

Council Agenda



6.00 pm Thursday, 25 April 2019
Council Chamber, Town Hall,
Darlington. DL1 5QT

Members of the Public are welcome to attend this Meeting.

1. Introductions / Attendance at Meeting.
2. Minutes - To approve the Minutes of the Meetings of this Council held on 31 January 2019 and 21 February 2019 (Pages 1 - 12)
3. Declarations of Interest.
4. Sealing.
5. Announcements.
6. Questions - To answer questions (where appropriate notice has been given from):-
 - (a) The Public;
 - (b) Members to Cabinet/Chairs;
 - (c) Members to the Police, Crime and Victims' Commissioner for Durham and Darlington.
7. Council Reports.
 - (a) Licensing Principles for Gambling Act 2005 –
Report of the Director of Economic Growth and Neighbourhood Services
(Pages 13 - 66)
8. Cabinet Reports.
 - (a) Overview Report of the Leader and the Efficiency and Resources Portfolio;
(Pages 67 - 72)

- (b) Overview Report of the Adult Social Care Portfolio; (Pages 73 - 74)
 - (c) Overview Report of the Children and Young People Portfolio; (Pages 75 - 78)
 - (d) Overview Report of the Community Safety Portfolio; (Pages 79 - 82)
 - (e) Overview Report of the Economy and Regeneration Portfolio; (Pages 83 - 86)
 - (f) Overview Report of the Housing, Health and Partnerships Portfolio; and (Pages 87 - 90)
 - (g) Overview Report of the Leisure and Local Environment Portfolio. (Pages 91 - 98)
 - (h) Cabinet Urgent Decisions –
Report of the Managing Director
(Pages 99 - 102)
9. Scrutiny Reports - To consider Scrutiny Overview Reports:-
- (a) Adults and Housing Scrutiny Committee; (Pages 103 - 104)
 - (b) Children and Young People Scrutiny Committee; (Pages 105 - 108)
 - (c) Efficiency and Resources Scrutiny Committee; (Pages 109 - 110)
 - (d) Health and Partnerships Scrutiny Committee; and (Pages 111 - 114)
 - (e) Place Scrutiny Committee. (Pages 115 - 116)
10. Membership Changes - To consider any membership changes to Committees, Subsidiary Bodies and Other Bodies.



Luke Swinhoe
Assistant Director Law and Governance

Monday, 15th April 2019

Town Hall
Darlington.

Membership

The Mayor, Councillors Baldwin, Carson, Cartwright, Cossins, Coultas, Crichlow, Crudass, Crumbie, Mrs Culley, Curry, Dixon, Donoghue, Galletley, Grundy, Harker, Haszeldine, Heslop, C L B Hughes, L Hughes, Johnson, B Jones, Mrs D Jones, Kane, Kelley, Kelly, Knowles, Lawton, Lee, Lister, Lyonette, Marshall, McEwan, Mills, Newall, K Nicholson, M Nicholson, Nutt, Rahman, S Richmond, E A Richmond, A J Scott, Mrs H Scott, Storr, C Taylor, J Taylor, Tostevin, Wallis, Wright and York

If you need this information in a different language or format or you have any other queries on this agenda please contact Paul Dalton, Elections Officer, Resources Group, during normal office hours 8.30 a.m. to 4.45 p.m. Mondays to Thursdays and 8.30 a.m. to 4.15 p.m. Fridays Email: paul.dalton@darlington.gov.uk or Telephone 01325 405805

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COUNCIL

Thursday, 31 January 2019

PRESENT – The Mayor, Councillors Baldwin, Carson, Cossins, Coultas, Crichlow, Crudass, Mrs Culley, Curry, Donoghue, Galletley, Harker, Haszeldine, Heslop, C L B Hughes, L Hughes, Johnson, B Jones, Mrs D Jones, Kane, Knowles, Lawton, Lee, Lister, Lyonette, Marshall, McEwan, Mills, Newall, K Nicholson, S Richmond, E A Richmond, A J Scott, Mrs H Scott, Storr, C Taylor, J Taylor, Tostevin, Wallis and York

APOLOGIES – Councillors Crumbie, Kelley, Kelly, M Nicholson, Nutt and Rahman

ABSENT – Councillors Cartwright, Dixon, Grundy and Wright

38 **MINUTES - TO APPROVE THE MINUTES OF THE MEETING OF THIS COUNCIL HELD ON 29 NOVEMBER 2018**

Submitted – The Minutes (previously circulated) of the meeting of this Council, held on 29 November 2018.

RESOLVED – That the Minutes be approved as a correct record.

39 **DECLARATIONS OF INTEREST.**

There were no declarations of interest reported at the meeting.

40 **SEALING.**

Presented – The Register showing the documents which had been sealed since the last meeting of Council.

41 **ANNOUNCEMENTS.**

The Mayor reported on the death of Former Mayor and Councillor Hannah Straiton, who had sadly passed away on 8 January 2019, and referred to Former Councillor Straiton's years of service, and roles on the Council.

The Mayor advised of the death of Former Councillor Margaret Thomas, who had passed away peacefully at home on 15 January 2019.

The Mayor also informed Members of the Death in Service of Stephen Willis on 13 January 2019.

As a mark of respect, Members stood and observed a short silence in memory of former colleagues.

42 **QUESTIONS - TO ANSWER QUESTIONS (WHERE APPROPRIATE NOTICE HAS BEEN GIVEN FROM):-**

(1) THE PUBLIC;

There was one question, with notice, from a member of the public, who received an answer thereon.

(2) MEMBERS TO CABINET/CHAIRS;

There were no questions from Members, where notice had been given, for the Mayor, Members of the Cabinet, or the Chairs of the Scrutiny Committees.

(3) MEMBERS TO THE POLICE, CRIME AND VICTIMS' COMMISSIONER FOR DURHAM AND DARLINGTON.

The Police, Crime and Victims' Commissioner for Durham and Darlington, had submitted his apologies for the meeting.

43 COUNCIL REPORTS.

(4) COUNCIL TAX CALCULATION OF TAX BASE 2019/20

The Managing Director submitted a report (previously circulated) to determine the Council's tax base for 2019/20.

