, the Cabinet Procedure Rules, the Overview and Scrutiny Procedure Rules and the General Rules applying to Committees.
- (c) The Audit and Governance Committee can refer any proposed changes to the Constitution to Council where considered appropriate.
- (d) The Monitoring Officer can change the constitution, in consultation with the appropriate Cabinet member and the Chief Executive, if it is to put right clerical mistakes, to make it follow or clarify the law, or to comply with Council or Audit and Governance Committee decisions to amend the constitution.
- (e) The Monitoring Officer can also change the Leader's Scheme Part C Responsibility for executive functions to reflect the wishes of the Leader.
- (f) Any other changes must be agreed by Council after considering a report from the Audit and Governance Committee or the Monitoring Officer.

Audit and Governance Committee

Delegation of Functions to Audit and Governance Committee



1 October 2019

Minute No. 41

Linda Torney (Assistant Head of Legal Services) presented the Delegation of function to Audit & Governance Committee.

The purpose of this report was to recommend that Council authorise the Audit and Governance Committee to approve changes to the Constitution, subject to Council retaining responsibility for those functions set out in Appendix One to the report.

This would improve the efficiency of the decision making process, and maintain open and transparent decision making.

The Audit & Governance Committee agreed to recommend that Council authorises the Audit and Governance Committee to approve changes to the Constitution, set out in Appendix One to the report; subject to Council retaining responsibility for the core documents in the Constitution.

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PLYMOUTH CITY COUNCIL

Subject:	Organisational Design
Committee:	Full Council
Date:	19 November 2018
Cabinet Member:	Councillor Tudor Evans OBE, Leader of the Council
CMT Member:	Tracey Lee, Chief Executive and Head of Paid Service
Author:	Tracey Lee, Chief Executive and Head of Paid Service
Contact details:	01752 304862 tracey.lee@plymouth.gov.uk
Ref:	
Key Decision:	No
Part:	I

Purpose of the report:

An update is provided on the successful implementation of previous proposals relating to the Senior Management Structure outlined in January 2018. Information is also provided on a small number of further proposals.

The Council Corporate Plan:

The Corporate Plan, approved in June 2018, outlines the strategic direction of the council for the next three years.

Recommendations within this report align to the current Plymouth City Council Corporate Plan.

Implications for Medium Term Financial Plan and Resource Implications:**Including finance, human, IT and land:**

These proposed changes can currently be contained within existing budgets; the proposed changes will have no adverse impact on budgetary provision on the information available at this point in time.

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management:

None identified

Equality and Diversity:

Council needs to have due regard to its duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equality Act and those who do not. Actions around activities such as

restructuring, recruitment and grading of roles will be in line with established City Council policies and processes.

Has an Equality Impact Assessment been undertaken? An original EIA was completed for Phase I of the Organisational Design piece, this has been reviewed with reference to the proposals in this report.

Recommendations and Reasons for recommended action:

It is recommended that:

- 1) Council approves the proposals for changes outlined in this paper.
 - 2) Council notes the outline timetable implementing the changes.
 - 3) Council authorises the Chief Officer Appointments Panel to undertake further consultation with the Strategic Director of Customer and Corporate Services, Assistant Chief Executive, and the Service Director for Finance and agree any changes to their role profiles and grading.
 - 4) Council notes the information about areas of responsibility and Statutory Officers.
-

Alternative options considered and rejected:

None

Published work / information:

CIPFA - The role of the Chief Financial Officer in Local Government. www.cipfa.org/policy-and-guidance/reports

Background papers:

Title	Part I	Part II	Exemption Paragraph Number						
			1	2	3	4	5	6	7
Senior Management restructure proposal Full Council on 16 September 2013.		X				4.2.2			
Organisational Design Full Council on 29 January 2018	X								

Sign off:

Fin	pl. 18.19. 134	Leg	lt/31555 /0911	Mon Off	lt/31555 /0911	HR OD	AM 091118	Asset s		IT		Strat Proc	
Originating SMT Member: Tracey Lee													
Has the Cabinet Member(s) agreed the content of the report? Yes													

I. INTRODUCTION

Official

A paper was presented to the Council on 29 January 2018 which provided information about the current landscape for Local Government in general and Plymouth in particular. The paper also identified a number of key national, regional and local drivers.

