

Summons and Agenda for the
Council Meeting

to be held on

TUESDAY 25 APRIL 2017

at

6.00pm



Mission Statement *"Making Selby a Great Place"*



To: All District Councillors

cc: Chief Officers
Directors

You are hereby summoned to a meeting of the Selby District Council to be held in the Civic Centre, Doncaster Road, Selby on **TUESDAY 25 APRIL 2017** starting at **6.00pm**. The Agenda for the meeting is set out below.

Janet Waggott
Chief Executive

Recording is allowed at Council, committee and sub-committee meetings which are open to the public, subject to:- (i) the recording being conducted under the direction of the Chairman of the meeting; and (ii) compliance with the Council's protocol on audio/visual recording and photography at meetings, a copy of which is available on request. Anyone wishing to record must contact, prior to the start of the meeting, Palbinder Mann – Democratic Services Manager via pmann@selby.gov.uk or 01757 292207. Any recording must be clearly visible to anyone at the meeting and be non-disruptive.

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AGENDA

Opening Prayers.

1. Apologies for Absence

To receive apologies for absence.

2. Disclosures of Interest

A copy of the Register of Interest for each Selby District Councillor is available for inspection at www.selby.gov.uk.

Councillors should declare to the meeting any disclosable pecuniary interest in any item of business on this agenda which is not already entered in their Register of Interests.

Councillors should leave the meeting and take no part in the consideration, discussion or vote on any matter in which they have a disclosable pecuniary interest.

Councillors should also declare any other interests. Having made the declaration, provided the other interest is not a disclosable pecuniary interest, the Councillor may stay in the meeting, speak and vote on that item of business.

If in doubt, Councillors are advised to seek advice from the Monitoring Officer.

3. Minutes

To approve as a correct record the minutes of the meeting of the Council held on 21 February 2017 (pages 1 to 16 attached).

4. Communications

The Chairman, Leader of the Council or the Chief Executive will deal with any communications which need to be reported to the Council.

5. Announcements

To receive any announcements from the Chairman, Leader or Members of the Executive.

6. Petitions

To receive any petitions.

7. Public Questions

To receive and answer questions notice of which has been given in accordance with rule 10.1 of the Constitution.

8. Councillors' Questions

To receive and answer questions submitted by councillors in accordance with rule 11.2 of the Constitution

9. Reports from the Executive

The Leader of the Council, and other members of the Executive, will report on their work since the last meeting of the Council and will respond to questions from Councillors on that work (pages 17 to 32 attached).

10. Reports from Committees

To receive reports from the Council's committees which need to be brought to the attention of Council. To receive questions and provide answers on any of those reports (pages 33 to 40 attached).

11. Motions

To consider any motions.

12. Gambling Policy

To consider a report which presents the Gambling Policy for adoption (pages 41 to 80 attached).

13. Fixed Odds Betting Terminals

To consider a report which outlines representations by the Fixed Odds Terminal All Party Parliamentary Group to Government (pages 81 to 85 attached).

14. Urgent Action

The Chief Executive will report on any instances where she has acted in urgent or emergency situations under the functions delegated to her in the Constitution.

Council

Venue: Council Chamber
Date: Tuesday 21 February 2017
Time: 6pm

57	Apologies for absence
58	Disclosures of Interest
59	Minutes
60	Communications
61	Announcements
62	Petitions
63	Public Questions
64	Councillors' Questions
65	Reports from the Executive
66	Reports from Committees
67	Motions
68	Payment of Pension Fund Deficit
69	The Budget, Reserves and Balances 2017/18
70	The Budget and Council Tax 2017/18
71	Treasury Management – Treasury Management Strategy Statement 2017/18, Minimum Revenue Provision Policy Statement 2017/18, Annual Investment Strategy 2017/18 and Prudential Indicators 2017/18
72	Pay Policy Statement 2017/18
73	Independent Remuneration Panel Review of Members' Allowances
74	Changing of Village Name – Walden Stubbs
75	Political Balance and Committee Membership
76	Urgent Action

Present: Councillor Mrs J Chilvers in the Chair

Councillors K Arthur, D Buckle, E Casling, I Chilvers, M Crane, J Deans, K Ellis, M Hobson, D Hutchinson, M Jordan, C Lunn, D Mackay, J Mackman, B Marshall, Mrs M McCartney, Mrs W Nichols, B Packham, C Pearson, D Peart, I Reynolds, B Sage, Mrs J Shaw-Wright, R Sweeting, J Thurlow, P Welch and Mrs D White.

Officers Present: Julie Slatter, Director of Corporate Services and Commissioning, Dave Caulfield, Director of Economic Regeneration and Place, Karen Iveson, Chief Finance

Officer, Gillian Marshall Solicitor to the Council and
Palbinder Mann, Democratic Services Manager.

Press: 1
Public: 0

57. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs S Duckett and C Metcalfe. Apologies were also received from the Chief Executive, Janet Waggott, who was attending the Ryedale District Council meeting which was taking place at the same time. It was noted that the Director of Corporate Services and Commissioning would be substituting for her at the meeting.

58. DISCLOSURES OF INTEREST

There were no declarations of interest.

59. MINUTES

The Council considered the minutes of the Council meeting held on 13 December 2016.

It was noted that there was an error in the first paragraph of the Leader's update to Council where it stated 'national aware' and it should have in fact stated 'national award'.

RESOLVED:

To approve the minutes of the Council meeting held on 13 December 2016 with the above amendment for signing by the Chairman.

60. COMMUNICATION

The Director of Corporate Services and Commissioning informed the Council that the Boundary Commission for England would be publishing all of the representations received on the Parliamentary Boundary Review on Tuesday 28 February 2017 and that an email would be sent to all Councillors when they were published.

61. ANNOUNCEMENTS

No announcements were made.

62. PETITIONS

No petitions were received.

63. PUBLIC QUESTIONS

No questions from members of the public were received.

64. COUNCILLORS QUESTIONS

No questions from Councillors were received.

65. REPORTS FROM THE EXECUTIVE

Councillor M Crane - The Leader of the Council

The Leader of the Council reported on the work he had recently undertaken as outlined in his report. In response to a query concerning the Chief Executive's post going forward, the Leader of the Council explained that he would be arranging a meeting with the Leader of the Labour group to discuss how to take the matter forward.

A query was raised regarding the devolution proposals for the Yorkshire area and whether Hull would be included in the proposals. The Leader of the Council explained that devolution discussions continued but to have a whole Yorkshire agreement, Hull would have to be included in the proposals.

Councillor J Mackman, Deputy Leader of the Council and Executive Lead Member for Place Shaping

Councillor J Mackman, Deputy Leader of the Council and Lead Executive Member for Place Shaping, provide an update on the work he had recently undertaken as outlined in his report.

In response to a question concerning the Planning Service review, the Lead Executive Member for Place Shaping explained that the actions arising out of the review should be delivered by the end of March. He added that a further update would be provided at the next meeting.

A query was raised regarding the Sites and Policies Local Plan. The Lead Executive Member for Place Shaping explained that meetings had taken place with the Planning Advisory Service and different options had been discussed. Council was informed that it was important to align the Sites and Policies Local Plan with the Core Strategy and the emerging Economic Development Strategy. With regard to the timetable for the delivery of the Sites and Policies Local Plan, the Lead Executive Member for Place Shaping explained that it was difficult to formulate an accurate timetable until the Executive had considered the options in detail.

In response to a query on Neighbourhood Plans, the Lead Executive Member for Place Shaping explained that the Council was assisting with plans currently and that the neighbourhood plan for Appleton Roebuck would soon be going to an examination in public.

Councillor C Lunn, Lead Executive Member for Finance and Resources

Councillor C Lunn, Lead Executive Member for Finance and Resources presented his update on the work he had recently undertaken as outlined in his report.

The Lead Executive Member for Finance and Resources informed Council that the local government settlement had now been received and no changes were needed to the draft budget as a result.

In response to the information presented regarding the 2016 Pension Fund, the Lead Executive Member for Finance and Resources explained that the pooling of the North Yorkshire pension fund had been decided by the Government. Concern was raised regarding the lack of staff representatives on the North Yorkshire Pension Fund Committee. The Lead Executive Member for Finance and Resources agreed to raise this issue with the County Council.

Councillor C Metcalfe, Executive Lead Member for Communities and Economic Development

Councillor M Crane, Leader of the Council on behalf of Councillor C Metcalfe, Lead Executive Member for Communities and Economic Development provided an update on the work he had recently undertaken as outlined in his report.

In response to a query concerning parking availability for Members at the Civic Centre, the Leader of the Council explained that an extra 41 spaces would be created as a result of the Police Co-location project. The levels of parking would then be analysed to ensure they were adequate.

Councillor R Musgrave, Executive Lead Member for Housing, Leisure, Health and Culture

Councillor R Musgrave, Executive Lead Member for Housing, Leisure, Health and Culture, provide an update on the work he had recently undertaken as outlined in his report.

It was felt that the partnership with Ryedale District Council to develop the Council's Arts, Heritage and Culture Strategy would be beneficial to the district.

A query was raised why two of the schools in Selby had not been involved in the Pathways to Health Project. It was agreed this would be looked into.

Concern was raised over fixed betting terminals including the amount of money which could be lost on them. Council were informed that there was a section on fixed betting terminals in the new Gambling Policy which would be considered by the Policy Review Committee and the Licensing Committee.

The Leader of the Council stated that there was a campaign against fixed betting terminals led by the London Borough of Newham. This would be looked into and

a report would be brought to the next Council meeting to consider whether Council wished to support the campaign.

RESOLVED:

To receive and note the reports from the Executive.

66. REPORTS FROM COMMITTEES

Councillor W Nichols, Chair of the Overview and Scrutiny Committee

Councillor W Nichols, Chair of the Overview and Scrutiny Committee provided an update on the work of the Committee as outlined in her report.

The Chair of the Overview and Scrutiny Committee clarified that the next meeting of the Committee would take place on Thursday 23 March 2017 and not 21 March as stated in the report.

Councillor J Deans, Chair of the Policy Review Committee

Councillor J Deans, Chair of the Policy Review Committee provided an update on the work of the Committee as outlined in his report.

Councillor M Jordan, Chair of the Audit and Governance Committee

Councillor M Jordan, Chair of the Audit and Governance provided an update on the work of the Committee as outlined in his report.

RESOLVED:

To receive and note the reports from Committees.

67. MOTIONS

There were no motions.

68. PAYMENT OF PENSION FUND DEFICIT

The Executive Lead Member for Finance and Resources presented a report on a proposal to pay-off the current pension fund deficit.

The Executive Lead Member for Finance and Resources explained that there was approximately a £9.4m deficit on Selby's pension fund and that an opportunity had arisen to pay off the deficit which would in turn deliver an annual revenue saving of £560k in 2017/18.

RESOLVED:

- i) To make arrangements for Selby District Council to settle its £9.391m Pension Fund Deficit by 31 March 2017;**

- ii) **To fund the payment by diverting resources held in earmarked reserves (as set out in paragraph 3.4 of the report);**
- iii) **Subject to the confirmation of renewable business rates, to replenish the General Fund reserves in 2017/18, with the first call on these receipts being the top-up of the General Fund Balance.**

REASONS FOR RECOMMENDATION

To deliver an on-going revenue saving.

69. THE BUDGET, RESERVES AND BALANCES 2017/18

Karen Iveson, Chief Finance Officer presented the report which provided the Council with assurance on the proposed budget and the Council’s reserves in order to formally set the budget and Council Tax for 2017/18.

The Chief Finance Officer confirmed that she felt that the Council’s budget proposals were robust.

RESOLVED:

To consider the Chief Finance Officer’s statements in paragraphs 2.6 and 2.13 of the report when setting the Council Tax.

REASONS FOR DECISION

To provide Council with assurance on the proposed budget and the Council’s reserves in order to formally set the budget and Council Tax for 2017/18.

70. THE BUDGET AND COUNCIL TAX 2017/18

The Executive Lead Member for Finance and Resources provided a presentation on Executive’s recommended revenue budgets, capital programmes and Programme for Growth, for 2017/18 to 2019/20 following public consultation.

The key elements of the presentation were:

- The final Local Government Finance Settlement announced had been made last night however no changes were needed for the budget proposals which had been supplied to Council.
- Over the next three years:
 - The Revenue Support would be completely phased out.

- The New Homes Bonus would reduce from a six to a four year scheme and there would be an introduction of a 0.4% growth baseline.
- It was anticipated that settlement funding would be reduced by around £2m per annum by 2019/20.
- It was estimated that over the next three years there would be a total funding shortfall of £4.6m.
- The Council would have to await proposals for the distribution of business rates funding as it moved to 100% retention for local government.
- It would be ensured that the Council's finances remained viable and resilient not just for the short term but for the foreseeable future.
- The proposed budget included a rise of £5 per annum in Council Tax for a band D property which on average worked out to be 10p a week.
- The Council had reduced its on-going service costs by nearly £5m per year through processes such as transforming the way it worked and generating income.
- The proposed budget included a refreshed savings plan which built upon the work already completed to date.
- The budget report outlined approximately £16m in capital investment over the next three years.
- An initial programme of £2.45m for the Programme for Growth was proposed in 2017/18.