The submitted report stated that, in accordance with Section 33 of the Local Government Finance Act 1992 and the Local Authorities (Calculation of Council Tax Base) Regulations 2012, the Council had to decide its tax base by 31 January in the year preceding that for which the tax base applies.

RESOLVED – (a) That the calculation of the Council's tax base for the year 2019/20, be approved.

(b) That the tax base for the Council and the individual tax base for the parishes, as set out at Appendix 2 of the submitted report, be approved.

REASON - To comply with statutory requirements, enabling the Council Tax for 2019/20 to be set by Council in February 2019.

44 CABINET REPORTS.

The Cabinet Members each gave a report (previously circulated) on the main areas of work undertaken under their relevant portfolio during the previous cycle of meetings. Cabinet Members answered questions on their portfolios.

45 SCRUTINY REPORTS - TO CONSIDER SCRUTINY OVERVIEW REPORTS:-

The five Scrutiny Committee Chairs each submitted a report (previously circulated) on the main areas of work undertaken by their relevant Scrutiny Committee during the last cycle of Committee meetings

46 NOTICE OF MOTIONS

(5) APPRENTICESHIP AGREEMENT

The following Motion was moved by Councillor Haszeldine, and seconded by Councillor Kane:

That this Council will sign a local apprenticeship agreement with Unison that promises to:

- (i) Conduct a skills audit, to properly determine this Council's needs.
- (ii) Negotiate with relevant trade unions, to develop a high quality apprenticeship scheme, which ensures apprentices' rights are respected.
- (iii) Select and monitor a high-quality training provider.
- (iv) Recognise apprenticeships as investing in future labour, rather than 'cheap labour'.
- (v) Keep existing employees informed about the introduction of the apprenticeship scheme.
- (vi) Provide support and training for the supervisors of apprentices.
- (vii) Meet regularly with apprentices and their representatives.
- (viii) Actively challenge job stereotyping.
- (ix) Encourage and celebrate apprentices.

The Motion was put to the meeting and carried.

(6) GREAT JOBS AGENDA

The following Motion was moved by Councillor C. Taylor, and seconded by Councillor McEwan:

That, as this Council believes that every job should be a great job, for this Council that means workers in Darlington should be paid fairly; work in a safe and healthy workplace; be treated decently and with respect; have regular hours; have the chance to be represented by unions and be consulted on what matters at work; and get the chance to learn and progress at work and get on in life, this Council resolves to:

- (i) Support the TUC's Great Jobs Agenda, which sets out the actions employers and the government must take for every job to be a great job.
- (ii) Ensure as an employer we continue providing great jobs for our own employees.
- (iii) Continue to value meaningful workforce engagement and representation through our recognised trade unions.

- (iv) Continue our work with employers to secure business growth that is sustainable and ethical.
- (v) Make increasing job quality a key part of the conversation when pursuing local economic development opportunities.
- (vi) Use our commissioning and procurement processes where possible to raise employment standards amongst those suppliers and providers we work with.
- (vii) Where appropriate, engage with government and other bodies who hold regulatory powers, to tackle issues which local authorities do not have statutory powers to address directly.

The following Amendment to the Motion was moved by Councillor Mrs. H. Scott and seconded by Councillor Galletley:

‘That the last paragraph, sub-section (vii), be deleted from the Motion, as printed.’

The Amendment was put to the meeting and lost.

In accordance with Council Procedure Rules, a request was made by five Members for a named vote on the Substantive Motion. A named vote was taken of those Members present at the meeting and there appeared:-

For the Motion – The Mayor; Councillors Baldwin, Carson, Cossins, Coultas, Crichlow, Harker, Haszeldine, Heslop, C. L. B. Hughes, L. Hughes, Kane, Knowles, Lister, Lyonette, McEwan, Newall, K. Nicholson, A. J. Scott, Storr, C. Taylor, J. Taylor and Wallis (23)

Abstentions – Councillors Crudass, Mrs. Culley, Curry, Donoghue, Galletley, Johnson, B. Jones, Mrs. D. Jones, Lawton, Lee, Marshall, Mrs. H. Scott, Tostevin and York (14)

Motion Carried.

NOTE: Councillors Mills, E. A. Richmond and S. Richmond had left the meeting when the vote was taken.

47 MEMBERSHIP CHANGES - TO CONSIDER ANY MEMBERSHIP CHANGES TO COMMITTEES, SUBSIDIARY BODIES AND OTHER BODIES.

There were no membership changes reported at the meeting.

COUNCIL

Thursday, 21 February 2019

PRESENT – The Mayor, Councillors Carson, Coultas, Crichlow, Crudass, Crumbie, Mrs Culley, Curry, Donoghue, Galletley, Harker, Haszeldine, Heslop, Johnson, B Jones, Kane, Knowles, Lawton, Lister, Lyonette, Marshall, McEwan, Newall, M Nicholson, Nutt, S Richmond, E A Richmond, A J Scott, Mrs H Scott, Storr, C Taylor, J Taylor, Tostevin and Wallis

APOLOGIES – Councillors Baldwin, Cossins, Grundy, C L B Hughes, Mrs D Jones, Kelley, Lee, Mills, K Nicholson, Rahman and York

ABSENT – Councillors Cartwright, Dixon, L Hughes, Kelly and Wright

48 DECLARATIONS OF INTEREST.

There were no declarations of interest reported at the meeting.

49 MEDIUM TERM FINANCIAL PLAN

The Chief Officers Executive submitted a report (previously circulated) to seek approval for a Medium Term Financial Plan (MTFP) for 2019/20 to 2022/23, including setting a budget and Council Tax increase for 2019/20, and a 2019/20 to 2022/23 Capital Programme.

The submitted report stated that the Council had faced unprecedented financial challenges between the financial years 2010/11 to 2019/20, following the introduction of reductions in public sector spending. It was reported that, during the period to date, there had been an overall real terms decrease in government funding of £45.7m, which was anticipated to increase to £50.0m by 2022/23, and which had resulted in the Council agreeing reductions in planned expenditure of over £57m, leading to a reduction of 747 in the Council's workforce.