This backdrop set the scene for some proposals to change the senior management structure to create the flexibility and capacity to deliver a number of challenges concurrently rather than consecutively.

This paper offers an update on work undertaken from January 2018, confirms our ongoing priorities and areas of focus, makes a small number of further proposals and finally confirms the areas of responsibility held by the Senior Management Team as at November 2018.

2. SENIOR MANAGEMENT UPDATE.

Following an Organisational Design process and engagement with a number of stakeholders, employees and Trade Union colleagues, Full Council approved a number of proposals on 29 January 2018. An update is provided below.

A new Director of Children's Services role working across Plymouth and Torbay Councils and reporting to both Chief Executives was recruited to in February 2018. Internal career progression resulted in a vacant Service Director for Children, Young People and Families. This post has been covered by an interim and is currently being recruited to.

A joint Strategic Director of People post with NEW Devon Clinical Commissioning Group (CCG) has been created to report to the Plymouth City Council Chief Executive and the Accountable Officer of the CCG and focus on the delivery of the Local Care Partnership.

The Service Director for Integrated Commissioning's secondment arrangement with the NEW Devon CCG has been extended to 31 March 2019 to allow the development of further joint working with colleagues there.

A new Strategic Director for Customer and Corporate Services has been appointed. The post holder will take the lead on our desire to continually improve the customers' experience of Council services. The post holder will develop and implement the outcomes from our recent Peer Review, focussing on a consistent customer experience and driving improvement in this areas.

Electoral Services joined the Executive Office which continues to further develop the services offered from this department.

A Service Director for Community Connections (replacing the Head of Service role) is now in place.

3. ONGOING PRIORITIES AND AREAS OF FOCUS.

A number of key drivers continue to impact on the capacity requirements of our senior people:

- Meeting our financial challenges and transforming the way we work
- Promoting democratic engagement and the role of Councillors
- The delivery of the Plymouth Plan and Corporate Plan
- An ambitious growth agenda
- Performing at our best – strong and effective service performance
- Changing expectations from residents – citizen focus and customer experience
- Integration with partners and the Plymouth family including the following:
 - Contractual Arrangement to run Children's Services in Torbay
 - Strategic Transformation Plan (STP) and development of Local Care Partnership
 - Education Services
 - Shared back office services – DELT
 - Regional and sub-regional agenda

The Strategic Directors and Service Directors have distinct roles and this has been considered when reviewing where capacity may be needed. Both roles act as Commissioners for the people of the city, work closely with Members and enable active engagement with stakeholders and residents with the aim of co designing the most effective mechanisms for delivery within the context of our values.

Strategic Directors work up and outside the Council ensuring we work well with partners locally, regionally and nationally. They ensure effective oversight of services delivered by the Service Directors particularly focussing on areas for improvement. Through the Council Management Team (CMT) they undertake their corporate role, using systems leadership principles. They act as peer leads on cross cutting issues, on behalf of the whole Council mandated to work across the organisation and with partners to ensure the best solutions are identified and implemented.

In order to maximise the ability of the Corporate Management Team to work together on some of the cross cutting themes there has been a move to a more "Federated Approach" which will complement our current Systems Leadership principles. This is designed to encourage the best use of resources, (avoiding duplication and silo working) and facilitate knowledge transfer between the senior team as well as creating centres of excellence, and co designing solutions which focus on national, regional and local objectives in a joined up way across services.

This complements other activity around strategic workforce planning, succession planning and career development/enrichment.

The January 2018 report outlined plans for a federated approach, led by the Strategic Director for People in conjunction with the Director of Children's Services and the Director of Public Health. This continues to be in place. The federated approach will be further developed across the Customer and Corporate Directorate with the Strategic Director of Customer and Corporate leading a federation comprising Customer and Corporate Services, Finance and the Executive Office.

Service Directors have responsibility for leading and managing their services.