Concern was raised on the decision making process over the spending in the Programme for Growth. It was stated that the budget proposals lacked detail and that a full review was needed on how the spending in the Programme for Growth was decided. It was also noted that some of the information in the appendix was missing due to the conversion of the document in the agenda and it was agreed that the full version of the appendix would be circulated to Councillors.

Concern was also raised at the Council Tax increase and it was felt this would place more pressure on residents.

In line with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, the Chairman explained that a recorded vote must be taken on the proposals which had been put forward as outlined in the report.

For the proposal: Nineteen

Councillors K Arthur, D Buckle, Mrs E Casling, I Chilvers, Mrs J Chilvers, M Crane, J Deans, K Ellis, M Hobson, D Hutchinson, M Jordan, C Lunn, J Mackman, R Musgrave,

Council
21 February 2017

C Pearson, I Reynolds, B Sage, R Sweeting and Mrs D White.

Against the proposal: Eight

Councillors D Mackay, B Marshall, Mrs M McCartney, Mrs W Nichols, B Packham, Mrs J Shaw-Wright, J Thurlow and P Welch.

Abstain: None

The motion to approve the recommendations as outlined in the report was carried.

RESOLVED:

- i) **To approve the revenue budgets, savings, capital programme and programme for Growth at Appendices E to H;**
- ii) **To increase Council Tax by £5 to £170.22 for a Band D property for 2017/18;**
- iii) **To approve an empty homes premium equivalent to 50% of the Council Tax charge i.e. to charge 150% of the Council Tax liability on a property that has been empty and substantially unfurnished for more than 2 years, with effect from 1 April 2017;**
- iv) **To approve the formal Council Tax resolution set out in Appendix B;**
- v) **To finance the General Fund Deficit of £377k from the Business Rates Equalisation Reserve and the Surplus of £1.194m on the HRA be transferred to the Major Repairs Reserve to support the capital programme;**
- vi) **To approve that any required variation to balance the General Fund budget as a result of the final Local Government Finance Settlement be delegated to the Chief Finance Officer in consultation with the Executive Lead Member for Finance and Resources, through an increase or decrease in the transfer from the Business Rates Equalisation Reserve.**

REASONS FOR DECISION

To ensure the Executive's budget proposals are fully funded for 2017/18.

71. TREASURY MANAGEMENT – TREASURY MANAGEMENT STRATEGY

**STATEMENT 2017/18, MINIMUM REVENUE PROVISION POLICY
STATEMENT 2017/18, ANNUAL INVESTMENT STRATEGY 2017/18 AND
PRUDENTIAL INDICATORS 2017/18**

The Executive Lead Member for Finance and Resources presented the report which outlined the draft Treasury Management Strategy together with the Minimum Revenue Provision Policy Statement, Annual Investment Strategy for 2017/18 and Prudential Indicators 2017/18 as required by the Department of Communities and Local Government and CIPFA.

The Executive Lead Member for Finance and Resources informed Council that the Council's authorised limit for external debt was £81m for 2017/18. It was stated that the Council needed to consider a range of options to ensure its spending plans were prudent.

RESOLVED:

- i) To set the Operational Borrowing Limit for 2017/18 at £76m**
- ii) To set the Authorised Borrowing Limit for 2017/18 at £81m**
- iii) To delegate authority to the Chief Finance Officer to effect movement within the agreed authorised boundary limits for long-term borrowing for 2017/18 onwards.**
- iv) To delegate authority to the Chief Finance Officer to effect movement within the agreed operational boundary limits for long-term borrowing for 2017/18 onwards.**
- v) To approve the treasury management strategy statement 2017/18.**
- vi) To approve the minimum revenue provision policy statement for 2017/18.**
- vii) To approve the treasury management investment strategy for 2017/18.**
- viii) To approve the prudential indicators for 2017/18 which reflect the capital expenditure plans which are affordable, prudent and sustainable.**

REASONS FOR DECISION

To ensure the Council's Treasury Management Strategy and associated policies are prudent and affordable.

72. PAY POLICY STATEMENT 2017/18

Councillor Crane, Leader of the Council presented the report which sought approval of the Council's Pay Policy Statement 2017/18 in accordance with section 38 of the Localism Act 2011.

RESOLVED:

To approve the Pay Policy Statement for 2017/18 as outlined in Appendix A.

REASONS FOR DECISION

To comply with Localism Act 2011 (the Act) to prepare a Pay Policy Statement articulating the Council's policy towards the pay of the workforce.

73. INDEPENDENT REMUNERATION PANEL REVIEW OF MEMBERS' ALLOWANCES

Councillor Crane, Leader of the Council presented the report which outlined the recommendations of the Independent Remuneration Panel (IRP) following the completion of a review of Members' allowances.

The Leader of the Council thanked the Panel for their work and confirmed that the proposed new allowances would increase at the same rate as the local government pay settlements for officers.

Concern was raised that it was inappropriate to increase the allowances of Members while the Council was raising the Council Tax levels for residents. It was felt that a future annual increase linked to local government pay settlements for officers was sufficient for Members. An amendment was proposed and seconded to keep the members basic allowance and all of the special responsibility allowances at the current rate. As a result of this, the amendment proposed to only support recommendations 10 to 18 as outlined in the report.

Following a request under rule 19.4 of the Council procedure rules, a recorded vote was requested by at least five Members of Council on the amendment.

For the proposal: Eight

Councillors D Mackay, B Marshall, Mrs M McCartney, Mrs W Nichols, B Packham, Mrs J Shaw-Wright, J Thurlow and P Welch.

Against the proposal: Nineteen

Councillors K Arthur, D Buckle, Mrs E Casling, I Chilvers, Mrs J Chilvers, M Crane, J Deans, K Ellis, M Hobson, D Hutchinson, M Jordan, C Lunn, J Mackman, R Musgrave,

C Pearson, I Reynolds, B Sage, R Sweeting and Mrs D White.

Abstain: None

The motion to support the amendment was lost.

Council then voted on the recommendations as outlined in the report.

RESOLVED:

To approve the following recommendations from the Independent Remuneration Panel (IRP) with regard to Members Allowances as the Council's scheme:

Basic Allowance

- i) To approve a 4.2% increase to the level of Members' basic allowance from £4,115.38 to £4,288.23;**

Special Responsibility Allowances (SRAs)

- ii) To recalculate all existing Special Responsibility Allowances (SRAs) to reflect the increase in Members' level of basic allowance;**
- iii) To increase the weighting given to the Deputy Leader from 1 to 1.3, raising their SRA from £4,288.23 to £5,574.70;**
- iv) To increase the weighting given to Executive Members from 1 to 1.2, raising their SRA from £4,288.23 to £5,145.88;**
- v) To reduce the weighting given to the Chair of Licensing Committee from 1 to 0.75, decreasing their SRA from £4,288.23 to £3,216.17;**
- vi) To remove the SRA given to the Majority Group Leader from the Council's Members' Allowances Scheme;**
- vii) To not amend the SRA given to the Opposition Group Leader which will remain at £2,144.12 taking into account the revised calculation following the increase in the basic allowance;**

- viii) To approve that if as a result of a Scrutiny Review, the Overview and Scrutiny Committee and Policy Review Committee are combined into one Committee, the weighting given to the Committee chairman is set at 0.9, giving the chair a SRA of £3,859.41;
- ix) To approve that if the Overview and Scrutiny Committee and the Policy Review Committee remain as separate entities then the SRA for both Chairmen are not amended therefore remaining at £3,216.17 taking into account the revised calculation following the increase in the basic allowance.

Dependents' / Child Carers' Allowance

- x) To approve that the Council's Members' Allowances Scheme includes a dependents' / child carers' allowance and that eligible Councillors are reimbursed, on production of receipts or evidence of expenditure, for expenditure incurred with regard to the care of their children or dependents when undertaking the following official duties:
 - Attendance at a meeting of the Council including any Committee, Sub-Committee or Working Party of the Council;
 - Attendance at any outside body to which the Council makes appointments or nominations, or at any Committee or Sub-Committee of such a body;
 - Attendance at a meeting of the Executive or of any other meetings in the role of an Executive Member;
 - Attendance at a meeting of any association of Authorities of which the Council is a member.
- xi) To approve that eligible Councillors' costs are reimbursed at the rate of the National Living Wage (currently £7.20 an hour) and that this reimbursement covers reasonable travel time to and from the location of the meeting.

Members' ICT Allowance

- xii) To approve that the Council amends its current ICT allowances and introduces a £10 monthly ICT allowance for home broadband and consumables only;
- xiii) To approve that the Council implement an acceptable usage policy for Members in line with that of the Council's ICT acceptable use policy for staff if they were provided with tablet devices in the future.

Members' Travel and Subsistence Allowances

- xiv) To approve that Members' travel and subsistence allowances are in line with those given to Council staff;
- xv) To approve that all claims are supported by receipts, and that Members submit their claims within three months of the meeting/engagement for which they are claiming taking place.

The Chairman's Allowance

- xvi) To approve that the Chairman's allowance of £5,910 is split into an allowance of £1,000 and a budget of £4,910, and that any remaining money in the Chairman's budget at the end of their civic year be given to the Chairman's charity;
- xvii) To approve that the Vice Chairman's allowance is reduced from £960 to £500.
- xviii) To approve that the Council's overall Members' Allowances Scheme is indexed for the next four years to match local government pay settlements using the NJC annual cost of living pay award including any pay award agreed for Council staff from 1st April 2017.

REASONS FOR DECISION

To ensure the council has reviewed and made recommendations on Members' Allowances under the Local Authorities (Members' Allowances) (England) Regulations 2003.

74. CHANGING OF VILLAGE NAME – WALDEN STUBBS

Councillor Crane, Leader of the Council presented the report which outlined a proposal to change the name of the village of Walden Stubbs.

An amendment was proposed to only approve the proposal subject to confirmation that there was sufficient support of the majority of residents in the village. This amendment was not seconded.

RESOLVED:

To approve amending the name of the village of Walden Stubbs to Stubbs Walden.

REASONS FOR DECISION

To approve the request for the name change by the Parish Meeting.

75. POLITICAL BALANCE AND COMMITTEE MEMBERSHIP

Councillor Crane, Leader of the Council presented the report which outlined changes to the political balance and the membership of Committees of the Council.

It was confirmed that Council would be considering the membership changes as outlined in the recommendations and not the table in the report. An updated list of Committee places in line with the proposed recommendations was circulated.

RESOLVED:

- i) To make the following changes to Committee places in light of the formation of the Independent Group:**
 - **To allocate the Independent Group a place on the Overview and Scrutiny Committee instead of the Conservative Group.**
 - **To allocate the Independent Group a place on the Policy Review Committee instead of the Labour Group.**
 - **To allocate the Independent Group a place on the Audit and Governance Committee instead of the Labour Group.**
- ii) To appoint the members and substitutes to the Committees in accordance with the nominations by the Group Leaders and as outlined in the circulated list of Committee places.**

REASONS FOR DECISION

To ensure Committee places are allocated in accordance with legislation and the political balance of the local authority.

76. URGENT ACTION

The Director of Corporate Services and Commissioning informed Council that the Chief Executive had taken urgent action under the functions delegated to her in the Constitution on 2 February 2017 as she had approved changes to the membership of the Planning Committee and this change was outlined in the Committee membership list that had been circulated.

The meeting closed at 7.55pm.

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Cllr Mark Crane

Leader of the Council

Report to Council on 25 April 2017

This report covers the period from the Council meeting on 21 February 2017. During this period I have attended a number of meetings on behalf of the Council. Reporting on key items:

Chief Exec's Post

As previously indicated in my email to all Councillors, we have now reached agreement with NYCC on the job share arrangements for the new Chief Exec Role. The new post will be four days per week for Selby District Council and one day per week as Assistant Chief Executive at the County. The role was advertised in the Municipal Journal on 7 April 2017. We have agreed a timetable of an assessment centre and employment committee on 15th and 16th May. The employment committee and interview process will include myself and the Deputy Leader, Councillor Liz Casling and Councillor Packham along with Richard Flinton from NYCC. We anticipate calling an Extraordinary Council meeting on Thursday 25th May to ratify the proposed appointment.

In the meantime Janet Waggott will continue to act as our interim Chief Exec and I am grateful to both Janet and Ryedale DC for the support they have offered us.

LGA Corporate Peer Challenge

I have agreed with LGA to host a corporate peer challenge in Selby in July 2017 with the exact date to be confirmed. The likely focus of the challenge will be our ability to deliver economic growth and become self-sustaining by 2020. Further information will be circulated to councillors when the dates are confirmed.

District Council Network

I continue to work closely with others in the District Council Network, sharing good practice and raising awareness of the excellent work done by this Council and other District Councils.

