



Oversight and Governance

Chief Executive's Department

Plymouth City Council

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www.plymouth.gov.uk/democracy

Published 23/06/21

Delegated Decisions

Delegated Executive/Officer Decisions

Delegated Executive and Officer decisions are published every Wednesday and are available at the following link - <https://tinyurl.com/ms6umor>

Cabinet decisions subject to call-in are published at the following link - <http://tinyurl.com/yddrql6>

Notice of call-in for non-urgent decisions must be given to the Democratic Support Unit by 4.30pm on Wednesday 30 June 2021. **Please note – urgent decisions and non-key Council Officer decisions cannot be called in.** Copies of the decisions together with background reports are available for viewing as follows:

- on the Council's Intranet Site at <https://modgov/mgDelegatedDecisions.aspx>
- on the Council's website at <https://tinyurl.com/jhnax4e>

The Cabinet Member decision regarding the Gambling Act Statement of Principles may be implemented on Thursday 1 July 2021 if it is not called-in. The Council Officer Decision may be implemented immediately.

Delegated Decisions

1. Council Officer Decision - Paul Barnard (Service Director for Strategic Planning and Infrastructure):

1.1. Forder Valley Transport Improvements Contract Management **(Pages 1 - 26)**

2. Councillor Riley (Cabinet Member for Governance, HR, IT and Community Safety):

2.1. Gambling Act Statement of Principles (Gambling Policy) - Three Year Review **(Pages 27 - 40)**

EXECUTIVE DECISION

made by a Council Officer



REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL COUNCIL OFFICER

Executive Decision Reference Number – COD02 21/22


Decision	
1	<p>Title of decision: Forder Valley Transport Improvements Contract Management</p>
2	<p>Decision maker (Council Officer name and job title): Paul Barnard, Service Director (SP&I)</p>
3	<p>Report author and contact details: Steven Flaxton, Strategic Transport Programme Co-ordinator 01752 305543 steven.flaxton@plymouth.gov.uk</p>
4a	<p>Decision to be taken: Award of contract to WSP for NEC Project Manager, Supervisor and Project Management Services for the Forder Valley Link Road and Forder Valley Interchange schemes, through the NHS Framework.</p>
4b	<p>Reference number of original executive decision or date of original committee meeting where delegation was made: 05/03/2019 - Cabinet</p>
5	<p>Reasons for decision: To ensure continuation of the efficient management and supervision of the Forder Valley Link Road and Forder Interchange contracts.</p>
6	<p>Alternative options considered and rejected:</p> <ol style="list-style-type: none"> 1. Not to award construction contract. This has been rejected as it would mean that the contract could not be administered correctly and would likely lead to significant additional costs and potentially contractual disputes. 2. Utilise a different procurement mechanism <p>The contract Award Report (Part II) identifies the assessment of procurement options and concludes that this represents the best value for money to oversee the construction contracts.</p>
7	<p>Financial implications: Detailed in Part II report</p>

8	<p>Is the decision a Key Decision? (please contact Democratic Support for further advice)</p>	Yes	No	<p>Per the Constitution, a key decision is one which:</p> <p>in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total</p> <p>in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1million</p> <p>is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.</p>
8b	<p>If yes, date of publication of the notice in the Forward Plan of Key Decisions</p>	N/A		
9	<p>Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:</p>	<p>Corporate Plan.</p> <p>A Growing City</p> <p>An efficient transport network:</p> <p>This scheme will improve journey times and reduce congestion while improving the resilience of the transport network in the north of the city. The scheme will add capacity into the transport network, which will give reassurance to key partners such as Highways England that the planned growth, as set out in the Plymouth and South West Devon Joint Local Plan (JLP), is deliverable and will reduce the risk of decisions of the Local Planning Authority not being able to follow recommendations of Highways England and having them referred up to the Secretary of State to intervene.</p> <p>A broad range of homes:</p> <p>The FVLR will provide a key piece of infrastructure required to deliver the 4,200 new homes planned for the northern corridor. This scheme will provide improved transport links which will give confidence to developers and create the conditions for growth. It will directly unlock 500 new homes at Seaton Neighbourhood.</p> <p>Economic growth that benefits as many people as possible:</p> <p>This scheme will provide a key piece of infrastructure required to deliver 26,000 sq. m of employment space (including a new district shopping centre) planned for the Derriford area.</p> <p>A green, sustainable city that cares about the environment:</p> <p>The scheme, being built within the Derriford Community Park in Forder Valley, has been subject to an Environmental</p>		