4. PROPOSALS

A planned and phased approach to implementing change is used, engaging with employees, Members, Trade Union colleagues and stakeholders as appropriate and building on the extensive work undertaken over a number of years.

The following proposals have been consulted on:

Moving the Legal Services department to the Executive Office.

Following the departure of the Head of Legal Services and further development of the strategic offer of the Executive Office it is felt that there are natural synergies to be realised by combining legal services with colleagues undertaking other wide scale corporate functions, for example Electoral Services, Democracy and Governance and policy development. The proposal is that Legal Services move “as is” with the post of Head of Legal Services reporting to the Assistant Chief Executive. Land charges and the Coroner’s Service will be transferred to the Service Director for Customer Service.

Service Director for Finance and Section 151 Officer

It is proposed that this role reports to the Chief Executive in line with the Chartered Institute of Public Finance Accountants (CIPFA) guidance. It is intended to further facilitate this role as a full member of the Corporate Management team. It will allow the direction and successful delivery of PCC’s strategic objectives particularly in relation to the medium term financial strategy, budget management and monitoring.

A copy of the current and proposed structures are attached at APPENDIX A and B.

The existing role profiles of the Assistant Chief Executive, Service Director for Finance and the Strategic Director of Customer and Corporate Services have been updated and consulted on as a result of this proposal. Where roles are changed, salaries will be reviewed via an independent job evaluation process.

An updated list of the Directorate and Departmental responsibility areas, cross cutting themes and federation partners is attached at APPENDIX C. Whilst some statutory responsibilities remain with Plymouth City Council, delivery may be affected elsewhere, for example through partners or other mechanisms.

5. FINANCIAL INFORMATION

These proposed changes can currently be contained within existing budgets; the proposed changes will have no adverse impact on budgetary provision on the information available at this point in time.

6. COUNCIL PROCEDURE

The Chief Officer Appointments Panel will be established to consider any further responses from the consultation carried out in respect of these proposals. Subject to Council agreeing this approach, further individual consultation will take place with directly affected Chief Officers to ensure they are fully informed of the proposed next steps and have the opportunity to raise any further comments or questions. Trade Union colleagues will also be updated. Support and advice continues to be available to those affected.

7. TIMETABLE

w/c 22 October 2018	Engage and consult on proposals as appropriate.
9 November 2018	End of initial consultation process and comments reviewed.
w/c 12 November 2018	Initial feedback is provided. Following feedback, role profiles reviewed.
19 November 2018	FULL COUNCIL Proposal submitted by report to Full Council outlining proposed changes, existing and proposed structures
From 20 November 2018	Those in scope are updated and changes take effect.
30 November 2018	COAP convened to commence implementation of activities arising from Full Council report.