I recently helped organise a DCN Housing White paper conference in Leeds, I had argued that we always travel to London for such meetings and as a result this was held in centre of Leeds. Unfortunately they moved the date and I was unable to attend but Selby District Council was ably represented by Cllr Mackman and Dave Caulfield.

Local Government North Yorkshire and York Meeting

I attended the latest meeting of LGNYY on 24th March 2017. Items on the Agenda included the PCC, Julia Mulligan, discussing proposals for police and fire service collaboration going forward and further discussions on devolution.

Royal visit

In the same vein, I met the Duke of York on recent tour of Tadcaster. The Duke was very keen to visit again now that the Bridge has been reopened and to see for himself how the Town has been reunited.

Mark Crane
Leader



Councillor John Mackman

Deputy Leader of the Council

Report to Council on 25 April 2017

This report covers the period from the Council meeting on 21 February 2017. During this period I have attended Executive and Executive Briefings and represented the Council at local and regional meetings including a Joint DCN and Solace Seminar on the Housing White Paper.

Reporting on the key items:-

1) Planning Service Review

A significant amount of progress has been made in the following areas:

The number of major and minor applications being determined 'in time' are significantly higher than the performance figures achieved during 2015/2016. The figures are also higher than the national designation targets set by the Government.

The Council has made savings of approximately £52k since September 2016 through more efficient ways of working. An increase in planning application fees has led to £950k worth of fees being received in 2016/17. This is £90k higher than 2015/2016, where £860k worth of planning applications fees were received.

A strategic alliance between the North Yorkshire County Council, City of York Council and Historic England has been formed through the 'Better Together' initiative. This process has allowed for the following planning advisory services to be procured: Archaeology, Landscaping, Ecology, Highways and Conservation advice.

North Yorkshire County Council, Selby District Council and ARUP have successfully worked together in a one team approach to project manage major development projects, most notably on Kellingley Colliery, Eggborough Power Station, Olympia Park and Rigid Paper.

The one team approach has led to significantly increasing the quality of schemes coming forward in terms of masterplanning and s106/CIL contributions.

A package of Member, Planning Team and Parish Councillor training has been delivered. Members have received Urban Design Training along with Officers, who have also received report writing training. In addition Parish Councillors have now received planning training.

The restructure process has created additional capacity through new posts and additional supporting resources, procured through the 'Better Together' initiative.

On planning decision letters, applicants are now being provided with a link that allows them to provide feedback on the service they received.

The first stakeholder meeting involving Developers, Agents, Homebuilders, Community Organisations and Parish Councils is scheduled to take place in the near future.

Next steps include:

Before the end of April, the Development Management team will have new report templates in place aimed at improving the quality of reports and reducing the Officer time taken to complete them.

Both the Condition and Validation Manual have been reviewed and updated and it is anticipated that formal consultation will be undertaken shortly.

An analysis of the year's complaints will be carried out and will consider a) what are the main causes of complaint, b), how they have been dealt with and, c) how they can be avoided in the future.

The internal appointments have been made and the departmental structure will be completed once the new posts have been advertised externally and interviews have taken place.

Finally we will undertake an analysis of our appeal performance and will look to improve and strengthen the Council's appeal submissions.

2) Sites and Policies Local Plan (PLAN Selby)

I am continuing to work with Officers as required to review the content of the plan and establish a realistic timetable for the next stages of plan preparation. This work is progressing well and is focusing on producing a sound plan that will deliver the Core Strategy housing figures and support the economic aspirations of the Council. As this work proceeds members will be kept advised on the progress and scope of PLAN Selby.

3) Eggborough DCO

Eggborough Power Limited (EPL) is proposing to develop a new gas-fired power station on the site of its existing coal-fired power station at Eggborough, near Selby. The scheme is a Nationally Significant Infrastructure Project (NSIP) to be determined by the Planning Inspectorate. It is anticipated that EPL will submit their Development Consent Order (DCO) application at the end of May 2017.

The Council in conjunction with the County Council are Statutory Consultees and will be required to submit a Local Impact Report, Statement of Common Ground and any written representations. Comments have so far been provided on potential issues relating to contaminated land, Cultural Heritage, Highways, Flood Risk and Drainage, Ecology, Noise, Lighting and Landscaping.

The Executive have given delegated powers to the Director of Economic Regeneration and Place, in consultation with myself to respond to DCO planning matters in line with the strict timetable of the DCO.

4) Neighbourhood Planning

Members will be aware that Appleton Roebuck and Acaster Selby Neighbourhood Development Plan is progressing towards the final stages. The final version of the Neighbourhood Plan has now been submitted for examination. It is anticipated the examiner will conduct his assessment using the submitted written representation and without the need for an examination in public.

Officers are also continuing to provide advice and support to the other designated plan areas including Selby Town Council, Church Fenton Parish Council and Ulleskelf Parish Council.

There are also a number of other Parish Councils who are starting to express an interest in undertaking a neighbourhood plan including Escrick and Brayton.

The Executive have given delegated powers to the Director of Economic Regeneration & Place, in consultation with myself to designate new neighbourhood plan areas, appoint examiners and arrange examination of completed plans. This will make the process more efficient in line with government regulations.

5) Five Year Housing Land Supply

We are currently in the process of undertaking the annual housing land supply review which should be completed in June. We are currently gathering the data together in order to bring the five year housing land supply information up to date.

6) Selby and District Housing Trust

Planning consent for the proposed development of 5 dwellings for affordable rent at Riccall has now been approved. This will allow the Trust to finalise building contracts and legal agreements in order to allow the project to proceed.

Working in partnership with the Council an offer has been made to purchase land on which a number of properties will be developed for SDHT at Ousegate, Selby, the offer has been accepted and is now subject to legal agreements.

The properties at St Joseph's Street in Tadcaster are now out of their defect period.

The Trust is currently in the process of updating its policies.

John Mackman
Deputy Leader of the Council

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Councillor Cliff Lunn

Executive Member for Finance and Resources

Report to Council on 25 April 2017

Executive 2 March 2017

No reports.

Executive 6 April 2017

Counter Fraud Strategy and Associated Policies

The Executive approved a new Counter Fraud Strategy which recognises that the Council faces significant fraud risks now and in future. The strategy, in line with national guidance, confirms the Council's commitment to tackling fraud and corruption in all its forms.

Selby District Council historically has focussed on benefit fraud issues however, the transfer of housing benefit fraud investigation from councils to the DWP last year has led to the re-evaluation of fraud requirements within the council.

The Council engaged Veritau, a local authority controlled group in part owned by Selby District Council, to deliver a 'corporate fraud' service from April 2016.

The Counter Fraud Policy addresses all forms of fraud the council currently experiences or may experience in the future. The policy contains a new Counter Fraud Prosecution Policy which sets out the Council's approach to taking legal action against perpetrators of fraud.

Portfolio Issues

North Yorkshire Procurement Joint Committee

I recently attended the North Yorkshire Procurement Joint Committee which agreed a one year extension of the partnership on a reduced resource basis for the Council. We will be reviewing our requirements over the coming year.

Business rate changes following the chancellor announcement in the Spring Budget

In the Spring Budget of the 8 March 2017 the government announced measures to assist business ratepayers following the revaluation of April 2017:

1. A 'small business rate relief'. Rate rises for business losing existing relief will be capped at £50.00 a month for five years. This relief is intended for those businesses that have had rateable value increases which take them over the small business rate relief threshold.
2. Every public house with a rateable value of less than £100,000 will receive a discount of £1,000 in 2017/18. If the rates bill is less than £1,000 the discount will be equal to the amount due.
3. The chancellor announced a £300 million hardship fund to enable local authorities to offer discretionary relief to the worst hit firms. This support will be additional to the transitional relief scheme, which operates separately for this discretionary fund.

The sum allocated for each authority is based on the gross bill increase which has been calculated as £1,575,000 for Selby. The government will provide a discretionary pot of £185,000 for 2017-18, £90k 2018-19, £37k 2019-20 and £5k 2020-21.

Billing authorities can use their discretionary relief powers to deliver the scheme and will be compensated through a Section 31 grant for the cost of this. Selby District Councils allocation of the fund is £317,000 over the 5 year period, with £185,000 of this in the first year.

Officers are currently assessing the implications of the announcement for businesses in the district and for this Council and further details will be shared with councillors in due course.

Annual Council tax and Business Rates Billing

The 2017/18 annual billing project commenced in October 2016. There were a number of particular challenges to overcome to ensure the annual bills were issued on time to meet the first instalment date of 1 April 2017. These included a change in printing supplier to reduce costs, the inclusion of the Adult Social Care Precept for North Yorkshire County Council on the Council Tax bills and upgrades to our software.

Each of the challenges contributed to a testing time but with excellent collaborative working between Finance, Data & Systems and the Revenues and Benefits teams we ensured a successful outcome to a process that delivered 39,000 Council Tax and Non-Domestic Rates bills across the district, totalling a value of £91 million.

The project plan was delivered successfully both on time and within budget, with all the annual bills issued by 2nd class post on 13th March 2017.

Cliff Lunn



Councillor Chris Metcalfe

Executive Member for Communities and Economic Development

Report to Council on Tuesday 25 April 2017

This report covers the period from the Council meeting on 21 February 2017.

Better Together Customer and Community Programme - Community Hubs

Tadcaster and Sherburn-in-Elmet libraries were both opened on Saturday 1 April 2017 as new community led organisations, helping to deliver local library and support services. North Yorkshire County Council and Selby District Council continue to work with the hubs to ensure a smooth transition for the community. Selby Library work continues and also includes the pilot of more innovative approaches to digital access of services from the local hubs, due to roll out wider in the district throughout the year. The Customer & Communities Programme is working closely with NYCC and the Face to Face Assisted Digital Project to deliver the first pilot elements at Selby Library. This will see 50% of the current public desktop PCs replaced with touch screen laptops / tablets. The pilot will be used to evaluate which devices customers prefer and this in turn will inform the wider County investment in IT equipment provided in libraries/community hubs.

The Sherburn in Elmet project also sees the transfer of the Old Girls' School property to local community responsibility and will provide a community point for meetings, activities and socialising which complements the plans for the library hub delivery.

HRH Duke of York visit to Tadcaster

His Royal Highness, the Duke of York, visited Tadcaster on 29 March to see how the town has been recovering from the floods of Christmas 2015.

This was a return visit for the Duke, having been to the town in the immediate aftermath of the flooding.

In particular, the Duke was taken to see the newly rebuilt Tadcaster bridge and spoke to businesses in the town centre with whom he spoke on his previous visit.

Sherburn Youth Hub

This overall project is to support local young people to have a place to go, and things to do, engaging better with their community and to reduce incidents of ASB in identified hotspots throughout the village. SDC are currently in discussion with Sherburn in Elmet Parish Council and Sherburn White Rose Football Club (SWRFC) to host the new Youth Hub at the SWRFC grounds.

The project has revolved around the creation of a steering group combining local residents and professionals to ensure a clear community voice to advise the project delivery team. Members of the steering group have engaged with young people in the local community through existing youth groups, in order to gain their views and take them in to account. The project delivery team has met with local youth workers (NYY) and formulated a plan of action in relation to organising a consultation event that would be led by young people themselves. This will also allow residents to have their opinion on the proposals of the scheme in a joint approach to the voice of Sherburn's young people.

Community Navigators

The scheme has now been in place since August 2016 with the launch of the programme in November 2016. This advice, support and signposting approach by local community members is now live in all Community Engagement Forum areas with 10 dedicated volunteers across the district providing a range of local help according to locally identified need.

Customer Strategy

A survey is currently being undertaken at Access Selby to gain an understanding from our customers as to how they access Selby District Council services and how they would like to access them in the future. The wider online survey to engage the district is now available and will be open until the end of April 2017. The results of the surveys will help inform further progress on the customer strategy – to create more efficient and accessible services for the range of our customers' needs. Progress on the Customer Strategy is due for discussion at Executive Briefing on 18th May 2017.

Economic Development and Growing Enterprise

Following public consultation on the draft 'Selby District Economic Development Strategy 2016- 20...and beyond', the Strategy has been presented to a number of the District's large/prominent employers and prominent business networks for comments/discussion.

The reaction has been extremely positive, with businesses supportive of the Council's proposed direction and future growth aspirations. Businesses were also keen to join a new 'Selby District Economic Forum', that will be established later this year as the vehicle through which the Strategy will be delivered.

The Strategy will now be presented to the Executive for formal adoption in May.

This engagement with our key businesses has been used as an opportunity to establish a new 'Key Account Management' function at the Council. This ongoing relationship will allow us to react to key challenges/opportunities that our businesses face in a significantly more responsive fashion, improving customer service and enhancing the potential for future investment.

Ten businesses have been trialled initially (including Eggborough Power, Greencore, L & G Homes and Lambert Engineering), but it is envisaged that all of the large (250+ employees) and 'high growth potential' employers in the District will benefit from this approach in the future.