		<p>Impact Assessment. It includes a comprehensive landscape plan and environmental management and enhancement plan which not only mitigates its impact but will provide a net gain in biodiversity.</p> <p>Quality jobs and valuable skills:</p> <p>The scheme has a keen focus on providing local construction job opportunities as well as delivering infrastructure which will facilitate employment development sites in the north of the city. It is expected to directly deliver 1,800 jobs.</p> <p>Plymouth Plan</p> <p>The project contributes to part of the strategic transport infrastructure required to support the significant numbers of new homes and jobs that are planned for both the north and east of the city over the lifespan of the JLP. The scheme directly supports the following JLP policies:</p> <ul style="list-style-type: none"> ▪ Policy SPT8 – Strategic connectivity ▪ Policy SPT9 – Strategic principles for transport planning and strategy ▪ Policy SPT10 – Balanced transport strategy for growth and healthy sustainable communities ▪ Policy SPT12 – Strategic infrastructure measures to deliver the spatial strategy ▪ Policy PLY47 – Strategic infrastructure measures for the Derriford and Northern Corridor Growth Area ▪ Policy PLY57 – Strategic infrastructure measures for the Eastern Corridor Growth Area <p>Implications for Medium Term Financial Plan and Resource Implications:</p> <p>Including finance, human, IT and land</p> <p>This contract award is for the main construction works for the Forder Valley Link Road scheme. The total contract value under this award is up to a target cost not exceeding the figure identified in the Part II report.</p> <p>The funding for this award has already been accounted for within the capital allocation of funding for the project through Executive Decision L22 18/19 in December 2018.</p>
10	<p>Please specify any direct environmental implications of the decision (carbon impact)</p>	<p>This decision puts in place resource to oversee the Forder Valley Link Road and Forder Valley Interchange construction contracts and ensure that the environmental commitments for the scheme are adhered to.</p> <p>Environment</p> <p>The FVLR scheme has a comprehensive Ecological Mitigation and Environmental Management Plan which has been approved by the Local Planning Authority. This</p>

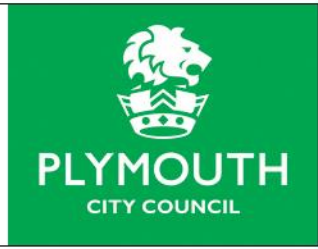
		<p>commits the project to achieving a net gain in biodiversity of at least 5%.</p> <p>Carbon</p> <p>An operational assessment has been carried out as part of the Final Business Case to the Department for Transport following Webtag guidance with the benefits calculated by TUBA. This identifies that the scheme provides greenhouse gas benefits by reducing stationary traffic in queues and increasing vehicle speeds. This produces an estimated change in no-traded carbon over 60 years (CO₂e) of - 37,660 tonnes. The monetised value of the greenhouse gas savings is estimated to be £1.793m.</p> <p>The scheme also supports Government priorities for sustainable growth and decarbonising transport by improving the quality of travel options by non-car modes.</p>		
Urgent decisions				
I 1	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact Democratic Support for advice)
		No	X	(If no, go to section I 3a)
I 2a	Reason for urgency:			
I 2b	Scrutiny Chair signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
Consultation				
I 3a	Are any other Cabinet members' portfolios affected by the decision?	Yes	X	
		No		(If no go to section I 4)
I 3b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Jonathan Drean, Cabinet Member for Transport.		
I 3c	Date Cabinet member consulted	08/06/2021		
I 4	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer
		No	X	
I 5	Which Corporate Management Team member has been consulted?	Name	Anthony Payne	
		Job title	Strategic Director for Place	

		Date consulted	12/02/2021					
Sign-off								
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DSO10 21/22					
		Finance (mandatory)	pl.21.22.27					
		Legal (mandatory)	MS/36809					
		Human Resources (if applicable)	N/A					
		Corporate property (if applicable)	N/A					
		Procurement (if applicable)	KK/PS/588/ED/0621					
Appendices								
17	Ref.	Title of appendix						
	A	2021.06.09 FVTI - Part I Contract Award Report Summary v5						
	B	Equalities Impact Assessment						
Confidential/exempt information								
18a	Do you need to include any confidential/exempt information?	Yes	<input checked="" type="checkbox"/>	If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below.				
		No	<input type="checkbox"/>					
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:							
	2021.06.09 FVTI - Contract Award Report- Contract Management v5			X				
Background Papers								
19	Please list all unpublished, background papers relevant to the decision in the table below.							
	Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7