The submitted report highlighted that, since the draft MTFP was published, there had been a number of changes which affected the financial position, including the receipt of the Local Government Finance Settlement (LGFS) on 13 December 2018, which had confirmed the reduction of £2.8m in the revenue support grant and the extra one-off funding for social care of £0.856m announced in the 2018 budget. The submitted report stated that there was also additional funding of £0.346m allocated to Darlington, which was the distribution of surplus levy funding, and also some smaller increases in Top up Grant and New Homes Bonus at £0.020m and £0.038m respectively.

It was reported that a Treasury Management initiative had seen two Lender Option Borrower Option loans repaid, which resulted in a saving of £1.5m over the lifetime of the MTFP.

The submitted report outlined that the Council had undertaken a significant

consultation exercise in 2016, following an in-depth and detailed review of all services, which had resulted in the agreement of a Core Offer budget and allowed for a small futures fund allocated to discretionary services. In addition, in February 2018, when agreeing the 2018/19 MTFP Members, following consultation, agreed to use unallocated balances of £4.1m to invest in five areas which hold great value to the community. The submitted report stated that the core offer remained challenging, with some significant pressures arising in children's social care, however through innovative financial investments, economic growth successes, and the release of redundant earmarked reserves, it was anticipated that the Council could deliver the agreed balanced plan, extend the MTFP, increase balances, and allocate a further £0.600m to bolster the Future Fund Scheme.

In accordance with the requirements of the Budget and Policy Framework Rules a vote on the recommendation was taken of those Members present at the meeting and there appeared:-

For the Motion – The Mayor; Councillors Carson, Coultas, Crichlow, Crudass, Crumbie, Mrs. Culley, Curry, Donoghue, Galletley, Harker, Haszeldine, Heslop, Johnson, B. Jones, Kane, Knowles, Lister, Lyonette, Marshall, McEwan, Newall, M. Nicholson, Nutt, E. A. Richmond, S. Richmond, A. J. Scott, Mrs. H. Scott, Storr, C. Taylor, J. Taylor, Tostevin and Wallis (33)

Against the Motion – (0)

Abstentions – (0)

Motion Carried.

NOTE: Councillor Lawton was not present at the meeting when the vote was taken.

RESOLVED - (a) That the Revenue MTFP, as detailed in Appendix 7 of the submitted report, be approved, including the following:

- (i) Council tax increase of 2.99% for 2019/20;
- (ii) Schedule of charges, as detailed in Appendix 3 of the submitted report.

(b) That a delegation for Cabinet to vary the Revenue Budget for 2019/20 by up to £0.5m without further Council approval, be approved.

(c) That the Capital Programme, as summarised in Appendix 9 of the submitted report, be approved.

(d) That a delegation for Cabinet to vary the Capital Budget for 2019/20 by up to £0.5m without further Council approval, be approved.

REASONS - (a) The Council must set a budget for the next financial year.

(b) To enable the Council to continue to plan services and finances over the medium term.

(c) To ensure decisions can be made in a timely manner.

50 SETTING THE COUNCIL TAX FOR 2019/20

The Managing Director submitted a report (previously circulated) requesting that consideration be given to setting this Council's Council Tax for 2019/2020, which was required to be set before 11th March 2019.

In accordance with the requirements of the Budget and Policy Framework Rules a vote on the recommendation was taken of those Members present at the meeting and there appeared:-

For the Motion – The Mayor; Councillors Carson, Coultas, Crichlow, Crudass, Crumbie, Mrs. Culley, Curry, Donoghue, Galletley, Harker, Haszeldine, Heslop, Johnson, B. Jones, Kane, Knowles, Lister, Lyonette, Marshall, McEwan, Newall, M. Nicholson, Nutt, E. A. Richmond, S. Richmond, A. J. Scott, Mrs. H. Scott, Storr, C. Taylor, J. Taylor, Tostevin and Wallis (33)

Against the Motion – (0)

Abstentions – (0)

Motion Carried.

NOTE: Councillor Lawton was not present at the meeting when the vote was taken.

RESOLVED - (a) That the following amounts be calculated by the Council for 2019/20 in accordance with sections 31 to 36 of the Act and relevant regulations:-

(i)	the aggregate of the amount which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils, which is its expenditure	£223,852,448
(ii)	the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act, which is its income	£174,182,000
(iii)	the amount by which (i) exceeds (ii) calculated by the Council for the year in accordance with Section 31A(4) of the Act as its Council Tax Requirement	£49,670,448
(iv)	The amount at item 5(iii) above, divided by the council tax base in paragraph 13 below, calculated by the Council in accordance with Section 31B of the Act as the basic amount of its Council Tax for the year (including Parish Precepts)	£1,510.95
(v)	the aggregate of all special items (Parish Precepts) referred to in Section 34(1) of the Act as detailed in Appendix 1 of the submitted report	£174,448

- (vi) the amount at 5(iv) above less the result given by dividing the amount at 5(v) above by the amount at paragraph 13 below, calculated by the Council in accordance with Section 34(2) of the Act as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish Precept relates £1,505.64
- (vii) That the basic council tax for 2019/20 calculated for dwellings in those areas that have parish precepts be as set out in Appendix 1, column 5, of the submitted report
- (viii) That the Council, in accordance with Sections 30 and 36 of the Act, hereby sets the aggregate amounts shown in Appendix 2 of the submitted report as the amount of Council Tax for 2019/20 for each part of its area and for each of the categories of dwellings

(b) That it be noted that for the year 2019/20, the Office of the Durham Police, Crime and Victims' Commissioner has stated the following amounts in the precept issued to the Council, in accordance with Section 40 of the Act, for each of the categories of dwellings shown : -

	A	B	C	D	E	F	G	H
	£ p	£ p	£ p	£ p	£ p	£ p	£ p	£ p
Police Authority	136.83	159.63	182.44	205.24	250.85	296.46	342.07	410.48

(c) That it be noted that for the year 2019/20 County Durham and Darlington Fire and Rescue Service has stated the following amounts in the precept issued to the Council, in accordance with Section 40 of the Act, for each of the categories of dwellings shown: -

	A	B	C	D	E	F	G	H
	£ p	£ p	£ p	£ p	£ p	£ p	£ p	£ p
Fire Authority	69.00	80.50	92.00	103.50	126.50	149.50	172.50	207.00

(d) That the Council, in accordance with Section 30(2) of the Act hereby sets the amounts set out in Appendix 3 as the amounts of council tax for 2019/20 for each of the categories of dwellings.