8. STATUTORY ROLES

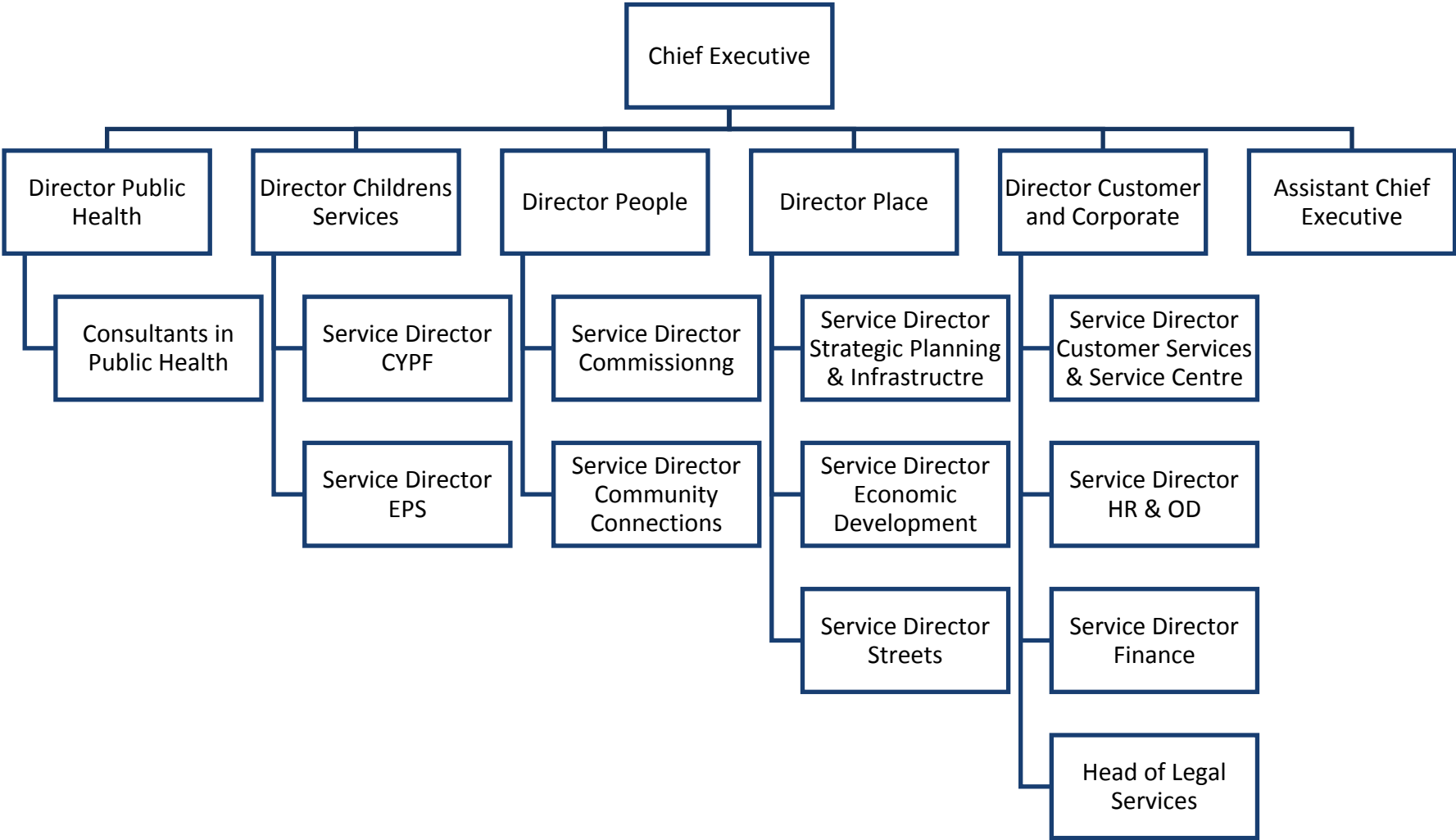
APPENDIX D provides details of statutory roles for information.