Council Officer Signature							
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.						
Signature				Date of decision	23.06.21		
Print Name	Paul Barnard						

CONTRACT AWARD REPORT SUMMARY

Forder Valley Transport Improvements: Contract Management



PART I Document

Contents

1. INTRODUCTION	3
2. BACKGROUND	3
3. SCOPE OF WORK	4
4. FINANCIAL IMPLICATIONS	5
5. EQUALITIES IMPACT ASSESSMENT SUMMARY	5

I. INTRODUCTION

- 1.1. This Executive Decision is for the award of a contract for the New Engineering Contract (NEC) Project Manager role for the construction of the Forder Valley Link Road (FVLR) scheme and the Forder Valley Interchange (FVI) Scheme, collectively known as “Forder Valley Transport Improvements (FVTI)”.
- 1.2. In March 2019 Cabinet approved the award of the main construction works for the FVLR. A Contract Award Report accompanied the Cabinet report and identified that the Council had a robust contract management process in place for the Forder Valley Transport Improvement schemes, bolstered by securing external Contract Management support and administration of the contract during construction.
- 1.3. This approach of securing an external specialist NEC Project Manager enables full scrutiny and challenge of all works and prices from the main construction contractor on behalf of the Council, in order to ensure that the contractor is achieving value for money and following the approach identified within their contract.
- 1.4. This external contract management support has been procured to date through an existing Framework. Due to the duration of this work, continuing until the end of the Forder Valley Transport Improvements, a review of procurement opportunities was carried out by PCC’s procurement team and this concluded that a different Framework offered the best value for money at this time.

2. BACKGROUND

- 2.1. The Forder Valley Link Road is a new direct route to Derriford from the east of the city and the A38 for all traffic, including future Park and Ride services that will operate between the proposed Deep Lane Park and Ride (Sherford) and Derriford.
- 2.2. The scheme includes a new one kilometre road that will connect Forder Valley Road and Novorossiysk Road to William Prance Road in Derriford, supported by a bridge over Bircham Valley. There will be an enlarged signalised junction connecting the new bridge to the Forder Valley Road and Novorossiysk Road junction. This junction will be relocated and enlarged enabling it to increase capacity and therefore reduce delays and improve traffic flow.
- 2.3. Novorossiysk Road is to be widened to allow the removal of the existing merge south of the Miller Way (Asda) junction, further improving journeys times to and from the North East of the city including the Estover industrial estate and business parks.
- 2.4. The Forder Valley Interchange scheme compliments the Forder Valley Link Road works and the two schemes together optimise the benefits of providing a new key link as an alternative route to the north of the city from the east.
- 2.5. The Forder Valley Interchange scheme will improve and extend the existing short merge from the Forder Valley (Leigham) Roundabout heading north on Forder Valley Road, extend the two lanes heading south and add a short fourth lane on the southbound approach to the roundabout. The scheme will also add an extra lane on the roundabout itself between Forder Valley Road and the A38 eastbound slip road.
- 2.6. These improvements will increase capacity and allow traffic to flow more smoothly, relieving congestion and queueing which currently extends back onto the roundabout circulatory and down the A38 westbound off-slip.

- 2.7. The schemes provide new walking and cycling facilities throughout, including a shared off-road facility to accommodate different types of cyclists travelling at different speeds. Segregated facilities will also be provided where possible to provide greater separation between pedestrians and cyclists.
- 2.8. The scheme will directly unlock 500 new homes at Seaton Neighbourhood, and support further development in the north of the city of 4,200 new homes and 1,800 new jobs. This scheme supports economic prosperity of the City, leading to wider economic benefits.
- 2.9. The key objectives of the scheme are:
- To reduce congestion by providing additional network capacity for all users, thereby improving journey times on the A386 corridor and improving access to Derriford from the east;
 - To support economic development by providing transport infrastructure to support the planned growth in the Derriford and Seaton area as set out in the Plymouth and South West Devon Joint Local Plan (JLP);
 - To promote public transport use by improving bus connectivity from the east; and
 - To encourage use of sustainable travel modes by providing an off-highway cycling and pedestrian link between Forder Valley Roundabout and Derriford, through to Derriford Community Park and Glacis Park on the west side of the A386.
- 2.10. The new link these schemes facilitate is fundamental in relieving congestion at Manadon Roundabout and is therefore an essential project to the delivery of the growth identified in the Joint Local Plan.
- 2.11. The project is identified as a part of the strategic transport infrastructure required to support the significant numbers of new homes and jobs that are planned for the north and east of the city over the lifespan of the Plymouth and South West Devon Joint Local Plan. The Forder Valley Interchange scheme directly supports the following Joint Local Plan policies: SPT8; SPT9; SPT10; SPT12; PLY47; and PLY57.