REASON - To set the Council Tax for the Council's area in accordance with statutory requirements.

51 HOUSING REVENUE ACCOUNT - MTFP 2019/20 - 2022/23

The Director of Economic Growth and Neighbourhood Services submitted a report (previously circulated) requesting that consideration be given to proposals for the revenue budget, rent levels and service charges for the Council's Housing Revenue Account (HRA) for the financial year 2019/20 in the context of the HRA Medium Term Financial Plan to 2022/23, and the 30 year business plan.

The submitted report stated that the Government had introduced a compulsory 1% reduction in social and affordable rents through the Welfare Reform and Work Bill 2015, and that therefore all Council tenants would receive an average 61p reduction in weekly rent. It was stated that, where appropriate, some service charges had an inflationary increase. The submitted report highlighted that the Government had lifted the borrowing cap on the HRA, and this meant that the Council could increase its housing capital programme by £12m in 2019/20 alone, which would be supplemented by a Homes England grant, which meant that the Council would be able to build 100 affordable homes per annum over the next 10 years.

RESOLVED - (a) That an average weekly social rent reduction of 1% for 2019/20 be implemented, giving an average social rent of £70.53 and affordable rent of £77.92;

(b) That garage rents and service charges are increased as detailed in Table 3 of the submitted report;

(c) That the budget, as detailed in Appendix 1 of the submitted report, be approved.

(d) That the Housing Business Plan, as detailed in Appendix 2 of the submitted report, be agreed.

REASON - To enable the Council to deliver an appropriate level of service to tenants to meet housing need and to support the economic growth of the Borough through housing development.

52 DARLINGTON CAPITAL STRATEGY

The Managing Director submitted a report (previously circulated) requesting that consideration be given to the Council's proposed Capital Strategy for 2019/20.

The submitted report stated that the production of a Capital Strategy was a new requirement for Council's from April 2019, following the publication of the revised Prudential Code for Capital Finance in Local Authorities 2017. It was reported that the Strategy provided an overview of how capital expenditure and financing plans are decided upon, and provided a framework for the development, management and monitoring of the Council's capital investment plans. The submitted report stated that the Strategy also highlighted the resource streams available in terms of funding to the Council and the risk management approach taken.

RESOLVED - That the Capital Strategy for 2019/20 – 2022/2023, as detailed in Appendix One of the submitted report, be approved;

REASONS - (a) To ensure the Council adopts the Prudential Code for Capital Finance 2017.

(b) The Strategy is approved by Council.

53 MID YEAR PRUDENTIAL INDICATORS AND TREASURY MANAGEMENT MONITORING REPORT 2018/19

The Managing Director submitted a report (previously circulated) requesting approval of the revised Treasury Management Strategy, Prudential Indicators, and provided a half-yearly review of the Council's borrowing and investment activities.

The submitted report stated that the Prudential Indicators were examined by the Audit Committee on 30 January 2019, and it was agreed at that meeting that the updated Prudential Indicators and revised Operational Boundary and Authorised Limit for borrowing be referred to Council, via Cabinet, for approval. It was also reported that the Audit Committee was satisfied with the Council's borrowing and investment activities, the reported Prudential Indicators, and the revised borrowing limits.

The Prudential Indicators were set in three statutory annual reports to Council, and the submitted report followed the Council's approval in February 2018 of the 2018/19 Prudential Indicators and Treasury Management Strategy. The key objectives of the three annual reports were to ensure that governance of the large amounts of public money under the Council's Treasury Management activities complied with legislation and met the high standards set out in the codes of practice, to ensure that borrowing was affordable, and to report performance of the key activities of borrowing and investments.

The submitted report also outlined the key proposed revision to the Prudential Indicators, which related to the Operational Boundary, which would reduce to £300.653m, and the Authorised Limit to £315.686M to allow for any additional cash flow requirement.

RESOLVED - (a) That the revised prudential indicators and limits, as detailed in Tables 1 to 6, 8 and 15 to 18 of the submitted report, are examined.

(b) That the reduction in the Treasury Management Budget (Financing Costs) of £0.590m, as detailed in Table 12 of the submitted report, be noted.

REASONS - (a) To comply with the Prudential Code for Capital Finance in Local Authorities;

(b) To inform Members of the performance of the Treasury Management function;

(c) To comply with the Local Government Act 2003;

(d) To enable further improvements to be made in the Council's Treasury Management function.

54 PRUDENTIAL INDICATORS AND TREASURY MANAGEMENT STRATEGY REPORT 2019/20

The Managing Director submitted a report (previously circulated) which requested that Council adopt the Prudential Indicators and Limits for 2019/20 to 2021/22 relating to capital expenditure and Treasury Management activity, a policy statement relating to the Minimum Revenue Provision, and the Treasury Management Strategy 2019/20, which includes the Annual Investment Strategy for 2019/20.

The submitted report outlined the Council's Prudential Indicators for 2019/20 –

2021/22, and set out the expected treasury operations for this period. It was stated that the report fulfilled key legislative and guidance requirements.

The information contained within the submitted report regarding the Council's capital expenditure plans, treasury management and prudential borrowing activities indicated that they were within the statutory framework and consistent with the relevant codes of practice, prudent, affordable and sustainable, and an integral part of the Council's Revenue and Capital Medium Term Financial Plans.