In late March, it was formally announced that infrastructure construction work had begun on 'S2' (previously 'The Proving Ground'), the District's new 1.25million sq. feet employment site adjacent to the current Sherburn Enterprise Park. S2 has been identified as one of the Economic Development Strategy's 'strategic employment sites', and will be central to achieving our growth ambitions. The Council have worked closely with Glentool Estates, S2's developers, to bring the site to market and will continue to work jointly with them to now attract new investors into the District.

We are also expecting an outline planning application for Kellingley Colliery to be presented to Planning Committee in April. This will seek permission to redevelop the site as an employment park (up to 1.45 million sq. feet), opening further opportunities for inward investment and economic growth.

At present, the Council has limited economic development resources. This is being addressed through the ongoing corporate restructure, with a number of new posts advertised in April, but short-term technical support has been provided by East Riding of Yorkshire Council and Ryedale District Council over the last 6-12 months.

Close partnership working with both our constituent Local Enterprise Partnerships (LEPs); Leeds City Region & York, North Yorkshire & East Riding, and North Yorkshire County Council (NYCC) is critical to achieving our economic ambitions. We have worked closely with both LEPs, NYCC and Transport for the North to ensure that our economic priorities support wider ambitions for Yorkshire and the North of England, ensuring that the Council is as well-placed as possible to take advantage of future funding opportunities such as the Local Growth Fund.

Selby Town events and business support

On a more localised business development level, we are seeing renewed activity through the Selby Town Enterprise Partnership. An engagement event with the town's main retailers and businesses was held on 28th March 2017 at The Summit. A range of nearly 30 businesses attended to give us their views to support town visioning and to join the partnership going forward. Events throughout the town are also being identified with a series of events being locally promoted through the STEP, the Market Cross Shopping Centre and Selby Town Council to attract footfall and offer a more coordinated approach.

Tadcaster businesses have also independently come together to identify the best ways in which to work together to promote business since the reopening of the Bridge.

We are seeing a real energy from our local business to work on the Economic and Visitor Economy agendas.

Chris Metcalfe

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Councillor Richard Musgrave

Executive Member for Housing, Leisure, Health, and Culture

Report to Council on Tuesday 25th April 2017

This report covers the period since the Council meeting on 21st February 2017.

Housing

Harold Mills Community Centre

Members of the community came together on Thursday 16th March to celebrate the re-opening of the Harold Mills Community Centre in Sherburn in Elmet after a devastating fire in April 2016.

Following the fire, we pledged to rebuild the popular centre and worked closely with the residents to ensure that the new centre meets the needs of the community. The new layout allows the residents to make the most of the space the facility offers. It is modern, fit for purpose, and we anticipate that it will serve the surrounding community well for many years to come.

Housing Development Programme

The three housing development sites at Eggborough and Byram are progressing positively and are due to complete on time in April (Byram) and June (both Eggborough sites).

The Executive have recently approved the detailed business case for financing the Selby & District Housing Trust development at Landing Lane, Riccall. Planning consent for the development has now been granted and this development will deliver five units for affordable rent in 2018.

Work is progressing positively to develop a new Council affordable housing scheme on Byram Park Road, and we expect to conclude the pre-construction services agreement shortly. This will provide 13 new units and includes the demolition of the existing flats currently on the site.

A proposal is expected to be submitted for final Executive approval in June.

Leisure & Culture

Tadcaster - Tour De Yorkshire

Planning for the start of Stage 2 of the Tour de Yorkshire at Tadcaster on 29th April is in the final stages. As Tadcaster will be hosting the start of both Men's and Women's Races,

it promises to be a great day which will significantly raise the profile of the town and the District.

SDC Officers have been working closely with the community in Tadcaster to bring together a series of events to support the race. There will be food, cycle, and community events as well as appearances from the Yorkshire Regiment Drummers, who helped to support our local community during the floods. Two local school children have won a competition to help start the races and there are ongoing competitions for the best dressed window, bike, and art competitions.

Safety will be paramount on the day and final checks with all the agencies involved, as well as Welcome to Yorkshire and ASO, are in place to ensure a safe and enjoyable day.

Selby Arts Festival

I attended the successful launch of Selby Arts Festival on 1st March 2017 and this eight day event, to be held in July, will be the first of its kind for the District. Events will take place at venues throughout the town, including at the Town Hall, the Abbey, and the rugby club. Some of the events are already sold out, including the nationally renowned comedian Ed Byrne who will perform at the Abbey on 26th July.

The Festival has already attracted the first significant Arts Council funding to the District for some considerable time and hopefully the big-name headline acts will help establish the Festival as an annual event. Following the successful launch, I was delighted to see that the organisers have already announced that there will be a Selby Arts Festival in 2018.

Sherburn Craft and Food Festival

The inaugural Sherburn Craft and Food Festival will be held over the August Bank Holiday weekend and the Council has agreed to provide a grant of £20,000 to support the organisers to plan and deliver an ambitious event including a celebrity chef, various stalls, and activities which should provide a large-scale event across the village. The Festival promises to be a high-profile event which will bring thousands of visitors to the District.

Health

Move it Lose it

The Council's partner Inspiring healthy living has submitted a bid to the NYCC public tender for five years of funding which will enable them to continue to deliver the weight management project in Selby District, if the bid is successful. The decision on the outcome of this procurement process is delayed until mid-April.

Healthy Choices for a healthier you – Summit Indoor Adventure achieve Silver Award

Selby Wellbeing Team and Summit Indoor Adventure Team have been working with Food Trading Standards at NYCC on a project called Healthier Choices. The scheme recognises and promotes businesses selling food and drink who are offering healthier choices to their customers. Trading Standards visited the Summit, awarding it a Silver star rating. This is positive but gives some room to improve and the Summit team have some ideas to quickly make this into a Gold. Involvement is positive for the Summit as this information will go on the Health Choices website from NYCC promoting the Summit as a

place in Selby to visit and be able to get healthy food choices. This links with IHL's Adult and Children weight management work.

Richard Musgrave
Executive Member for Housing, Leisure, Health, and Culture

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Councillor Wendy Nichols - Chair of Scrutiny Committee

Update to Council 25 April 2017

The Scrutiny Committee has met once since the last update provided to Council on 21 February 2017. A Joint Scrutiny and Policy Review Committee meeting was held on 28 February 2017. The Committee has considered the following items:

Joint Scrutiny and Policy Review Committee – 28 February 2017

ANNUAL REPORT OF THE DIRECTOR OF PUBLIC HEALTH, NORTH YORKSHIRE COUNTY COUNCIL 2016

Dr Lincoln Sargeant, Director of Public Health, North Yorkshire County Council presented his annual report 'Good Work – Good for You, Good for Business' to the Committee.

The Director of Public Health explained that the experience of work and the satisfaction derived from it had an important impact on emotional, physical and mental health and well-being. Members were advised that 'good work' helped people develop a sense of identity, purpose and belonging in society. It was explained that 'good work' also had a positive impact on the productivity and profitability of businesses.

Members raised the following questions at the meeting:

- How could planning policy be used to promote public health?
- How could the council influence employers to promote healthy work places?
- How could North Yorkshire attract/retain young people to work in the county?
- How could schools work to increase activity and improve health awareness in young people?

The Joint Scrutiny and Policy Review Committee received the Annual Report of the Director of Public Health for North Yorkshire 2016, 'Good Work – Good for You, Good for Business'.

THE APPROACH TO HEALTH AND WELL-BEING IN SELBY DISTRICT

The Head of Community, Partnerships and Customers, presented a report that accompanied the annual report of the Director of Public Health, North Yorkshire County Council 2016. The report highlighted the local profile of the working age population, and outlined key considerations and initiatives

supported by the council that provided a range of activities to encourage a healthy lifestyle.

The following were discussed:

- In response to a question regarding how the council could encourage high value sector employers into the District, the Director of Economic Regeneration and Place explained that increasingly the provision of local amenities and infrastructures were important to attract business and employees. The Committee was advised that it was important that the council, through the Development Control and Economic Regeneration departments supported the provision of a built environment that encouraged high value sector employers into the District. Members were informed that the council would be undertaking a 'Towns Master Planning' programme to set out a long term vision for the District and to identify potential delivery partners.
- In relation to sports facilities, the Head of Commissioning, Contracts and Procurement, advised members that Sport England were increasingly investing in community based activities rather than providing capital investment to build leisure centre facilities. The Development Officer (IHL) reported that she had received very positive feedback from representatives of Sport England in relation to the variety of initiatives provided by Selby Leisure Centre.
- There was some discussion regarding investment in cycle pathways and supporting cycle to work schemes.
- There was some discussion about the council's Empty Homes Policy and what could be done to bring homes back into use. The Director of Economic Regeneration and Place advised the Committee that work was being undertaken with the council's Portfolio Holder for Housing, Leisure, Health and Culture to drive the Policy forward.

The Joint Scrutiny and Policy Review Committee noted the presentation and endorsed the recommendations of the Director of Public Health, North Yorkshire County Council as set out in his Annual Report 2016, 'Good Work – Good for You, Good for Business'.

Scrutiny Committee – 23 March 2017

AIR QUALITY IN SELBY TOWN

The Environmental Health Officer had provided the Committee with a report that outlined the arrangements for managing and improving air quality within the district and the council's statutory obligations.

The Committee discussed the following points:

- On 29 February 2016 Selby District Council had designated its first Air Quality management Area (AQMA) on New Street, Selby for NO_x (nitrogen oxide) levels related to traffic emissions. The council was currently working with partners at North Yorkshire County Council on an Action Plan to reduce NO_x levels.
- Members suggested that the council set a good example to other organisations and replaced all its vehicles with low emission / electric vehicles.
- The use of signage in Selby Town Centre and traffic management measures to reduce congestion and car emissions.

The Committee noted the report.

CORPORATE PERFORMANCE REPORT – QUARTER 3 – 2016/17 (October to December)

The Head of Business Development and Improvement provided an update report on the delivery of the council's Corporate Plan 2015-20, as measured by a combination of progress against priority projects / high level actions and performance against Key Performance Indicators.

Members noted the following:

- Performance on missed bins had recovered from the Q2 dip; Q3 performance was back on target.
- There had been fewer visits to the council's leisure centres in Q3. The Head of Business Development and Improvement reported that this was to be expected when compared to Q2. An increase in visits to the leisure centres was expected to increase. Members asked if affordability and inflation increases were deterring people from visiting the leisure centres.
- There was a £358,000 shortfall in the savings target for the year reported at Q3. Whilst the current savings plan was behind target, approval of additional savings as part of the current budget would help to mitigate the shortfall.
- With regard to empty homes in the district, the Committee was advised that a dedicated Empty Homes Officer post had been established in the organisation re-structure.
- Employee sickness absence was a concern. Q3 had seen an increase in sickness compared to both Q2 and to the same period last year. An audit of sickness absence and associated improvement actions would

be reported in Q4. Members asked if the recent organisational restructure had resulted in an increase in sickness absence.

- There was some discussion about the timescale of the car park strategy being pushed back. Members raised some concerns about the state of repairs of some of the car parks in the district.

The Committee noted the report.

Councillor Wendy Nichols
Chair, Scrutiny Committee



Councillor J Deans – Chair of Policy Review Committee

Update to Council – 25 April 2017

The Policy Review Committee has met once since the last update provided to Council on 21 February 2017. A Joint Scrutiny and Policy Review Committee meeting was held on 28 February 2017. The Committee considered the following items:

Joint Scrutiny and Policy Review Committee – 28 February 2017

ANNUAL REPORT OF THE DIRECTOR OF PUBLIC HEALTH, NORTH YORKSHIRE COUNTY COUNCIL 2016

Dr Lincoln Sargeant, Director of Public Health, North Yorkshire County Council presented his annual report 'Good Work – Good for You, Good for Business' to the Committee.

The Director of Public Health explained that the experience of work and the satisfaction derived from it had an important impact on emotional, physical and mental health and well-being. Members were advised that 'good work' helped people develop a sense of identity, purpose and belonging in society. It was explained that 'good work' also had a positive impact on the productivity and profitability of businesses.

Members raised the following questions at the meeting:

- How could planning policy be used to promote public health?
- How could the council influence employers to promote healthy work places?
- How could North Yorkshire attract/retain young people to work in the county?
- How could schools work to increase activity and improve health awareness in young people?

The Joint Scrutiny and Policy Review Committee received the Annual Report of the Director of Public Health for North Yorkshire 2016, 'Good Work – Good for You, Good for Business'.

THE APPROACH TO HEALTH AND WELL-BEING IN SELBY DISTRICT

The Head of Community, Partnerships and Customers, presented a report that accompanied the annual report of the Director of Public Health, North Yorkshire County Council 2016. The report highlighted the local profile of the working age population, and outlined key considerations and initiatives supported by the council that provided a range of activities to encourage a healthy lifestyle.