3. SCOPE OF WORK

- 3.1. The services required are to fulfil the defined NEC Project Manager Role and the NEC Supervisor roles as well as project management support.
- 3.2. The NEC Project Manager is the named person within Contract Data part I of the £50m main construction contract, who administers the contract on behalf of the Council as the Employer. This role has the designated authority to issue all instructions, notifications and other communications required under the contract on behalf of the Employer.
- 3.3. The NEC Supervisor has sole responsibility to check for construction compliance to the Works Information, including checking for defects and inspecting the quality of the works.
- 3.4. Key activities which the Contract Management team (WSP and PCC) will undertake include:
- Review and approve the design proposals;
 - Ensure that value management procedures are implemented in order to minimise costs without adversely affecting quality;
 - Issue works instructions to the Contractor;
 - Monitor works progress against both programme and forecast spend profiles;

- Inspect the quality of works on site;
- Review and agree the assessments of any compensation events;
- Review and accept monthly and final valuations; and
- Determine the Contractor's pain/gain share upon completion.

4. FINANCIAL IMPLICATIONS

- 4.1. This contract award is for the NEC support required during the main construction works for the Forder Valley Transport Improvements.
- 4.2. The total contract value under this award is £480,736.74.
- 4.3. The funding for this award has already been accounted for through the final business case and [Executive Decision L22 18/19](#) in December 2018.
- 4.4. A summary of the funding package agreed under this Decision is listed below:

Funding Source	Allocation
PCC Un-ring-fenced Capital	£ 4,466,533
S106 (Underwritten by PCC Corporate Borrowing)	£ 4,466,533
Priority List Corporate Borrowing - Forder Valley Link Road	£ 1,167,081
DfT (LEP Growth Deal) (secured)	£ 22,558,000
Highways England (Growth & Housing Fund) (secured)	£ 4,469,954
Priority List Corporate Borrowing - Forder Valley Link Road	£ 2,732,919
Priority List Corporate Borrowing - Reallocation of funds	£ 12,990,000
Project Funding Total	£ 52,851,020*

* Note the £1.93m "Developer In-Kind Contribution" has now been removed from the project accounting as this is not part of the core scheme and will be delivered and funded by others.

- 4.5. There are therefore no new financial implications resulting from this contract award.

5. EQUALITIES IMPACT ASSESSMENT SUMMARY

- 5.1. The scheme has been assessed using the Council's Equality Impact Assessment Toolkit. The result of this found the scheme had no adverse impact on protected characteristics groups for age; disability; faith, religion or belief; gender, including marriage, pregnancy and maternity; gender reassignment; race; or sexual orientation, including Civil Partnership. The assessment also found that the scheme will have positive outcomes for local priorities including to reduce the inequality gap particularly in health between communities; good relations between different communities; and human rights.

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The following relates to exempt or confidential matters (Para(s) 3 of Part 1, Schedule 12A of the Local Govt Act 1972). Any breach of confidentiality could prejudice the Council/person/body concerned & might amount to a breach of the councillors /employees codes of conduct.

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EQUALITY IMPACT ASSESSMENT

Forder Valley Link Road



PLYMOUTH
CITY COUNCIL

STAGE I: What is being assessed and by whom?

What is being assessed - including a brief description of aims and objectives?

Forder Valley Link Road

Aims:

Unlock sustainable growth by reducing current congestion and minimising the impact of additional trips on the highway network that will be generated from new developments in the area

Objectives:

- To reduce congestion by providing additional network capacity for all users, thereby improving journey times on the A386 corridor and improving access to Derriford from the east;
- To support economic development by providing transport infrastructure to support the planned growth in the Derriford and Seaton area;
- To promote public transport use by providing bus priority throughout the corridor and improving public transport connectivity from the east;
- To encourage use of sustainable travel models by providing an off-highway cycling and pedestrian link between Forder Valley Interchange and Derriford, through to Derriford Community Park and Glacis Park on the west side of the A386.