9. RECOMMENDATIONS

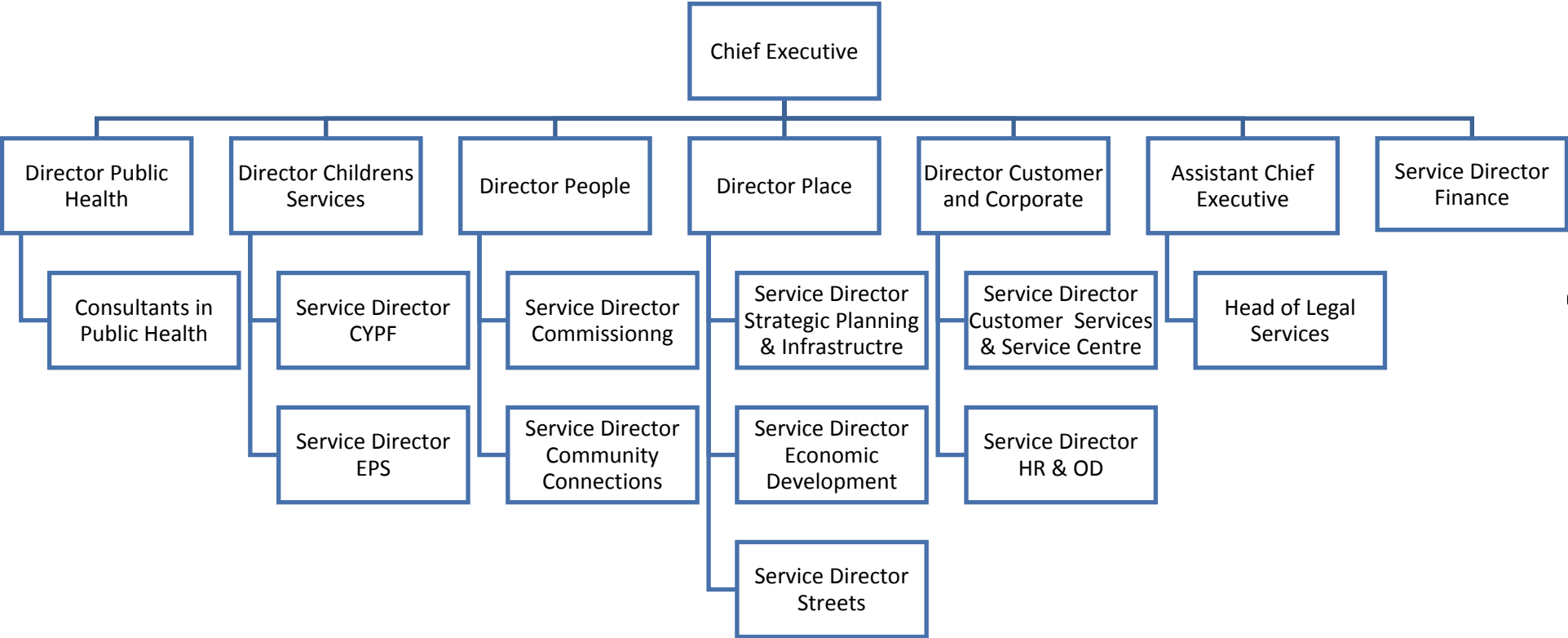
It is recommended that:

1. Council approves the proposals for changes outlined in this paper.
2. Council notes the outline timetable implementing the changes.
3. Council authorises the Chief Officer Appointments Panel to undertake further consultation with the Strategic Director of Customer and Corporate Services, Assistant Chief Executive, and the Service Director for Finance and agree any changes to their role profiles and grading.
4. Council notes the information about areas of responsibility and Statutory Officers.

Appendix A: Current – Chief Officers.



Appendix B: Proposed - Chief Officers.



APPENDIX C

Summary Responsibility Areas

PUBLIC HEALTH DIRECTORATE

The Director of Public Health has the following responsibility areas:

- Public Health
- Civil Protection
- Environment Protection and Monitoring (excluding contaminated land)
- Food Safety and Standards
- Safety, Health and Licensing
- Trading Standards
- Cemeteries and Crematoria
- Health Inequalities

Federated with

- People (leads on Federation)
- Children's Services

Cross cutting lead for CMT for:

- Sport
- Regulation and Enforcement

PEOPLE DIRECTORATE

Strategic Director of People to become joint post with NEW Devon CCG reporting to PCC CEX and AO of CCG. Focussed on delivery of Local Care partnership, developing the integrated Place based commissioning structure.

Responsibility areas (departments):

- Integrated Commissioning
- Community Connections

Federation lead for: –

- People/Children's Services/Public Health

Cross cutting lead for CMT for:

- Self Help
- Community Engagement

INTEGRATED COMMISSIONING

This post leads on:

- Integrated Commissioning for PCC, NEW Devon CCG and other parties,
- Development of the Local Delivery Partnership for Plymouth and the Western Locality.
- Strategic Commissioning & Contracting
- Statutory Functions of Adult Social Care and retained in-house function
- In-house provision for respite and learning disability services
- Allocation, monitoring and commissioning of Integrated Fund
- Functions of Deputy Chief Operating Officer of CCG
- Leisure Contract

COMMUNITY CONNECTIONS

This post leads on:

- Police and Fire Services day to day relationships
- Housing Improvement
- Asylum Seekers & Refugees
- Homelessness
- Accommodation
- Safer Communities.
- Gypsy & Travellers
- Universal Youth Work
- Sports Development