The following were discussed:

- In response to a question regarding how the council could encourage high value sector employers into the District, the Director of Economic Regeneration and Place explained that increasingly the provision of local amenities and infrastructures were important to attract business and employees. The Committee was advised that it was important that the council, through the Development Control and Economic Regeneration departments supported the provision of a built environment that encouraged high value sector employers into the District. Members were informed that the council would be undertaking a 'Towns Master Planning' programme to set out a long term vision for the District and to identify potential delivery partners.
- In relation to sports facilities, the Head of Commissioning, Contracts and Procurement, advised members that Sport England were increasingly investing in community based activities rather than providing capital investment to build leisure centre facilities. The Development Officer (IHL) reported that she had received very positive feedback from representatives of Sport England in relation to the variety of initiatives provided by Selby Leisure Centre.
- There was some discussion regarding investment in cycle pathways and supporting cycle to work schemes.
- There was some discussion about the council's Empty Homes Policy and what could be done to bring homes back into use. The Director of Economic Regeneration and Place advised the Committee that work was being undertaken with the council's Portfolio Holder for Housing, Leisure, Health and Culture to drive the Policy forward.

The Joint Scrutiny and Policy Review Committee noted the presentation and endorsed the recommendations of the Director of Public Health, North Yorkshire County Council as set out in his Annual Report 2016, 'Good Work – Good for You, Good for Business'.

Policy Review Committee – 14 March 2017

GAMBLING POLICY REFRESH

The Committee was informed that it was a statutory requirement to review the Gambling Policy every three years. It was explained that the existing policy had now

been reviewed and officers had brought the draft Policy in-line with the latest regulatory guidance. The Committee was informed that a consultation process had been carried out from 20 January 2017 to 14 March 2017.

The Committee considered the draft Gambling Policy and discussed the following:

- With regard to point 10.3 of the Policy, it was pointed out that there was some duplication in the following sentence ‘In practice that means not only preventing them from being in close proximity to gambling, but also preventing them from being in close proximity to gambling’. The Assistant Policy Officer advised the Committee that the sentence should be amended to read ‘In practice that means not only preventing them from talking part in gambling, but also preventing them from being in close proximity to gambling’.
- It was noted that under points 21.3 and 22.2 of the Policy there was reference to ‘self-baring schemes’ which should be amended to read ‘self-barring schemes’. In response to a query, the Solicitor to the Council explained that a self-barring scheme involved a person asking a gambling operator to refuse service in the venues where they had self-excluded themselves from.
- In relation to breaches of the Gambling Policy and enforcement, the Committee was advised that compliance and enforcement was dealt with in conjunction with the Gambling Commission, under the Gambling Act 2005.
- With regard to point 14.4 of the Policy – Protecting children and other vulnerable persons from being harmed or exploited by gambling, councillors asked how successfully this could be regulated and monitored. The Solicitor to the Council explained that gambling premises were required to take appropriate measures to operate in-line with the licensing objectives and Codes of Practice. The Solicitor to the Council explained that although it was not possible to comprehensively monitor gambling establishments and users, numerous methods were employed by the industry to ensure gambling was undertaken in-line with the relevant Codes of Practice.
- In response to a query, the Solicitor to the Council explained that the National Lottery was regulated by the National Lottery Act, which was separate from the Gambling Act 2005.
- With regards to point 22 of the Policy ‘Tracks’, councillors requested that an explanatory note be included in the Policy that set out the types of tracks this section of the Policy related to.

The Policy Review Committee requested that the Assistant Policy Officer incorporated the comments and amendments raised at the meeting, into the final version of the Policy presented to the Executive and Full Council.

Councillor J Deans
Chair, Policy Review Committee



Councillor Mike Jordan – Chair of Audit and Governance Committee

The Audit and Governance Committee was due to meet on Wednesday 19 April, which was after the agenda for Council was published. I will present a full update to Council at the next meeting.

A Working Group consisting of Councillors Marshall, Mrs Chilvers and myself, met on Thursday 2 March to consider the arrangements for dealing with Standards matters. The conclusions of the Working Group were due to be considered by the Audit and Governance Committee at its meeting on Wednesday 19 April. A final report will be considered by Council.

**Councillor M Jordan
Chair, Audit and Governance Committee**



Public Session

Report Reference Number: C/16/19

Agenda Item No: 12

To: Council
Date: 25 April 2017
Author: Chris Watson - Policy and Performance Officer
Lead Officer: Gill Marshall - Solicitor to the Council
Executive Lead: Cllr Richard Musgrave – Lead Councillor for Housing, Leisure, Health and Culture

Title: Gambling Policy (Statement of Principles)

Summary:

Selby District Council ('the Council') is the Licensing Authority responsible for the licensing of certain Gambling Premises Licences (e.g. adult gaming centres and betting shops) and all types of gaming machine permits in Selby District. As part of this role the Council must have regard to the statutory licensing objectives and issue a statement of licensing principles (the Gambling Policy) which must be reviewed every 3 years.

The existing policy required a scheduled review, therefore, a draft Gambling Policy (Statement of Principles (Appendix A) has been developed. This draft policy brings the service into line with the latest (5th) edition of the Gambling Commission guidance and the Licence Conditions and Codes of Practice. Following a consultation exercise, at a meeting of the Executive on 6 April 2017; it was resolved to recommend that Full Council approves the draft policy for adoption.

Recommendations:

- i. For Council to approve the Gambling Policy (Statement of Principles) for adoption and authorise the Solicitor to the Council to take the necessary steps to bring the policy into effect.**

Reasons for recommendation

- To ensure compliance with the Gambling Act 2005

1. Introduction and background

- 1.1 Selby District Council is the Licensing Authority responsible for the licensing of certain Gambling Premises Licences (e.g. adult gaming centres and betting shops) and all types of gaming machine permits in Selby District.
- 1.2 The Gambling Commission issues operating licences and personal licences required by the Gambling Act 2005 ('the Act').
- 1.3 In exercising functions under the Act, the Council must have regard to the Licensing Objectives, which are distinct and different from those contained under the Licensing Act 2003. They are:
 - Preventing gambling from being a source of crime and disorder, being associated with crime and disorder or being used to support crime;
 - Ensuring that gambling is conducted in a fair and open way; and
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.4 The Council has a duty which it must discharge under s349 of the Act. The Council is required to formulate a Gambling Policy (Statement of Principles) that it proposes to apply in exercising its functions under the Act. If approved the policy will be effective following the adoption process. The Gambling Policy (Statement of Principles) has to be reviewed at least every 3 years.

2 The Report

- 2.1 A scheduled review of the Gambling Policy (Statement of Principles) has been undertaken to ensure the policy reflects the Act and the most recent national guidance.
- 2.2 The key changes to the draft policy include:
 - The Licence Conditions and Codes of Practice. From 6 April 2016, it has been a requirement of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP), under Section 10, for licensees to assess the local risks to the licensing objectives posed by the provisions of gambling facilities at each of their premises, and have policies, procedures and control measure to mitigate those risks (para 12.2-12.3 of the draft policy); and
 - The Registration of Small Society Lotteries for the first time (para. 32 of the draft policy). This is not a statutory requirement, but has been noted as best practice following a benchmarking exercise.

2.3 Consultation

- 2.4 The Executive approved the draft policy for consultation on 5 January 2017. The consultation ran from 20 January 2017 to 14 March 2017.
- 2.5 The consultation met the Act requirements that the Authority is to consult with various groups before policy is determined (set out more particularly at Appendix A of the draft policy). These included:

Act Requirement	Who we consulted
in England and Wales, the chief officer of police for the authority's area	The Chief Officer of North Yorkshire Police covering Selby District;
One or more persons who represent the interests of gambling businesses in Selby District	Consultation information sent to all the relevant premises licence holders in the district
One or more persons who appear to represent the interests of persons who are likely to be affected by the implementation of the Act	Consultation information sent to representative bodies such as the Gambling Commission and Gamcare, the Responsible Authorities, District Councillors and Parish Councils.

- 2.6 Copies of the draft policy were made available for the public online, in the Customer Contact Centre and in the District's public libraries.

2.7 Licensing Committee

- 2.8 On 6 March 2017 officers presented a report to the Licensing Committee in order to provide the committee with the opportunity to discuss the draft policy.
- 2.9 Following discussion on the policy it was resolved that the committee note the policy and provide no recommendations to Executive.

2.10 Policy Review Committee

- 2.11 On 14 March 2017 officers presented a report to the Policy Review Committee in order to provide the committee with the opportunity to discuss the draft policy.
- 2.12 The committee discussed the draft policy and raised two small typographical amendments and asked for an explanatory note about the definition of "tracks" to be added. All comments and amendments have been incorporated into the appended draft policy.

2.13 Consultation responses

- 2.14 In addition to the above two committee resolutions, four consultation responses were received as detailed below:

Respondent	Comments	Action
North Yorkshire Police	<p>Thank you for providing me with the opportunity to pass comment on your revised Statement of Principles under the Gambling Act 2005.</p> <p>The latest version echoes that of previous iterations in terms of its clear and concise format. The document is easy to digest for those not familiar with this particular field of work, and the balance between descriptive / legislative content is refreshing to see.</p> <p>It's clear from the content that the author is very knowledgeable in this particular field of work therefore there is nothing I can add by way of observations to your original document.</p> <p>Please could you amend the list of Responsible Authorities to reflect the fact that North Yorkshire Police only processes licensing applications from our office at Fulford Road, York.</p>	Responsible Authorities list updated.
Trading Standards	Gambling is not something which comes under Trading Standards remit	None
North Duffield & Skipwith Luncheon Club	We are in receipt of your letter dated 24 January 2017 but are unaware of anything to do with this policy and on behalf of the Committee of the N.Duffield & Skipwith Luncheon Club I write to say we have no views and therefore no comment to make.	None
Selby Town Council	<p>The Town Council considered the Gambling Policy and your letter dated 24 January 2017 at their meeting last night.</p> <p>Concern was raised over the Fixed Odds Betting Terminals and suggest that a limit to the stake being made be reduced from £100.00 to £2.00. It was felt that there is a possibility of money laundering with so much money going into the machines and other vulnerable people may be exploited with such high stakes available.</p>	None

2.15 Only the response from North Yorkshire Police has resulted in a change to the draft policy (updated contact details in the policy's Responsible Authorities appendix). The Council does not have the authority to amend the maximum stake bets for fixed odds betting terminals (FOBTs), any change would require

a change in national legislation. Therefore, the Council cannot implement the changes requested by Selby Town Council's consultation response.

2.16 The Council does however, recognise the potential harm FOBTs can cause vulnerable individuals and has therefore benchmarked the issue against neighbouring Licensing Authorities policies. The draft policy matches Leeds City Council's stance which is that where FOBTs are applied for applicants should consider the control measures related to the protection of vulnerable people (para. 21.2 of the draft policy). In response to growing concern on the matter a full report setting out the Council's position on FOBTs is appearing at this Full Council meeting.

2.17 The remaining two consultation responses offered no comment on the draft policy.

2.18 The outcomes of the consultation process were presented to the Executive at their meeting on 6 April 2017. The Executive noted the changes to the policy and recommend that it be approved for adoption by Full Council.

2.19 **Adoption**

2.20 Should the draft policy be approved for adoption, the policy must then be advertised and published. This process is set out in the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006.

2.21 The Council must advertise a notice of our intention to publish a statement or revision. This notice must:

- specify the date on which the statement or revision is to be published
- specify the date on which the statement or revision will come into effect
- specify the internet address where the statement or revision will be published and the address of the premises at which it may be inspected
- be published on the authority's website and in/on one or more of the following places for at least four weeks before it comes into effect:
 - a local newspaper circulating in the area covered by the statement
 - a local newsletter, circular, or similar document circulating in the area covered by the statement
 - a public notice board in or near the principal office of the authority
 - a public notice board on the premises of public libraries in the area covered by the statement.

2.22 When publishing the policy, the regulations state that the policy must be published on the licensing authorities website and be made available at reasonable times for inspection by members of the public at one or more public libraries in the area covered by the policy or in other premises situated in that area (e.g. the customer contact centre). The policy must be published for at least four weeks before it can take effect.

3 Legal/Financial Controls and other Policy matters

Legal Issues

- 3.1 The review of the Gambling Policy (Statement of Principles) is a legislative requirement. Legislation requires that the final approval for the new Gambling Policy (Statement of Principles) is given by Full Council. Failure to review the policy and follow correct guidance will leave decisions on gambling licensing open to challenge.
- 3.2 The approval of the policy is part of the Budget and Policy Framework of the Council and therefore the Executive is responsible for proposing and consulting on the policy whereas the approval of it must be undertaken by full Council.

Financial Issues

- 3.4 This policy proposes no significant changes to the running of the service; therefore, no risk is identified.

Impact Assessment

- 3.5 An Equality, Diversity and Community Impact Screening ('EDCI') has been completed for the draft policy. The EDCI did not highlight any significant impacts; therefore a further assessment has not been carried out.

4. Conclusion

- 4.1 The draft policy has been developed to ensure that the Council's Gambling Policy (Statement of Principles) remains best practice and compliant with the requirements of the Gambling Act 2005 and the Gambling Commission's Guidance for Local Authorities.
- 4.2 Following consultation and Executive's recommendation that the draft policy be adopted officers are seeking approval from Full Council to adopt the draft policy.