Responsible Officer

S Flaxton

Department and Service

Strategic Planning and Infrastructure

Date of Assessment

12 November 2018

STAGE 2: Evidence and Impact					
Protected Characteristics (Equality Act)	Evidence and information (e.g. data and feedback)	Any adverse impact?	Actions	Timescale and who is responsible?	
Age	50+ Plymouth - 34.1% (nationally - 33.3%) • 75+ Plymouth - 7.6% (nationally - 7.5%) • 0-15 Plymouth - 17.5% (nationally - 20.2%) • Over 75's predicted to rise faster than any other group (19k in 2011 to 24k k in 2021).	The scheme is not anticipated to have any adverse impact on specific age groups.	N/A	N/A	
Disability	31,164 people declared	The scheme is not	Crossings and other		

STAGE 2: Evidence and Impact					
Protected Characteristics (Equality Act)	Evidence and information (e.g. data and feedback)	Any adverse impact?	Actions	Timescale and who is responsible?	
	themselves having long term health problem or disability.	anticipated to have any adverse impact on specific disability groups.	facilities will be provided to support the visually and mobility impaired.		
Faith, Religion or Belief	<p>Christian 148,917 people (58.1%).</p> <p>Islam 2,078 people (0.8%).</p> <p>Buddhism 881 people (0.3%).</p> <p>Hinduism 567 people (0.2%) described their religion as Hindu.</p> <p>Judaism 168 people (0.1%)</p> <p>Sikhism 89 people (<0.1%)</p>	The scheme is not anticipated to have any adverse impact on specific faiths, religions or beliefs.	N/A		
Gender - including marriage, pregnancy and maternity	<p>50.6% of population are women.</p> <p>Of those aged 16 and over 90,765 (42.9%) people are married. 5,190 (2.5%) are</p>	The scheme is not anticipated to have any adverse impact on specific faiths, religions or beliefs.	N/A		

STAGE 2: Evidence and Impact					
Protected Characteristics (Equality Act)	Evidence and information (e.g. data and feedback)	Any adverse impact?	Actions	Timescale and who is responsible?	
	<p>separated and still legally married or legally in a same-sex civil partnership.⁷</p> <p>34 Civil Partnerships Formations in Plymouth in 2013</p> <p>0 Teenage conceptions in Derriford West & Crownhill in 2012.</p>				
Gender Reassignment	<p>26 referrals from Plymouth were made to the Newton Abbot clinic, in 2013/14 to February 6.</p>	<p>The scheme is not anticipated to have any adverse impact on specific gender reassignment.</p>	<p>N/A</p>		
Race	<p>92.9% of Plymouth's population identify themselves as White British.</p> <p>7.1% identify themselves as Black and Minority Ethnic (BME) with White Other (2.7%), Chinese (0.5%) and Other Asian (0.5%) the</p>	<p>The scheme is not anticipated to have any adverse impact on specific race.</p>	<p>N/A</p>		

STAGE 2: Evidence and Impact				
Protected Characteristics (Equality Act)	Evidence and information (e.g. data and feedback)	Any adverse impact?	Actions	Timescale and who is responsible?
	most common ethnic groups.			
Sexual Orientation -including Civil Partnership	It estimated that there are 12,500 – 17,500 Lesbian, gay or bi-sexual people aged over 16.	The scheme is not anticipated to have any adverse impact on specific sexual orientation group.	N/A	

STAGE 3: Are there any implications for the following? If so, please record 'Actions' to be taken		
Local Priorities	Implications	Timescale and who is responsible?
Reduce the inequality gap, particularly in health between communities.	The scheme will improve journey times and reliability of journeys to health care facilities at Derriford Hospital. The scheme will also offer facilities to encourage active travel helping to improve health.	2020/2021 Head of Transport, Infrastructure & Investment.
Good relations between different communities (community cohesion).	The scheme will help provide improved connectivity between neighbouring areas.	2020/2021 Head of Transport, Infrastructure & Investment.
Human Rights	It is not anticipated that people's human rights will be impacted upon by the scheme.	2020/2021 Head of Transport, Infrastructure & Investment.

STAGE 4: Publication		
Director, Assistant Director/Head of Service approving EIA.		Date
		12 th November 2018.