RESOLVED - (a) That the Prudential Indicators and limits for 2019/20 to 2021/22, as summarised in Tables 1 and 2 of the submitted report, be approved and adopted;

(b) That the Minimum Revenue Provision (MRP) statement, as detailed in paragraphs 37 to 41 of the submitted report, be approved and adopted;

(c) That the Treasury Management Strategy 2019/20 to 2021/22, as summarised in paragraphs 45 to 70 of the submitted report, be approved and adopted;

(d) That the Annual Investment Strategy 2019/20, as contained in paragraphs 71 to 112 of the submitted report, be approved and adopted.

REASONS - (a) To comply with the Prudential Code for Capital Finance in Local Authorities and the Department for Communities and Local Government (CLG) guidance on investments.

(b) To comply with the requirements of the Local Government Act 2003.

(c) To approve a framework for officers to work within when making investment decisions.

55 PAY POLICY STATEMENT 2019/2020

The Managing Director submitted a report (previously circulated) requesting approval of the Pay Policy Statement for the financial year 2019/2020 in line with the requirements of the Localism Act 2011 and Local Government Transparency Code 2014.

The submitted report stated that the Localism Act 2011 required the Council to agree a written Pay Policy on an annual basis and publish specific information relating to the Council's highest and lowest paid employees.

RESOLVED – That the proposed Pay Policy 2019/20, as detailed at Appendix A of the submitted report, be approved, and arrangements be made to publish the Policy on the Council's internet for public access.

REASON – To enable the Council to comply with the requirements of the Localism Act 2011.

56 REQUESTS FOR EXTENSIONS OF NON-ATTENDANCE - COUNCILLORS GRUNDY AND WRIGHT

The Managing Director submitted a report (previously circulated) requesting that Members give consideration to applications on behalf of Councillors Grundy and Wright for extensions to the six-month period of their non-attendance at meetings due to ill health.

The submitted report highlighted that Section 85 of the Local Government Act 1972 stated that if a Member of a Local Authority failed throughout a period of six consecutive months, from the date of his or her last attendance, to attend any meeting of the authority, he or she shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a Member of the Authority.

It was reported that Councillors Grundy and Wright had not attended any Council or Committee meetings since 27 September 2018, and consequently under the above provisions they would cease to be Members of the Council on 26 March 2019, unless the Council approved the reason for the failure to attend before that date.

RESOLVED – That the failure to attend by reason of illness be approved until Councillors Grundy and Wright’s terms of office end in May 2019.

REASON – To ensure compliance under Section 85 of the Local Government Act 1972.

COUNCIL
25 APRIL 2019

LICENSING PRINCIPLES FOR GAMBLING ACT 2005

Responsible Cabinet Member – Councillor Helen Crumbie
Community Safety Portfolio

Responsible Director – Ian Williams
Director of Economic Growth and Neighbourhood Services

SUMMARY REPORT

Purpose of the Report

1. To present to Members the final draft of the Council's revised Gambling Policy document.

Summary

2. This report seeks Members' approval of the three-yearly statutory revision of the Council's Gambling Policy produced in accordance with the Gambling Act 2005. The policy has been subject to extensive consultation and two responses were received (see **Appendix 1**).
3. This Policy is a "living document" which must be reviewed at least every three years (notice of intention to publish the document must also be advertised at least two weeks prior to publication).
4. Minor changes have been made to reflect revised guidance to local authorities from key stakeholders since it was last approved on 19 November 2015.
5. Darlington's current statement of licensing principles was published in January 2016 and, as such, a new policy should have been published in January 2019. However due to a restructure and the process of appointing of a new Licensing Manager, the consultation was delayed. The Gambling Commission has been made aware of this.

Recommendation

6. It is recommended that Members approve the revised Licensing Principles for the Gambling Act 2005 (see **Appendix 2**).

Reasons

7. The recommendation is supported by the following reasons:-
- (a) To enable the Council to formally adopt and publish a statement of licensing principles in compliance with the Gambling Act 2005 requirements.
 - (b) To clarify the way that the Council will consider applications for licences.

Ian Williams
Director of Economic Growth and Neighbourhood Services

Background Papers

- (i) The Gambling Act 2005
- (ii) The Gambling Commission Guidance to Local Authorities 5th edition, September 2015
- (iii) The Council's earlier Statement of Principles 2013
- (iv) Local Government Association document – Tackling Gambling Related Harm

Colin Dobson – ext 5988

S17 Crime and Disorder	The Council, in partnership with the Police, has a role to play in the prevention of the premises it licences being a source of crime and in respect of disorder caused as a result of gambling
Health and Wellbeing	The Council's main responsibility under the 2005 Act is to protect children and other vulnerable persons from physical and psychological harm that may be caused by gambling
Sustainability	There are no issues which this report needs to address
Diversity	There are no issues which this report needs to address
Wards Affected	The proposals affect all wards
Groups Affected	The proposals affect all communities
Budget and Policy Framework	This report does not represent a change to Council policy
Key Decision	The proposals do not represent a key decision
Urgent Decision	This report does not represent an urgent decision
One Darlington: Perfectly Placed	There are no issues which this report needs to address
Efficiency	This is statutory work which has been undertaken within the constraints of the licensing budget without additional resources

MAIN REPORT

Background

8. The Gambling Act 2005 gives responsibility to the Gambling Commission for the issue of Operating Licences in respect of businesses offering gambling and also for the issue of Personal Licences for those employed in the business of gambling, e.g. croupiers, betting shop and bingo hall managers etc. Local Authorities are responsible for the licensing of premises used for gambling, e.g. betting shops and bingo halls etc and the issue of permits for gaming and small society lotteries.
9. The 2005 Act requires all Local Authorities to prepare, consult on and publish a Gambling Policy. This Policy is a “living document” which must be reviewed at least every three years (notice of intention to publish the document must also be advertised at least two weeks prior to publication).
10. To avoid confusion with Local Authority Licensing Policies required under the Licensing Act 2003, the Gambling Policy is referred to as the “Statement of Principles”. This document sets out the matters the Council will be considering when dealing with applications for Premises Licences and various permits. The Policy comprises sections of the legislation, parts of the Gambling Commission guidance and some general information on how the Council will deal with applications and enforce the legislation.
11. The first policy was approved by Members at their meeting of Council on 23 November 2006 and was duly published on 3 January 2007 to take effect on 31 January 2007. It has been revised every three years and was last revised by Council in November 2015 for publication on 31 January 2016. The Policy is therefore due to be revised.
12. Darlington’s current statement of licensing principles was published in January 2016 and, as such, a new policy should have been published in January 2019. However due to a restructure and the process of appointing of a new Licensing Manager, the consultation was delayed. The Gambling Commission has been made aware of this.