5. Background Documents

6 March 2017 Licensing Committee Minutes

14 March 2017 Policy Review Committee Minutes

6 April 2017 Executive Minutes

Gambling Act 2005

Gambling Commission Guidance to Local Authorities

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Appendices:

Appendix A – draft Gambling Policy (Statement of Principles)



Gambling Policy

Gambling Act 2005

Statement of Principles





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PART A

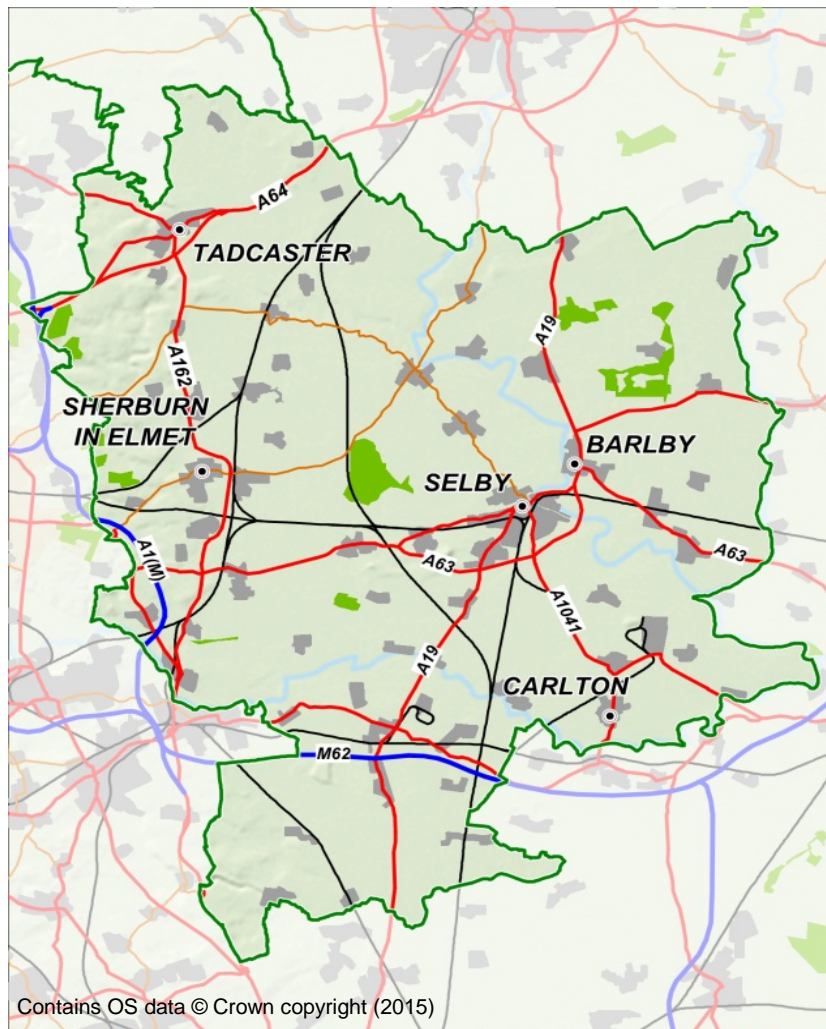
1. Introduction

- 1.1 Section 349 of the Gambling Act 2005 ('the Act') requires us (Selby District Council) as a Licensing Authority in England and Wales to define and publish our Policy Statement on the exercise of our gambling functions at least every three years.
- 1.2 We will review our statement from "time to time" and consult upon any amended parts to the statement. We will then re-publish the amended statement.
- 1.3 In exercising most of our functions under the Act, we must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:
 - Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
 - Ensuring that gambling is conducted in a fair and open way
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling
- 1.3 We have noted that the Gambling Commission has stated: "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling".
- 1.4 We have noted that, as per section 153 of the Act, in making decisions about premises licences and temporary use notices we should aim to permit the use of premises for gambling in so far as we think it is:
 - 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 authority's Statement of Principles
- 1.5 The Act requires that we consult with the following parties:
 - The Chief Officer of Police
 - One or more persons who appear to us to represent the interests of persons carrying on gambling businesses in our area
 - One or more persons who appear to us to represent the interests of persons who are likely to be affected by the exercise of the our functions under the Gambling Act 2005
- 1.6 We have consulted widely on this policy statement from 20 January 2017 to 14 March 2017. A list of persons consulted can be found at Appendix A.
- 1.7 There were four comments received in response to this consultation.
- 1.8 This statement of Principles was approved at a meeting of the Full Council on [insert date]. This is published on our website (www.selby.gov.uk). In addition, copies are placed in the public libraries of the area as well as being available in our customer contact centre.

1.9 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.

2. Profile of Selby District

2.1 Selby District is situated in the County of North Yorkshire. It covers an area of 602 square kilometres and is situated to the south of the city of York. The district's population is 86,000¹ and the principal settlements are Selby, Tadcaster and Sherburn-in-Elmet. The council area is mainly rural in character and aspect with a dispersed settlement plan. There are 74 Parish Councils as well as various Parish and Community meetings. Selby in particular is of historical importance built as it is around Selby Abbey. As a consequence tourism and leisure are important industries. Detail of the district is shown in the map below.



¹ ONS Mid-Year Estimates 2015

3. Declaration

- 3.1 In producing this Statement of Principles, we have given regard to the licensing objectives of the Act, the guidance issued by the Gambling Commission, and any responses from those consulted on the Statement of Principles.

4. Responsible Authorities

- 4.1 We are required by regulations to state the principles we 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
 - the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group
- 4.2 In accordance with the Gambling Commission's Guidance for local authorities this authority designates Corporate Director of Children and Young People's Services, North Yorkshire County Council, Room 122 County Hall, Racecourse Lane, Northallerton, North Yorkshire, DL7 8DD for this purpose.
- 4.3 The contact details of the Responsible Authorities under the Act can be found at Appendix B and on our website www.selby.gov.uk:

5. Interested parties

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

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

- a) lives sufficiently close to the premises to be likely to be affected by the authorities activities,*
- b) has business interests that might be affected by the authorised activities, or*
- c) represents persons who satisfy paragraph (a) or (b)”*

- 5.2 We are required by regulations to state the principles we will apply in exercising our powers under the Act to determine whether a person is an interested party. The principles are:

- Each case will be decided upon its merits. We will not apply a rigid rule to our decision making. We will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities at 8.12 to 8.17. Note though that decisions on premises and temporary use notices must be “in accordance” with Gambling Commission Guidance (Section 153 of the Act). We will also consider the

Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

- Interested parties can be persons who are democratically elected such as councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the councillor/MP represents the ward likely to be affected. Likewise, parish councils likely to be affected will be considered to be interested parties. Other than these, however, we will generally require written evidence that a person/body (e.g. an advocate/relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.
- If individuals wish to approach Councillors to ask them to represent their views then care should be taken that the Councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the licensing team at:

Licensing
Selby District Council
Civic Centre
Doncaster Road
Selby
YO8 9FT
licensing@selby.gov.uk

01757 705101

6. Exchange of Information

- 6.1 We are required to include in our policy statement the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between us and the Gambling Commission, and the functions under section 350 of the Act with respect to the exchange of information between us and the other persons listed in Schedule 6 to the Act.
- 6.2 The principle that we apply is that we will act in accordance with the provisions of the Act in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. We will also have regard to any Guidance issued by the Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Act.
- 6.3 Should any protocols be established as regards information exchange with other bodies then they will be made available.

7. Enforcement

7.1 We are required by regulation under the Act to state the principles we will apply to exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

7.2 Our principles are that:

We will be guided by the Gambling Commission's Guidance for local authorities. We will endeavour to be:

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

7.3 As per the Gambling Commission's Guidance for local authorities we will endeavour to avoid duplication with other regulatory regimes so far as possible.

7.4 We have adopted and implemented a risk-based inspection programme, based on:

- The licensing objectives
- Relevant codes of practice
- Guidance issued by the Gambling Commission, in particular at Part 36
- The principles set out in this Statement of Licensing Principles

7.5 Our main enforcement and compliance role in terms of the Act will be to ensure compliance with the premises licences and other permissions which we authorise. The Gambling Commission is the enforcement body for the operating and personal licences. It is also worth noting that we will not deal with concerns about manufacture, supply or repair of gaming machines but these concerns will be notified to the Gambling Commission.

7.6 We will also keep ourselves informed of developments regarding the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

7.7 Bearing in mind the principle of transparency, our Corporate Enforcement Policy is available upon request from the licensing team (see details on page 7) or online at: <http://www.selby.gov.uk/enforcement-policy>.

8. Licensing Authority functions

8.1 As the Licensing Authority we are required under the Act to:

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

8.2 It should be noted that local licensing authorities will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via Operator Licences.

PART B

PREMISES LICENCES: CONSIDERATION OF APPLICATIONS

9. General Principles

- 9.1 Premises Licences will be subject to the requirements set-out in the Act and 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.

Decision-making

- 9.2 We are aware that in making decisions about premises licences we should aim to permit the use of premises for gambling in so far as we think it is:
- 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 authority's statement of licensing policy (which is available to view at the following webpage: <http://www.selby.gov.uk/licensing-policies>)
- 9.3 It is appreciated that as per the Gambling Commission's Guidance for local authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" (except as regards any 'no casino resolution' - see section on Casinos below) and also that unmet demand is not a criterion for us.

10. Definition of “premises”

- 10.1 In the Act “premises” is defined as including “any place”. Section 152 therefore prevents more than one premises licence applying to any place. But 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. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.
- 10.2 The Gambling Commission states in the fifth edition of its Guidance to Licensing Authorities that: “in most cases the expectation is that a single building/plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the

Gambling 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.

10.3 We take particular note of the Gambling Commission's Guidance to Local Authorities 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.
- Customers should be able to participate in the activity named on the premises licence.

10.4 The Guidance also gives a list of factors which we should be aware of when considering if two or more proposed premises are truly separate, which may include:

- 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?

10.5 We will consider these and other relevant factors in making decision, depending on all the circumstances of the case.

10.6 The Gambling Commission’s relevant access provisions (as defined at 7.23 of the Guidance) for each premises type are reproduced below:

Type of premises	Access Provisions
Casinos	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • No customer must be able to access the premises directly from any other licensed gambling premises
Betting Shops	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • No customer should be able to access the premises directly from: <ul style="list-style-type: none"> - a casino, or - an adult gaming centre
Bingo Premises	<ul style="list-style-type: none"> • No customer must be able to access the premises directly from: <ul style="list-style-type: none"> - a casino - an adult gaming centre, or - a betting premises, other than a track
Family Entertainment Centre	<ul style="list-style-type: none"> • No customer must be able to access the premises directly from: <ul style="list-style-type: none"> - a casino - an adult gaming centre, or - a betting premises, other than a track

10.7 Part 7 of the Gambling Commission’s Guidance to Licensing Authorities contains further guidance on this issue, which we will also take into account in our decision-making.

11. Premises “ready for gambling”

11.1 The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that we can be satisfied is 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.

- 11.2 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.
- 11.3 In deciding whether a premises licence can be granted where there is outstanding construction or alteration works at premises, this authority will determine applications on their merits, applying a two stage consideration process:
- **Stage 1:** whether the premises ought to be permitted to be used for gambling
 - **Stage 2:** 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.
- 11.4 Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.
- 11.5 More detailed examples of the circumstances in which such a licence may be granted can be found at paragraphs 7.59-7.66 of the Guidance.

12. Location:

- 12.1 We are aware that demand issues cannot be considered with regard to the location of premises, but that considerations in terms of the licensing objectives are relevant to our decision-making. As per the Gambling Commission's Guidance to Local Authorities, we will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this policy statement will be updated.
- 12.2 We will need to be satisfied that there is sufficient evidence that the particular location of the premises would be harmful to the licensing objectives before refusing. From 6 April 2016, it has been a requirement of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP), under Section 10, for licensees to assess the local risks to the licensing objectives posed by the provisions of gambling facilities at each of their premises, and have policies, procedures and control measure to mitigate those risks. In undertaking their risk assessments, they must take into account relevant matters identified in this policy statement.
- 12.3 The LCCP say that licensees must review (and update as necessary) their local risk assessments:
- to take account of significant changes in local circumstances, including those identified in this policy statement;
 - when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
 - when applying for a variation of a premises licence; and
 - in any case, undertake a local risk assessment when applying for a new premises licence.

- 12.4 We expect the local risk assessment to consider as a minimum:
- the location of services for children such as schools, playgrounds, leisure/community centres and other areas where children will gather;
 - the demographics of the area in relation to vulnerable groups;
 - whether the premises is in an area subject to high levels of crime and/or disorder.
- 12.5 Local risk assessments should show how vulnerable people, including people with gambling dependencies are protected.
- 12.6 It should be noted that any such 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 the concerns can be overcome.