EXECUTIVE DECISION

made by a Cabinet Member




REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – GHICS01 21/22

Decision				
1	Title of decision: Gambling Act Statement of Principles (Gambling Policy) - Three Year Review			
2	Decision maker (Cabinet member name and portfolio title): Councillor Riley, Cabinet Member for Governance, HR, IT and Community Safety			
3	Report author and contact details: Rachael Hind, Service Manager 01752 308974 Rachael.hind@plymouth.gov.uk			
4	Decision to be taken: The draft Gambling Act Statement of Principles (Appendix A) is authorised to be released for public consultation. Closing date for responses will be Friday 13 August 2021.			
5	Reasons for decision: The Gambling Act Statement of Principles is a framework policy and as such Cabinet Member approval is required prior to the commencement of public consultation.			
6	Alternative options considered and rejected: None available – This is required under the Plymouth City Council Constitution and a three year review is a statutory requirement under the Gambling Act 2005 and Gambling Act 2005 (Licensing Authority Policy Statement)(England and Wales) Regulations 2006 (SI 2006/636).			
7	Financial implications: None			
8	Is the decision a Key Decision? (please contact Democratic Support for further advice)	Yes	No	Per the Constitution, a key decision is one which: in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total
			x	

			x	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1 million
			x	is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.
	If yes, date of publication of the notice in the Forward Plan of Key Decisions			
9	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:	<p>This is a statutory policy which the Council must have in place in order to determine applications made under the Gambling Act 2005.</p> <p>The policy will support the following priorities;</p> <p>Growing – Businesses will have a transparent indication on the matters that will be considered by the Council when determining applications</p> <p>Caring – The policy will assist in the protection of vulnerable persons likely to be affected by gambling activities</p>		
10	Please specify any direct environmental implications of the decision (carbon impact)	None – all documents will be on our website and we will encourage people not to print them and to view online. We will aim to email as many consultees as possible.		
Urgent decisions				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No	x	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
Consultation				
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes		
		No	x	(If no go to section 14)

13b	Which other Cabinet member's portfolio is affected by the decision?			
13c	Date Cabinet member consulted	N/A		
14	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes	<input type="checkbox"/>	If yes, please discuss with the Monitoring Officer
		No	<input checked="" type="checkbox"/>	
15	Which Corporate Management Team member has been consulted?	Name	Dr Ruth Harrell	
		Job title	Director of Public Health	
		Date consulted	14.6.21	
Sign-off				
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS12 21/22	
		Finance (mandatory)	djn.21.22.32	
		Legal (mandatory)	36837/ag/18.6.21	
		Human Resources (if applicable)		
		Corporate property (if applicable)		
		Procurement (if applicable)		
Appendices				
17	Ref.	Title of appendix		
	A	Briefing report for publication (<i>mandatory</i>)		
	B	Equalities Impact Assessment (<i>where required</i>)		
Confidential/exempt information				
18a	Do you need to include any confidential/exempt information?	Yes	<input type="checkbox"/>	If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below. (Keep as much information as possible in the briefing report that will be in the public domain)
		No	<input checked="" type="checkbox"/>	

		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:							
Background Papers								
19	Please list all unpublished, background papers relevant to the decision in the table below. Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Cabinet Member Signature								
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.							
Signature				Date of decision	23 June 2021			
Print Name	Councillor John Riley							

Briefing Report

1.0 Background

- 1.1 Under the Gambling Act 2005, it is the responsibility of the Council to develop and publish a Statement of Principles. The published document then provides the framework for all decisions on applications relating to the Gambling Act 2005 and the way the Council carries out its functions in relation to the legislation.
- 1.2 Licensing authorities are also required to review their Statement of Principles (Gambling Policy) at least every three years. With the current Statement of Principles due to expire on the 31 January 2019, the Council needs to start the review/consultation process to enable a new Statement of Principles to be in place by January 2022.
- 1.3 There are only minor changes suggested for this review. The draft Statement of Principles (2022 – 2025) is attached in Appendix A. The same document with tracked changes is attached in Appendix B, so that the revised changes can be easily identified during the consultation.
- 1.4 The main changes are as follows:

Minor Updates

The Policy was updated in detail in 2019 and therefore only minor changes are required.

Minor updates have been made to:

- update any out of date website links/contact details for example to the Gambling Commission guidance notes and responsible authority contacts.
- include references to the specific parts of the Gambling Commission guidance and code of practices.
- include more detail with regards to how the Licensing Authority will deal with applications in buildings which are divided into more than one premises and what is expected of applicants (see page 15 – 18).