Information and Analysis

13. The Gambling Act 2005 has three licensing objectives as follows:
 - (a) Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
 - (b) Ensuring gambling is conducted in a fair and open way.
 - (c) Protecting children and other vulnerable persons from being harmed or exploited by gambling.

14. The Gambling Commission plays a leading role in relation to the first objective and determines the suitability of businesses and persons involved in the gambling industry by virtue of the Operating and Personal licences. The Local Authority is not able, therefore, to grant a Premises Licence until an Operating Licence has been granted by the Gambling Commission. The Gambling Commission also addresses the second objective and the only role for the Local Authority in relation to this objective will be when dealing with the track-betting environment. The final objective impacts on Local Authorities and consideration may be given to, amongst other things locality, supervision of premises, separation of adult gaming areas and promotion of gambling support organisations.
15. Most functions of the Gambling Act 2005 have been delegated to the Committee established by the Council to deal with the Licensing Act 2003 in accordance with national guidance. The approval of the Council's policy in respect of the Gambling Act 2005 is however one of the few functions that, by statute, must be dealt with by Council.
16. The Council currently licences 12 Betting Shops and 26 Licensed Clubs and Pubs for the provision of gambling. Unlike parts of the Licensing Act 2003, the Gambling Act 2005 does not provide Local Authorities with wide discretion. The 2005 Act requires Local Authorities to follow the Guidance and Codes of Practice issued by the Gambling Commission and also the Council's own policy statement.

Changes to the Policy

17. The policy has remained largely unchanged apart from minor amendments that have been made to reflect revised guidance to local authorities from key stakeholders since it was last approved on 19 November 2015.

Consultation

18. A widespread consultation exercise has been undertaken over a 6-week period, from 11 February 2019 to 23 March 2019, which included the Responsible Authorities, the gaming industry, the leisure industry and organisations dealing with problems arising from gambling. The draft policy has also been made available on the Council's website.
19. Following the period for consultation, two responses were received in respect of the revised document, one from Darlington Borough Council's Public Health and the other from the Association of British Bookmakers (ABB). These have been reproduced in full at **Appendix 1**.
20. The representation made by Public Health highlighted the harms gambling can cause and made reference to the Local Government Association guidance document 'Tackling Gambling Related Harm'. This has been considered during the preparation of the statement. One matter that had been of concern in previous years was the proliferation of 'Fixed Odds Betting Terminals' (FOBT's), which have maximum permitted stake of £100. These

have been widely regarded as harmful to gamblers. The Government, however announced in May 2018 its intention to reduce the maximum stake on FOBT's from £100 to £2. This has been welcomed in the response from Public Health along with the fact that the updated Statement of Principles recognises the dangers of harmful gambling, in particular the risk it poses to children and vulnerable groups.

21. It was announced in the 2018 Budget that this change would be implemented in October 2019, however there has been much discussion within Government regarding this date and may be subject to change.
22. The second representation was made on behalf of ABB. This organisation represents over 80% of bookmakers. They pointed out that the number of betting shops is in decline and some regulatory changes such as planning in 2015 have had an adverse effect. It is yet to be established what effect the change to FOBT's will have on the industry. ABB highlighted in their response that they were keen to demonstrate promotion of the licensing objectives by encouraging engagement with the local authority. They also pointed out that some terminology used in the draft statement was outdated along with potential conflict between licensing and planning legislation. These observations have been reflected in the revised Statement.
23. On 23 April 2019 the revised Statement of Principles which is appended as **Appendix 2** was considered by the Council's Licensing Act Committee. Any amendments made at Licensing Act Committee will be reported verbally to Council.

Conclusion

24. The Gambling Act 2005 requires that the Council's Statement of Principles is reviewed at least every three years. The revision of the policy has been undertaken in accordance with the legislative requirements placed on the Council.

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Public Health response to Darlington Borough Council's Gambling Policy Statement

Public Health at Darlington Borough Council is pleased to be offered the opportunity to consult on the local authority's updated Gambling Policy Statement. Historically, gambling-related harms have often been under-recognised, and there is an increasing awareness that harmful gambling is a public health issue that requires a broad response. Gambling-related harms may include physical health harms, mental health harms, relationship/interpersonal harms and social/financial harms. It is estimated that there are 373,000 problem gamblers in England, and 1.7 million people are identified as being at risk of problem gambling. However, a further six to ten people are directly affected by a single problem gambler, and problem gambling has a wider impact on families and communities that magnifies its negative effects. Some groups are more likely than others to suffer from gambling-related harm, including children and young people (particularly younger males), ethnic minority groups, people with mental health issues, people living in deprived areas, unemployed people and people with substance misuse problems, and problem gambling is often associated with other harms such as smoking and heavy alcohol consumption. As such, recognising and addressing the risks of harmful gambling to vulnerable groups in particular, as well as to wider families and communities, is a public health priority.

We welcome the fact that the updated Policy Statement recognises the dangers of harmful gambling, and the particular risks it poses to children and vulnerable groups. It outlines specific steps that applicants and the council should take to assess risks to children and problem gamblers when considering new license applications, and documents the expectation that license applicants submit a risk assessment that is informed by the local area profile and considers risk of harm. We note that the maximum stake on fixed-odds betting terminals (category B2 machines) remains £100 in the current statement of principles, but welcome the government's intention to reduce the maximum bet on these machines to £2 from April 2019.