13. Duplication with other regulatory regimes:

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

14. Licensing objectives

- 14.1 Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, we have considered the Gambling Commission's Guidance to Local Authorities:

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

We are aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where 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. We are aware of the distinction between disorder and nuisance and will

consider factors (for example whether police assistance was required and how threatening the behaviour was to those who could see it) so as to make that distinction.

14.3 Ensuring that gambling is conducted in a fair and open way

We note that the Gambling Commission states that it generally does not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences (but, if such concerns come to our notice we will forward them to the Commission). There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section below.

14.4 Protecting children and other vulnerable persons from being harmed or exploited by gambling

We have noted the Gambling Commission's Guidance that 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). We will therefore consider, as suggested in the Gambling Commission's Guidance, 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.

14.5 We will also make ourselves aware of the Codes of Practice which the Gambling Commission issues as regards this licensing objective, in relation to specific types of premises.

14.6 As regards the term "vulnerable persons" it is noted that the Gambling Commission does not seek to offer a definition but states that "it will for regulatory purposes assume that this group includes:

- people who gamble more than they want to;
- people gambling beyond their means; and
- people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs."

14.7 We will consider this licensing objective on a case by case basis.

15. Conditions

15.1 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.

15.2 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures we will consider utilising should there be a perceived need, such as:

- the use of door supervisors;
- supervision of adult gaming machines; and
- appropriate signage for adult only areas etc.

15.3 There are specific comments made in this regard under some of the licence types below. We will also expect the licence applicant to offer his/her own suggestions as to ways in which the licensing objectives can be met effectively.

15.4 We will also 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-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

15.5 We will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- 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.

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

15.7 It is noted that there are conditions which we cannot attach to premises licences these are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
- conditions in relation to stakes, fees, winning or prizes.

16. Door Supervisors

16.1 The Gambling Commission advises in its Guidance to Licensing Authorities that if we are concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then we may require that the entrances to the premises are controlled by a door supervisor, and we are entitled to impose a condition on the premises licence to this effect.

16.2 It is noted that the door supervisors at casinos or bingo premises are not required to be registered by the Security Industry Authority (SIA) under the Private Security Act 2001.

Where door supervisors are provided at these premises the operator should ensure that any persons employed in this capacity are fit and proper to carry out such duties. Possible ways to achieve this could be to carry out a Disclosure and Barring Service check on potential staff and for such personnel to have attended industry recognised training. Door supervisors not directly employed by a casino or bingo operator do have to be SIA registered.

17. Adult Gaming Centres

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

17.2 We may consider measures to meet the licensing objectives such as:

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

This list is not mandatory, nor exhaustive.

18. (Licensed) Family Entertainment Centres

18.1 Licensed Family Entertainment Centres (FECs) are those premises which usually provide a range of amusements such as computer games, penny pushers and may have a separate section for adult only 17 gaming machines with higher stakes and prizes. Licensed FECs will be able to make available unlimited category C and D machines where there is a clear segregation in place so children do not access the areas where the category C machines are located.

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

18.3 We may consider measures to meet the licensing objectives such as:

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

This list is not mandatory, nor exhaustive.

18.4 We will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. We will also make ourselves aware of any mandatory or default conditions on these premises licences.

19. Casinos

19.1 *No Casinos resolution* – We have not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but we are aware that we have the power to do so. Should we decide in the future to pass such a resolution, we will update this Statement of Principles with details of that resolution. Any such decision will be made by the Full Council.

19.2 *Licence considerations / conditions* – We will attach conditions to casino premises licences according to the principles set out in the Gambling Commission's Guidance at paragraph 9, bearing in mind the mandatory conditions listed at paragraph 17 of the Guidance, and the Licence Conditions and Codes of Practice published by the Gambling Commission.

20. Bingo premises

20.1 We note that the Gambling Commission's Guidance states:

20.2 Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

20.3 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.

21. Betting premises

21.1 *Betting machines* - Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence. When considering whether to impose a condition to restrict the number of betting machines in particular premises, we will, amongst other things, take into account:

- the size of the premises;
- the number of counter positions available for person-to-person transactions; and
- the ability of staff to monitor the use of the machines by vulnerable persons

21.2 Where an applicant for a betting premises licence intends to offer higher stake category B gaming machines (categories B2-B4) including any Fixed Odds Betting Terminals (FOBTs), then applicants should consider the control measures related to the protection of vulnerable persons.

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

Appropriate licence conditions may be:

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

This list is not mandatory, nor exhaustive.

22. Tracks

22.1 Tracks (as defined by s353 the Act means a horse-race course, dog track or other premises on any part of which a race or other sporting event takes place or is intended to take place) are different from other premises in that there may be more than one premises licence in effect and that the track operator may not be required to hold an operating licence as there may be several premises licence holders at the track which will need to hold their own operating licences.

22.2 There may be some specific considerations with regard to the protection of children and vulnerable persons from being harmed or exploited by gambling and this authority would expect the premises licence applicants 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,

although they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

We may consider measures to meet the licensing objectives such as:

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

This list is not mandatory, nor exhaustive.

22.3 *Gaming machines* – 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.

22.4 *Betting machines* – We have a power under the Act, to restrict the number of betting machines, their nature and the circumstances in which they are made available, by attaching a licence condition to a betting premises licence. In relation to betting premises away from tracks, we will take into account the size of the premises and the ability of staff to monitor the use of the machines by vulnerable people when determining the number of machines permitted.

22.5 Similar considerations apply in relation to 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 machine. We will consider restricting the number and location of betting machines, in the light of the circumstances of each application for a track betting premises licence.

22.6 We take the view that it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences. This would ensure that there was clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

22.7 **Condition on rules being displayed** - This authority will consider whether to attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office.

22.8 **Applications and plans** – The Gambling Act (s51) requires applicants to submit plans of the premises with their application, in order to ensure that we have the necessary information to make an informed judgement about whether the premises are fit for gambling.

The plan will also be used for us to plan future premises inspection activity. (See Guidance to Licensing Authorities, paragraph 20.28).

22.9 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 (See Guidance to Licensing Authorities 20.29).

22.10 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 (See Guidance to Licensing Authorities 20.31).

22.11 In 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 premises boundaries do not need to be defined (See Guidance to Licensing Authorities, paragraphs 20.32).

22.12 We appreciate 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 so 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. (See Guidance to Licensing Authorities, paragraph 20.33).

23. Travelling Fairs

23.1 Where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, we are responsible for deciding whether the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

23.2 We will also consider whether the applicant falls within the statutory definition of a travelling fair.

23.3 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. We will work with our neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

24. Provisional Statements

24.1 Developers may wish to apply to us 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.

24.2 Section 204 of the Gambling 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

24.3 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.

24.4 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.

24.5 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. We will be constrained in the matters we 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

24.6 In addition to this, we 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 premise has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and we note that it can discuss any concerns it has with the applicant before making a decision.

25. Reviews

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

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives and

- in accordance with this Gambling Act 2005 - Statement of Principles.

25.2 The request for the review will also be subject to our consideration as to whether the request is frivolous, vexatious, or whether it will certainly not cause us to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

25.3 We 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.

25.4 Once we have received a valid application for a review, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after we receive the application, we will publish notice of the application within 7 days of receipt.

25.5 We must carry out the review as soon as possible after the 28 day period for making representations has passed.

25.6 The purpose of the review will be to determine whether we should take any action in relation to the licence. If action is justified, the options open to us are to:-

- (a) add, remove or amend a licence condition we impose;
- (b) exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
- (c) suspend the premises licence for a period not exceeding three months; and
- (d) revoke the premises licence

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

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

25.9 Once the review has been completed, we must, as soon as possible, notify our 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

PART C

Permits / Temporary & Occasional Use Notice

26. Unlicensed Family Entertainment Centre gaming machine permits

26.1 Where a premises does not hold a Premises Licence but wishes to provide gaming machines, it may apply to us for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238 of the Act).

26.2 The Act states that a Licensing Authority may prepare a *statement of principles* that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25 of the Act.

26.3 S24.9 of the Guidance also states: "An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application" Licensing Authorities might wish to consider asking applications to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and
- that staff are trained to have a full understanding of the maximum stakes and prizes.

26.4 It should be noted that a Licensing Authority cannot attach conditions to this type of permit.

26.5 **Statement of Principles:** We expect applicants to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits. However, they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises. We also expect (as per Gambling Commission Guidance), that applicants demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and
- that staff are trained to have a full understanding of the maximum stakes and prizes.

27. (Alcohol) Licensed premises gaming machine permits

27.1 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 us, as the licensing authority. We can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of Section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

27.2 **Permit: 3 or more machines-** If a premises wishes to have more than 2 machines, then it needs to apply for a permit and we must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as [we] think relevant.*”

27.3 We consider 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 authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff, who will monitor that the machines are not being used by those under 18. Notices and signage may also be of help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

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

27.5 It should be noted that we can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

27.6 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.

28. Prize Gaming Permits

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

28.2 We have prepared a Statement of Principles which is that the applicant should 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;
- that the gaming offered is within the law
- clear policies that outline the steps to be taken to protect children from harm.

- 28.3 In making our decision on an application for this permit we do not need (but may) have regard to the licensing objectives but must have regard to any Gambling Commission guidance.
- 28.4 It should be noted that there are conditions in the Act by which the permit holder must comply, but to which we 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.

29. Club Gaming and Club Machines Permits

- 29.1 Members Clubs and Miners' welfare institutes may apply for a Club Gaming Permit or a Club Gaming Machines Permit. A Commercial Club may only apply for a Club Machine Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B3A, B4, C or D), equal chance gaming and games of chance as set out in regulations. A Club Gaming Machine Permit will enable the premises to provide gaming machines (3 machines of categories B3A, B4, C or D). Only one category B3A machine can be sited as part of this entitlement.
- 29.2 Gambling Commission Guidance for licensing authorities 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 regulations and these cover bridge and whist clubs, which replicate 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."
- 29.3 Before granting the permit we will need to be satisfied that the premises meet the requirements of a members' club and we may grant the permit only if the majority of members are over 18 years old.
- 29.4 We are aware that we may only refuse an application on the grounds that:
- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
 - (b) the applicant's premises are used wholly or mainly by children and/or young persons;
 - (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
 - (d) a permit held by the applicant has been cancelled in the previous ten years; or
 - (e) an objection has been lodged by the Commission or the police.

- 29.5 There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Gambling Act 2005 (Schedule 12 paragraph 10). Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced.
- 29.6 The grounds on which an application under the process may be refused are that:
- (a) the club is established primarily for gaming, other than gaming prescribed under schedule 12;
 - (b) in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
 - (c) a club gaming permit or club machine permit issued to the applicant in the last ten years have been cancelled."
- 29.7 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.

30. Temporary Use Notices

- 30.1 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 Temporary Use Notices, according to the Gambling Commission, would include hotels, conference centres and sporting venues.
- 30.2 We can only grant a Temporary Use Notice to a person or company holding a relevant operating licence i.e. a non-remote casino operating licence.
- 30.3 The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this statement the relevant regulations (The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities for equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.
- 30.4 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 the Gambling Commission Guidance to Licensing Authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place".
- 30.5 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.
- 30.6 We expect 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 to Licensing Authorities.

31. Occasional Use Notices:

- 31.1 The Act provides that where there is betting on a track on eight days or fewer in a calendar year, betting may be permitted by an Occasional Use Notice without the need for a full premises licence.
- 31.2 We have very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. We will, however, consider the definition of a 'track' and whether the applicant is permitted to benefit him/herself of the notice.

32. Registration of Small Society Lotteries

- 32.1 We will adopt a risk based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of an operator:
- submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
 - submission of incomplete or incorrect returns
 - breaches of the limits for small society lotteries
- 32.2 Non-commercial gaming is permitted if it takes place at a non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:
- by, or on behalf of, a charity or for charitable purposes
 - to enable participation in, or support of, sporting athletic or cultural activities.

Appendix A – List of Consultees

The Gambling Act requires that the following parties be consulted on the Licensing Policy:

(a) The Chief Officer of Police

Chief Constable, North Yorkshire Police

(b) One or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area

Done Brothers (Cash Betting) Ltd
Betfred
Ladbrokes Betting & Gaming Ltd
Ladbrokes
Stan James
William Hill Organisation Ltd
William Hill Bookmakers
William Hill Bookmakers
William Hill
Bowl 'N' Fun
Gamestec Leisure Limited
Popleston Allen

Selby Bowling Club
Inspiring Healthy Lifestyles
BACTA
Association of British Bookmakers Ltd
The Bingo Association
Greyhound Board of Great Britain
The Jockey Club
Federation of Licensed
Victuallers Associations
Alcohol Premises Licence Holders

(c) One or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under the Gambling Act 2005.