Local Risk Assessments and Local Area Gambling Profile

Since the last Statement of Principles came into effect on 31 January 2019, the Council have published the following guidance on their websites and these have been referred to within the draft document:

- **Guide to undertaking local gambling risk assessments (April 2020)** – this guide has been produced to assist gambling operators when undertaking and preparing their local premises risk assessments.
- **Local Area Gambling Profiles (April 2020)**

The local area profile has been produced with our Public Health colleagues and is an assessment of the key characteristics of Plymouth in the context of gambling related harm. The information obtained for the assessment helps to provide a better understanding of the types of people that are at risk of being vulnerable to gambling related harm, where they are located and any current or emerging problems that

may increase that risk. The profiles can be used by gambling operators to assess local risks to the licensing objectives, posed by the provision of gambling facilities at each of their premises and to have policies, procedures and control measures in place to mitigate the risks. The profiles will also assist gambling operators in undertaking and preparing their local premises risk assessment.

1.5 It is intended that the public consultation on the policy will be open for six weeks. It is planned that the consultation process will provide all stakeholders, interested parties and the public in general the opportunity to have their say on the content of the draft.

Persons to be consulted will include:

- Citizen's Advice Bureau
- Safer Plymouth
- Devon and Cornwall and Somerset 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
- Devon & Somerset Fire and Rescue Service
- Gamblers Anonymous
- Gambling Commission
- Gamcare
- Local Chambers of Commerce and Federation of Small businesses
- Representatives of local faith groups
- Local residents groups
- Mencap
- NSPCC
- Representatives of existing licence-holders
- Voluntary and Community Organisations working with children and young people
- Ward Councillors
- Team Plymouth Managers

1.6 The final version of the draft Statement of Principles will then go before City Council for approval on the 22 November 2021

EQUALITY IMPACT ASSESSMENT – STATEMENT OF PRINCIPLES (GAMBLING POLICY)

Public Protection Service



STAGE 1: What is being assessed and by whom?

What is being assessed - including a brief description of aims and objectives?	<p>Review of the Statement of Principles (Gambling Policy)</p> <p>This policy supports the licensing system which regulates the operation of gambling premises i.e. casinos, bingo halls, betting shops and adult gaming centres and provides a framework for decision-making. The policy will provide information to the Council, applicants, residents and other statutory authorities on the issue of premises licences.</p> <p>All applications are considered on their own merits.</p>
Responsible Officer	Rachael Hind
Department and Service	ODPH
Date of Assessment	16/6/21

STAGE 2: Evidence and Impact

Protected Characteristics (Equality Act)	Evidence and information (e.g. data and feedback)	Any adverse impact?	Actions	Timescale and who is responsible?
Age	No person under the age of 18 shall be permitted	Neutral	Routine assessment of applications and	Licensing officers and other authorised officers

STAGE 2: Evidence and Impact				
Protected Characteristics (Equality Act)	Evidence and information (e.g. data and feedback)	Any adverse impact?	Actions	Timescale and who is responsible?
	<p>entry to age-restricted licensed premises such as casinos, bingo halls, betting shops and adult gaming centres, where gambling is permitted. There is no upper age limit. This is prescribed by statute.</p> <p>The Council does not impose any local age restrictions on the application process.</p>		<p>monitoring to ensure compliance with regulations</p>	
Disability	<p>There is no requirement for the applicant to pass on any details of medical capacity.</p> <p>There are no equality restrictions of who can enter licensed premises.</p> <p>The council hold no information of any applicants from this group.</p>	Neutral		None
Faith, Religion or Belief	<p>There is no requirement for the applicant to pass on any details concerning faith, religion or belief.</p>	<p>Neutral</p> <p>The policy will grant a premises licence to any applicant who has the</p>		None

STAGE 2: Evidence and Impact				
Protected Characteristics (Equality Act)	Evidence and information (e.g. data and feedback)	Any adverse impact?	Actions	Timescale and who is responsible?
	The council hold no information of any applicants from this group.	appropriate operator and personal licences required of the Gambling Commission and who conform with the requirements of this policy without consideration of faith, religion or belief		
Gender - including marriage, pregnancy and maternity	There are no equality restrictions of who can be a collector providing that the promoter has a valid permit/licence in place. The council hold no information of any applicants are from this group.	Neutral The policy will grant permits/licenses to any licenced operators that conform to the requirements of this policy without consideration of gender.		Ongoing monitoring by Licensing Officers and other authorised officers
Gender Reassignment	There are no gender restrictions of who can hold a premises licence or can enter licensed premises providing that they can satisfy any age-restricted requirements	Neutral The policy will grant a premises licence applicant that conforms to the requirements of this policy without consideration of gender		Ongoing monitoring by Licensing Officers and other authorised officers