CHILDREN'S SERVICES DIRECTORATE	
<p>The Director of Children's Services works across both Plymouth and Torbay Councils, reporting to both Chief Executives.</p> <p>Focussed on leading the operation and delivery of the contractual arrangement to run Torbay's Children's Services, including Education, from 1 April 2018.</p> <p><u>Responsibility Areas:</u></p> <ul style="list-style-type: none"> • Children, Young People & Families • Education, Participation & Skills 	<p><u>Federated with</u></p> <ul style="list-style-type: none"> • People (leads on Federation) • Public Health
CHILDREN, YOUNG PEOPLE & FAMILIES	EDUCATION, PARTICIPATION & SKILLS
<p>This post leads on:</p> <ul style="list-style-type: none"> • Children's safeguarding • 16+ service and transitions • Children in care and Care Leavers • Permanency and placements • Advice and assessment • Children in the community • Out of hours • Family support/Troubled Families • Targeted Youth Support 	<p>This post leads on:</p> <ul style="list-style-type: none"> • School Improvement & Standards • School Organisation, Admissions & Planning • Early Years • Safeguarding in schools • Post 16 including Adult and Community Learning contract • SEND, Inclusion and Attendance • Educational Psychology • Children's Disability Team • Alternative Provision • Home to school transport • Skills • School sports partnership • CaterEd

PLACE DIRECTORATE		
Strategic Director of Place has the following responsibilities: <ul style="list-style-type: none"> • Strategic Planning & Infrastructure • Economic Development • Street Services 		<u>Cross cutting CMT lead:</u> <ul style="list-style-type: none"> • Inclusive Growth • Environment and Sustainability
STRATEGIC PLANNING & INFRASTRUCTURE	ECONOMIC DEVELOPMENT	STREET SERVICES
<ul style="list-style-type: none"> • Development Management and Planning • Building Control • Joint Local Plan • Environmental Planning • Housing Delivery & Empty Homes • Strategic Transport, Infrastructure and Investment Planning • Capital & Strategic Growth Programme Mgt • Strategic Waste & Minerals Planning • Engineering Design • Local Flood Authority • Green Infrastructure <p>Cross Cutting lead: Plymouth Plan</p>	<ul style="list-style-type: none"> • Inward Investment • Business Engagement • Destination Plymouth • Plymouth Science Park • Museum, Arts/Culture incl. The Box • Events and Tourist Information • Mayflower 2020 • Land & Property • Strategic Development Projects • Enterprise Zone • Mount Edgcumbe • Asset Investment Fund/Asset Management 	<ul style="list-style-type: none"> • Plymouth Highways Management • SWH Contract Management • Fleet & Garage • Winter Maintenance • Road Safety • Gullies • Street Lighting • Parking & Marine • Street Scene and Waste Services • Household Recycling Centres • Parks/Green Space Maintenance • Trees

CUSTOMER AND CORPORATE SERVICES	
<p>Strategic Director for Customer & Corporate has the following responsibilities:</p> <ul style="list-style-type: none"> • Customer Services and Service Centre • Lead on Transformation and ICT • Human Resources and Organisational Development. • Information Governance and Statutory Complaints 	<ul style="list-style-type: none"> • <u>Federated lead for:</u> • Customer & Corporate, Finance and Executive Office. • <u>Cross cutting: CMT lead:</u> • Customer Experience • Senior Information Risk Owner (SIRO)
CUSTOMER SERVICES & SERVICE CENTRE	HR & OD
<ul style="list-style-type: none"> • Customer Services • Registration Services • Revenues and Benefits • Transaction Centre • Counter Services • Contact Centre, First Stop and Reception • Corporate Complaints • Library services (including schools library) • Land charges • Coroner 	<ul style="list-style-type: none"> • Employee Relations • Organisational Development • Health, Safety & Wellbeing • HR & OD policies and plans • Payroll and Pensions – client role • Recruitment
FINANCE	
<p><i>The Service Director reports to the CEX in line with CIPFA guidance</i></p> <ul style="list-style-type: none"> • Finance • Procurement and Contract Management • Internal Audit and Fraud – Client for DAP • Insurance • Corporate landlord: Operational Asset Management & Facilities Management • Capital Delivery • Carbon Management (Council) • Treasury Management • Banking • MTFS • Statutory Financial Reporting • Tax 	<p><u>Federated with:</u></p> <ul style="list-style-type: none"> • Customer & Corporate • Executive Office <p><u>Cross Cutting CMT lead:</u></p> <ul style="list-style-type: none"> • Commercial approach to ASDVs including: • Shareholder Responsibility • Social Value