Public Health England and the Local Government Association have published guidance on how local authorities can take action across the whole council to tackle gambling-related harm. It encourages local authorities to consult widely when developing Gambling Policy Statements, with organisations such as *GamCare* and the Citizens Advice Bureau that work closely with problem gamblers as well as with local mental health teams and homelessness/housing services. It also makes broader recommendations as to actions that public health teams in particular and local authorities more widely can take to develop a systems-wide approach to harmful gambling. These include:

- Setting out best practice expectations of local gambling operators, using compliance visits and enforcement tools appropriately, and encouraging local businesses to apply for *Gamcare* certification
- Designating an organisational lead for harmful gambling issues
- Exploring focused prevention work with high risk groups and developing a coherent, cross-cutting approach to problem gambling with the support of the Health and Wellbeing Board
- Working with local CCGs and Mental Health providers to ensure that screening tools for harmful gambling are utilised among high risk groups and that appropriate referral pathways are in place

Dr Malcolm Moffat

Speciality Registrar in Public Health, Darlington Borough Council

11th March 2019



BY EMAIL ONLY
Licensing Section
Darlington Borough Council

Please ask for: Richard Taylor
Direct Tel: 01482 590216
Email: rjt@gosschalks.co.uk
Our ref: RJT / MJM / 097505.00005
#GS2470144
Your ref:
Date: 14th March 2019

Dear Sir/Madam,

Re: Gambling Act 2005 Policy Statement Consultation

We act for the Association of British Bookmakers (ABB) and have received instructions to respond on behalf of our client to the current consultation on the Council's review of its gambling policy statement.

The Association of British Bookmakers (ABB) represents over 80% of the high street betting market. Its members include large national operators such as William Hill, GVC (Ladbrokes Coral), and Paddy Power Betfair, as well as almost 100 smaller independent bookmakers.

Please see below for the ABB's response to the Council's current consultation on the draft gambling policy statement.

This response starts by setting out the ABB's approach in areas relevant to the local authority's regulation of betting shop premises, and its commitment to working with local authorities in partnership. The response finishes by highlighting matters within the policy statement which the ABB feels may need to be addressed.

Betting shops have been part of the British high street for over 50 years and ensuring a dialogue with the communities they serve is vital. For the vast majority, betting is an enjoyable leisure activity which generates income, employment and tax revenue for the economy.

The ABB recognises the importance of the gambling policy statement in focusing on the local environment and welcomes the informed approach this will enable operators to take with regard to the requirements for local area risk assessments. It is important, however, that the gambling policy statement maintains the "aim to permit" structure and does not import additional requirements from other licensing regimes such as Licensing Act 2003 for example by requiring operators to suggest premises licence conditions or to impose requirements beyond those required by statute or the LCCP simply because it may be felt to be desirable or to address a perceived need.

Any consideration of gambling licensing at the local level should also be considered within the wider context.

- the overall number of betting shops is in decline. The latest Gambling Commission industry statistics show that the number of betting offices (as of September 2018) was 8406. This is reducing every year and has fallen from a figure of 9137 in March 2014. This decline is expected to continue. Ladbrokes

Coral and William Hill have forecast significant shop closures in the months ahead following several smaller operators who have already closed shops or gone out of business entirely

- the overall number of betting office operators is similarly declining. In September 2018 there were 210 operators licensed for the activity of non-remote general betting. This constitutes a reduction of more than 10% since March 2017
- planning law changes introduced in April 2015 have increased the ability of licensing authorities to review applications for new premises, as all new betting shops must now apply for planning permission.
- A maximum stake of £2 is shortly to be applied to the operation of fixed odds betting terminals
- successive prevalence surveys and health surveys tells us that problem gambling rates in the UK are stable (0.6%) and possibly falling.

Working in partnership with local authorities

The ABB is fully committed to ensuring constructive working relationships exist between betting operators and licensing authorities, and that where problems may arise that they can be dealt with in partnership. The exchange of clear information between councils and betting operators is a key part of this and the opportunity to respond to this consultation is welcomed.

Primary Authority Partnerships in place between the ABB and local authorities

All major operators, and the ABB on behalf of independent members, have also established Primary Authority Partnerships with local authorities. These partnerships help provide a consistent approach to regulation by local authorities, within the areas covered by the partnership; such as age-verification or health and safety. We believe this level of consistency is beneficial both for local authorities and for operators.

Local area risk assessments

Since April 2016, when new LCCP provisions came into force, operators have been required to complete local area risk assessments identifying any risks posed to the licensing objectives and how these would be mitigated. Licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy, and any local area profile, in their risk assessment. These must be reviewed where there are significant local changes or changes to the premises, or when applying for a variation to or for a new premises licence.

The ABB fully supports the implementation of risk assessments which will take into account risks presented in the local area, such as exposure to vulnerable groups and crime. The requirements build on measures the industry had already introduced through the ABB Responsible Gambling Code to better identify problem gamblers and to encourage all customers to gamble responsibly. This includes training for shop staff on how to intervene and direct problem gamblers to support services, as well as new rules on advertising including banning gaming machine advertising in shop windows, and the introduction of Player Awareness Systems which use technology to track account based gaming machine customers' player history data to allow earlier intervention with any customers whose data displays known 'markers of harm'.

Best practice

The ABB is committed to working pro-actively with local authorities to help drive the development of best practice with regard to local area risk assessments, both through responses to consultations such as this and directly with local authorities. Both the ABB and its members are open and willing to engage with any local authority with questions or concerns relating to the risk assessment process, and would encourage them to make contact.

The ABB would be concerned should any local authority seek to prescribe the form of an operator's risk assessment. This would not be in line with better regulation principles. Operators must remain free to shape their risk assessment in whichever way best meets their operational processes.

The ABB has also shared recommendations of best practice with its smaller independent members, who although they deal with fewer different local authorities, have less resource to devote to developing their approach to the new assessments. In this way we hope to encourage a consistent application of the new rules by operators which will benefit both them and local authorities.

Concerns around increases in the regulatory burden on operators

The ABB is concerned to ensure that any changes in the licensing regime at a local level are implemented in a proportionate manner. This would include if any local authority were to set out overly onerous requirements on operators to review their local risk assessments with unnecessary frequency, as this could be damaging. As set out in the LCCP a review should only be required in response to significant local or premises change. In the ABB's view this should be where evidence can be provided to demonstrate that the change could impact the premises' ability to operate consistently with the three licensing objectives.