STAGE 2: Evidence and Impact				
Protected Characteristics (Equality Act)	Evidence and information (e.g. data and feedback)	Any adverse impact?	Actions	Timescale and who is responsible?
	The council hold no information of any applicants from this group.	reassignment.		
Race	There are no race restrictions to who can hold a premises licence or can enter licensed premises providing that they can satisfy any age-restricted requirements. The council hold no information of any applicants from this group.	Neutral The policy will grant a premise licence to any applicant that conforms to the requirements of this policy without consideration of race.		Ongoing monitoring by Licensing Officers and other authorised officers
Sexual Orientation -including Civil Partnership	There are no orientation restrictions to who can hold a premises licence or can enter licensed premises providing that they can satisfy any age-restricted requirements.	Neutral The policy will grant a premises licence to any applicant that conforms to the requirements of this policy without consideration of sexual orientation.		Ongoing monitoring by Licensing Officers and other authorised officers

STAGE 3: Are there any implications for the following? If so, please record 'Actions' to be taken

Local Priorities	Implications	Timescale and who is responsible?
<p>Reduce the inequality gap, particularly in health between communities.</p>	<p>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.</p> <p>Licensed premises must also have procedures in place to protect vulnerable persons from gambling irresponsibly.</p> <p>There are no other equality restrictions other than to protect children and young persons from age restricted gambling activities.</p> <p>National Data available from the NatCen ‘Gambling behaviour in Great Britain in 2015’ (http://natcen.ac.uk/media/1464625/gambling-behaviour-in-great-britain-2015.pdf)</p> <p>63% of adults (16+) in Great Britain had gambled in the past year, with men (66%) being more likely than women (59%) to do so.</p> <p>The most popular gambling activities were the National Lottery draws (46%), scratch-cards (23%) and other lotteries (15%).</p> <p>Excluding those who only played the National Lottery draws, just under half of adults (45%) participated in other types of gambling activity; 49% of men and 42% of women.</p> <p>For both men and women, overall participation was highest amongst the middle age groups and lowest amongst the youngest and oldest age groups. Excluding those who only played the National Lottery draw, gambling participation was highest among</p>	<p>To be considered during decision making.</p> <p>Additional work will be ongoing. The development of the Local Area Profiles (LAPs) has generated local data on at risk and problem gambling.</p> <p>Data and information obtained from the LAPs and gambling risk assessments will be used to influence further amendments to the policy where needed.</p>

STAGE 3: Are there any implications for the following? If so, please record 'Actions' to be taken		
Local Priorities	Implications	Timescale and who is responsible?
	<p>younger adults.</p> <p>Problem Gambling is gambling to a degree that compromises, disrupts or damages family, personal or recreational pursuits.</p> <p>Problem gambling prevalence among adults living in private households was 0.7%. Men were more likely than women to be classified as a problem gambler (1.3% and 0.2% respectively).</p> <p>The highest rates of problem gambling were among those who had participated in spread betting (20.1%), betting via a betting exchange (16.2%), playing poker in pubs and clubs (15.9%), betting offline on events other than sports or horse or dog racing (15.5%) and playing machines in bookmakers (11.5%).</p> <p>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 those who had taken part in just one gambling activity in the last year).</p> <p>Overall, 3.9% of adults were categorised as at-risk gamblers.</p> <p>Men were more likely than women to be both low risk and moderate risk gamblers.</p> <p>This also means that the vast majority of people experience no problems from gambling.</p>	

STAGE 3: Are there any implications for the following? If so, please record 'Actions' to be taken		
Local Priorities	Implications	Timescale and who is responsible?
Good relations between different communities (community cohesion).	<p>The policy seeks to allow licensed premises the legitimate opportunity to undertake licensed gambling activities for the benefit of national and local needs</p> <p>There are no equality restrictions of who can be a premises licence holder.</p> <p>Local communities have an opportunity to visit these premises if they wish.</p>	To be considered during decision making.
Human Rights	The policy seeks to promote flexibility and fairness to all premises licence holders by balancing the lawful right of charities to collect without undue inconvenience to the general public	To be considered during decision making.

STAGE 4: Publication			
Director, Assistant Director/Head of Service approving EIA.	Ruth Harrell	Date	16/6/21

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