EXECUTIVE OFFICE

The Assistant Chief Executive has the following areas of responsibility:

- Governance and Oversight, including Democratic & Member Support,
- Risk & Performance Management
- Policy & Intelligence
- Regional partnerships
- Public & Partner relations including communications and marketing
- Electoral & registration services, including land & property data management
- Legal Services including Monitoring Officer role

Federated with:

- Customer & Corporate
- Finance

Cross-cutting CMT lead:

- Equalities, anti-poverty strategy
- Relationships with Community & Voluntary sector

APPENDIX D

Statutory Roles

Role	November 2018
Head of Paid Service <u>LGHA 1989, s 4</u>	Chief Executive
Director of Children's Services <u>Children Act 2004, s 18</u>	Director Children's Services
Director of Public Health; and <u>National Health Service Act 2006, s 73A(1)</u>	Director of Public Health
Director of Adult Social Services <u>Local Authority Social Services Act 1970, s 6(A1)</u>	Strategic Director of People
Monitoring Officer <u>LGHA 1989, s 5</u>	Head of Legal Services
Chief Finance Officer <u>LGA 1972, s 151</u>	Service Director for Finance

There are a number of other statutory officer roles that a local authority must have in place - these are not chief officer posts by virtue of the legislation - they are often referred to as Proper Officers.

Role	November 2018
Deputy Monitoring Officer	Assistant Head of Legal Services
Deputy Section 151 Officer	Head of Finance
Chief Education Officer	Director Children's Services
Senior Information Risk Owner (SIRO)	Strategic Director for Customer & Corporate Services

Council's will also have a returning officer and an Electoral Registration Officer.

Role	November 2018
Returning Officer	Chief Executive
Electoral Registration Officer	Chief Executive

PLYMOUTH CITY COUNCIL

Subject: Full Council Meetings 2019/2020
Date: 19 November 2018
Cabinet Member: Councillor Peter Smith, Deputy Leader
CMT Member: Giles Perritt, Assistant Chief Executive
Author: Ross Jago, Senior Governance Advisor
Contact details: ross.jago@plymouth.gov.uk
Ref:
Key Decision: No
Part: I

Purpose of the report:

The purpose of this report is to provide Full Council meeting dates for 2019 / 20.

Corporate Plan:

The meetings of Council are a central element of the Democratic process of the Council which supports the Democratic values of the Corporate Plan.

**Implications for Medium Term Financial Plan and Resource Implications:
Including finance, human, IT and land:**

There are no anticipated financial implications.

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management:

None

Equality and Diversity:

Has an Equality Impact Assessment been undertaken? No

Recommendations and Reasons for recommended action:

That Council notes the following dates for meetings to be held in 2019 and 2020 –

- 17 May 2019 (Annual General Meeting)
- 24 June 2019
- 16 September 2019
- 18 November 2019
- 27 January 2020
- 24 February 2020 (Extraordinary Budget Meeting)

- 16 March 2020

Alternative options considered and rejected:

None.

Published work / information:

None

Background papers:

Title	Part I	Part II	Exemption Paragraph Number						
			1	2	3	4	5	6	7

Sign off:

Fin	pl.18 .19.1 35	Leg	lt/30 4333 0/09 11	Mon Off	lt/30 4333 0/09 11	HR		Assets		IT		Strat Proc	
Originating SMT Member – Giles Perritt													
Has the Cabinet Member(s) agreed the content of the report? Yes													