Matthew France, Police Licensing
Officer
Chief Fire Officer
The Gambling Commission
H M Revenue & Customs
Social Services Strategy &
Performance
Officer
GamCare
GambleAware
Health and Safety Executive

North Yorkshire Trading Standards
Mr Nigel Adams, MP
Selby District Councillors
Selby District Town and Parish
Councils
Selby District Council Licensing
Committee
Selby District Council Policy Review
Committee
Responsible Authorities

Appendix B – Responsible Authorities

This list of Responsible Authorities is also available on our website www.selby.gov.uk

North Yorkshire Police (For Licensing applications only)
North Yorkshire Police Headquarters
The Licensing Section
Fulford Road
York
YO10 4BY
nyplicensing@northyorkshire.pnn.police.uk

The Gambling Commission

Victoria Square House
Victoria Square
Birmingham
B2 4BP
Tel: 0121 230 6500

Lead Officer – Development Control

Selby District Council
Civic Centre
Doncaster Road
Selby
YO8 9FT

The Licensing Officer

Selby Police Station
Portholme Road
Selby
North Yorkshire
YO8 4QQ

Solicitor to the Council

Selby District Council
Civic Centre
Doncaster Road
Selby
YO8 9FT

North Yorkshire Fire and Rescue Authority

Chief Fire Officer
Fire Brigade Headquarters
Crosby Road
Northallerton
North Yorkshire
DL6 1AB
www.northyorksfire.gov.uk/contact-us

Social Services

Strategy & Performance Officer
Children & Young People's Service
Room SB012
County Hall,
Racecourse Lane
Northallerton
DL8 7AE

H M Revenue & Customs

National Registration Unit (Betting & Gaming)
Portcullis House
21 India Street
Glasgow
G2 4PZ

Tel: 0141 555 3633

Environmental Health

Selby District Council
Civic Centre
Doncaster Road
Selby
YO8 9FT

Health & Safety Section

Environmental Health Department
Selby District Council
Civic Centre
Doncaster Road
Selby
YO8 9FT

Appendix C - Table of delegation of licensing functions

Matter to be dealt with	Full Council	Licensing Sub Committee	Officers
Application for premises licences		✓ Where representations have been received and not withdrawn	✓ Where no representations received / representations have been withdrawn
Application for a variation to a licence		✓ Where representations have been received and not withdrawn	✓ Where no representations received / representations have been withdrawn
Application for a transfer of a licence		✓ Where representations have been received from the Commission or responsible authority	✓ Where no representations received from the Commission or responsible authority
Review of a premises licence		✓	
Application for a provisional statement		✓ Where representations have been received and not withdrawn	✓ Where no representations received/representations have been withdrawn
Application for club gaming / club machine permits		✓ Where objections have been made and not withdrawn	Where no objections made/objections have been withdrawn
Cancellation of club gaming / club machine permits		✓	
Applications for other permits		✓ Where the application is for 5 or more machines	✓ (except where there is a possibility of refusal or grant of a reduced number of gaming or betting machines)
Cancellation of licensed premises gaming machine permits			✓
Consideration of temporary use notice			✓
Decision to give a counter notice to a temporary use notice		✓	

Matter to be dealt with	Full Council	Licensing Sub Committee	Officers
Determination as to whether a representation is frivolous, vexatious or repetitive		✓	
Fee Setting – when appropriate		✓	
Three year Gambling Policy	✓		
Policy not to permit casinos	✓		

✓ indicates the lowest level to which decisions can be delegated.

NB. The Council reserves the right to amend this table of delegation

Appendix D – Categories of Gaming Machines

Section 236 of the Gambling Act 2005 provides for the Secretary of State to make regulations to define four classes of gaming machine: categories A, B, C, and D, with category B further divided into sub-categories. The regulations define the classes according to the maximum amount that can be paid for playing the machine and the maximum prize it can deliver.

The following table shows the different categories of machine and the maximum stakes and prizes that currently apply.

Category of machine	Maximum stake (from Jan 2014)*	Maximum prize (from Jan 2014)*
A	No category A gaming machines are currently permitted	
B1	£5	£10,000*
B2	£100	£500
B3A	£2	£500
B3	£2	£500
B4	£2	£400
C	£1	£100
D – non-money prize (other than a crane grab machine or a coin pusher or penny falls machine)	30p	£8
D – non-money prize (crane grab machine)	£1	£50
D – money prize (other than a coin pusher or penny falls machine)	10p	£5
D – combined money and non-money prize (other than a coin pusher or penny falls machine)	10p	£8 (of which no more than £5 may be prize money)
D – combined money and non-money prize (coin pusher or penny falls machine)	20p	£20 (of which no more than £10 may be prize money)

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



Public Session

Report Reference Number: C/16/20

Agenda Item No: 13

To:	Council
Date:	25 April 2017
Author:	Gillian Marshall Solicitor to the Council
Lead Officer:	Gillian Marshall Solicitor to the Council
Executive Lead:	Cllr Mark Crane, Leader of the Council

Title: Fixed Odds Betting Terminals

Summary:

Fixed Odds Betting Terminals (FOBTs) are gaming machines capable of rapid play with high stakes and prizes which have led to these machines becoming the most harmful type of gambling. FOBTs are found in betting shops which are entitled to have 4 per premises. There is concern that this has led to a proliferation of betting shops in deprived areas. This may also lead to a loss of amenity in the high street, and potential crime and disorder which goes largely unreported.

London Borough of Newham initially highlighted this issue with a proposal under the Sustainable Communities Act to limit the stakes on FOBTs to £2. Since then there has been a number of studies which have made suggestions on how to curb the issues. Recently the All Party Parliamentary Group on

Recommendations:

- (i) That Council support the Fixed Odds Betting Terminal All Party Parliamentary Group's representations to Government.**

Reasons for recommendation

To help make Selby a great place to enjoy life.

1. Introduction and background

- 1.1 Fixed Odds Betting Terminals (FOBTs) are touch screen electronic gaming machines found in betting shops across the United Kingdom. FOBTs provide

a variety of games including casino games such as roulette, poker and blackjack, electronic slot games and virtual racing. FOBTs are classified as Category B2 machines and have maximum stake of £100 and prize per spin of £500. Only betting shops are able to site FOBTs on their premises.

- 1.2 FOBTs came to prominence in 2002 when roulette was introduced. At that time, Fixed Odds Betting Terminals were not regulated or categorised by Government, therefore bookmakers sited them in betting shops without any clear operating parameters agreed with regulatory bodies such as the Gaming Board of Great Britain (GBGB). The GBGB took one bookmaker (William Hill) to court over this type of machine, but the matter was dealt with when the national bookmakers volunteered self-regulation in the form of a Code of Practice.
- 1.3 FOBTs are unique; they were categorised as B2 Gaming Machines in the 2005 Gambling Act, but they contain two categories of game content. Casino games are referred to as B2 and slot games are B3. Both types of games are capped at £500 maximum prize per spin. You can bet up to £100 per spin every 20 seconds on casino games (B2) and up to £2 per spin on slot games (B3). No other gaming machine allows such high speed, high stake play.
- 1.4 In 2005 the then Minister of State at the Department of Culture, Media & Sport, Richard Caborn, said: “High stake slot machines, including FOBTs, remain on probation and we will continue to adopt a cautious approach. Government will not hesitate to act should there be sound evidence of harm.”
- 1.5 Councils are currently hamstrung in their ability to deal with the issue of high street clustering as the Gambling Act 2005 created a permissive licensing regime, removing any control over numbers of premises from local government.
- 1.6 Between 2002 and 2012 the number of FOBTs rose to over 34,000 and the profit generated for bookmakers reached over £1.4 billion per year (gross profit from FOBTs alone in 2012 according to Gambling Commission figures). Ladbrokes, William Hill and Coral made more than £900 per week profit from each roulette machine they operate and they are allowed to have up to four per betting shop. Approximately 50% of all profits made by land based bookmakers are now derived from FOBTs. The game driving this explosion in profits is roulette, which accounts for approximately 90% of turnover and profit.
- 1.7 FOBTs have been a regular feature in the headlines over the last 10 years due to the highly addictive nature of electronic roulette games and this has led to them being described as the “crack cocaine of gambling”. In 2008 a Gambling Commission report on the Impact of high-stake, high-prize gaming machines on problem gambling stated:

“while EGMs (FOBTs) appear to appeal to many ordinary gamblers, they seem to be particularly attractive to those at risk of problem gambling and to those with a gambling problem. The available research has identified the sort of features that appeal to gamblers (example: fast games, multi-stake, high payout ratio, free games) and that are therefore associated with higher levels of both gambling and gambling-related harm” (Parke and Griffiths 2007).

- 1.8 The London Borough of Newham initially proposed to submit a request under the Sustainable Communities Act to reduce the maximum bet per spin on Fixed-Odds Betting Terminals (FOBTs) in on-street betting shops from £100 to £2. Newham has one of the highest numbers of betting shops of any London borough. According to the Newham report, there are now more than 33,400 FOBTs offering casino content on high streets illustrating this is a nation-wide issue. There are also more than twice as many betting shops in the poorest 55 boroughs compared with the most affluent 115, which are equivalent by population. More recently the issue has been taken up by the FOBT All Party Parliamentary Group.

2 The Report

- 2.1 The FOBT All Party Parliamentary Group (APPG) is a group of MPs from all parties who are primarily concerned with the issue of FOBTs and the problems they are causing in communities. The APPG has asked if this Council will become a supporter of the Group.
- 2.2 The APPG has just launched the report of an in-depth inquiry “Fixed Odds Betting Terminals - Assessing the Impact”. This inquiry took looked at all the issues and concerns associated with FOBTs. It heard evidence from a wide range of stakeholders including those who have used the machines, Local Government representatives, academics, addiction specialists, policy makers and representatives from the gambling sector. It also heard evidence from RGSB, Gamble Aware, the Gambling Commission and Tracey Crouch MP, the Gambling Minister, who commended the work of the group.
- 2.3 The report makes a number of recommendations, the most important of which is that the Government should significantly reduce the maximum stake playable on a FOBT. The full report can be viewed at www.fobt-appg.com. The findings of the report include
- That there is now a ‘prima facie’ case for significantly reducing the maximum stake that can be wagered on a FOBT
 - At the very least the stake should be reduced on a precautionary basis, in line with the principles which govern the work of the Gambling Commission, until sufficient evidence is presented to the Government that the high stakes on these machines do not cause harm

- That the Gambling Commission “have failed” to adequately advise the Government in recent years, despite the principles for regulation and licensing under which the Gambling Commission operates
- That there is a case for the maximum stake to be reduced to £2
- Government should also consider reducing the speed of spin on a FOBT in order to reduce the potential for harm to be caused and also review the number of FOBTs permitted in an individual bookmaker
- Government should address localism concerns and calls for greater controls over FOBTs at the local level. Powers should be given to local authorities to prevent the clustering of betting shops.

2.4 The APPG will continue to lobby the Government as DCMS move to publish its Review of Stakes and Prizes. In pursuit of this, it will be using the findings of the inquiry to put the case for action to Government.

2.5 This Council recently consulted on a draft Gambling Policy which appears elsewhere on the agenda for consideration. As part of this consultation, Selby Town Council responded to say –

The Town Council considered the Gambling Policy and your letter dated 24 January 2017 at their meeting last night.

Concern was raised over the Fixed Odds Betting Terminals and suggest that a limit to the stake being made be reduced from £100.00 to £2.00. It was felt that there is a possibility of money laundering with so much money going into the machines and other vulnerable people may be exploited with such high stakes available.

However, this Council does not have powers to make these changes within the existing legal framework. A change to primary legislation will be required.

2.6 The position and impact in Selby District is shown in the table below:

Name	Address	B2 Machine Fixed Odds Betting Terminal
Bet Fred	31-33 Micklegate, Selby	Yes
Bet Fred	Low Street, Sherburn	Yes
Ladbrokes	4 Market Cross, Selby	Yes
Stan James	15 Market Place, Selby	No
William Hill	35 Micklegate, Selby	Yes
William Hill	58 Gowthorpe, Selby	Yes
William Hill	12 Bridge Street, Tadcaster	Yes

3 Legal/Financial Controls and other Policy matters

Legal Issues

- 3.1 Changes to the rules around FOBTs including changes to the maximum stakes or control on the numbers in any locality will require primary legislation therefore lobbying Government is appropriate.

Financial Issues

- 3.2 None

Impact Assessment

- 3.3 Of the 7 licensed premises, 5 are in the centre of Selby which are located close to the deprived areas of the District. Given the concerns about FOBTs and despite the relatively low numbers of machines in the District, the issue has potential to impact upon the area.

4. Conclusion

- 4.1 The concern with FOBT is the rapid play and high stakes and prizes which has led to these machines becoming the most harmful type of gambling. The capping of FOBTs to 4 per premises has led to a proliferation nationally of betting shops in deprived areas.
- 4.2 The FOBT APPG recently reported on the matter. They feel that there is now a 'prima facie' case for significantly reducing the maximum stake that can be wagered on a FOBT. They also consider that Government should address localism concerns and call for greater controls over FOBTs at the local level. Powers should be given to local authorities to prevent the clustering of betting shops.

5. Background Documents

The FOBT APPG Report
<http://www.fobt-appg.com/wp-content/uploads/2017/01/FINAL-FOBT-APPG-REPORT.pdf>

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Appendices:

None