Any increase in the regulatory burden would severely impact ABB members at a time when overall shop numbers are in decline, and operators are continuing to absorb the impacts of significant recent regulatory change. This includes the increase to 25% of Machine Games Duty, limits to stakes on gaming machines, and planning use class changes which require all new betting shops in England to apply for planning permission.

Employing additional licence conditions

It should continue to be the case that additional conditions are only imposed in exceptional circumstances where there are clear reasons for doing so. There are already mandatory and default conditions attached to any premises licence which will ensure operation that is consistent with the licensing objectives. In the vast majority of cases, these will not need to be supplemented by additional conditions.

The LCCP require that premises operate an age verification policy. The industry operates a policy called "Think 21". This policy is successful in preventing under-age gambling. Independent test purchasing carried out by operators and the ABB, and submitted to the Gambling Commission, shows that ID challenge rates are consistently around 85%. The ABB has seen statements of principles requiring the operation of Challenge 25. Unless there is clear evidence of a need to deviate from the industry standard then conditions requiring an alternative age verification policy should not be imposed.

The ABB is concerned that the imposition of additional licensing conditions could become commonplace if there are no clear requirements in the revised licensing policy statement as to the need for evidence. If additional licence conditions are more commonly applied this would increase variation across licensing

authorities and create uncertainty amongst operators as to licensing requirements, over complicating the licensing process both for operators and local authorities

Considerations specific to the Draft Statement of Principles 2019-2022

Paragraphs 1.2 (primary gambling activity) and 7 (betting premises) in part B need to be re-drafted as these refer to primary gambling activity, a concept no longer used by the Gambling Commission. Paragraph 1.2 indicates that gaming machines need to be an “ancillary offer on the premises”. Whilst this was once correct, following case law and ultimately changes to LCCP, this no longer the case. Social Responsibility Code Provision 9 refers to gaming machines in gambling premises and insofar as betting premises are concerned, the requirement is that gaming machines may be made available for use only where there are substantive facilities for non-remote betting provided. It is not a requirement that there be any contest between betting and the use of machines and any suggestion, therefore, that machine use needs to be “ancillary” is incorrect.

As far as paragraph 7 of part B is concerned, this refers to “indicators of primary gambling activity” which derives from a guidance note issued by the Gambling Commission in 2013. This paragraph needs to be amended to reflect the current SR provisions and it is important that these indicators are removed as they do not reflect the current SR requirements.

Paragraph 1.4 in part B is headed “Location”. The first paragraph refers to the possibility of a specific policy with regard to area where gambling premises should not be located. This sentence should be removed as this is a planning issue. Any such policy is likely to be unlawful is certainly contrary to the overriding principle that the Licensing Authority will “aim to permit” the use of premises for gambling.

Paragraph 1.5 (conditions) should be amended in order that it is clear that the mandatory and default conditions referred to within the first paragraph are usually sufficient to ensure operation that is reasonably consistent with the licensing objectives. This section should also state that additional conditions will only be imposed where there is clear evidence of a risk to the licensing objectives in the circumstances of a particular case that requires that mandatory and default conditions be supplemented.

Conclusion

The ABB and its members are committed to working closely with both the Gambling Commission and local authorities to continually drive up standards in regulatory compliance in support of the three licensing objectives: to keep crime out of gambling, ensure that gambling is conducted in a fair and open way, and to protect the vulnerable. Indeed, the ABB and its members already do this successfully in partnership with local authorities through the adoption of the ABB Responsible Gambling Code, which is mandatory for all members, and the Safe Bet Alliance (SBA), which sets voluntary standards across the industry to make shops safer for customers and staff. We would encourage local authorities to engage with us as we continue to develop both these codes of practice, which are in direct support of the licensing objectives, as well as our processes around local area risk assessments.

Yours faithfully,



GOSSCHALKS

Statement of Principles

Gambling Act 2005

APPROVED BY COUNCIL: 25 April 2019 (TBC)
IMPLEMENTATION DATE: January 2019 - January 2022

Introduction and Declaration

Part A		
1.	The Licensing Objectives	2
2.	The Borough of Darlington	2
3.	Authorised Activities	3
4.	Licences under the Act	3
5.	The Gambling Commission	3
6.	The Council's Functions	4
7	General Statement of Principles	4
8	Preventing gambling from being a source of crime or disorder	5
9	Ensuring gambling is conducted in a fair and open way	5
10	Protecting children & vulnerable persons from being harmed or exploited	5
11	Responsible Authorities	6
12	Interested Parties	7
13	Exchange of Information	9
14	Public Register	9
15	Fees	9
16	Enforcement	9
17	Human Rights	10
Part B Premises Licences		
1.	Introduction:	11
1.1	Definition of Premises	11
1.2	Primary Gambling Activity	11
1.3	Division of Premises	11
1.4	Location	13
1.5	Conditions	13
1.6	Door Supervisors	14
1.7	Credit / ATMs	14
1.8	Local Risk Assessments and Area Profile	14
1.10	Machines Stakes & Prizes	16
2	Provisional Statements	16
3	Adult Gaming Centres	17
4	(Licensed) Family Entertainment Centres	17
5	Casinos	17
6	Bingo Premises	18
7	Betting Premises	18
8	Tracks	19
9	Travelling Fairs	20
10	Reviews of Premises Licences	20
Part C Permits/Temporary and Occasional Use Notices		
1	Unlicensed Family Entertainment Centre Gaming Machine Permits	22
2	(Alcohol) Licensed Premises Gaming Machine Permits	23
3	Prize Gaming Permits	24
4	Club Gaming and Club Machines Permits	25
5	Small Society Lotteries	26
6	Temporary Use Notices	27
7	Occasional Use Notices	27
Appendix A - Scheme of Delegation		
Appendix B - Details of Responsible Authorities		
Appendix C - List of Consultees		
Appendix D - Glossary		

Forward by Councillor Nutt

Our most important role is to actively work to protect those who live and work in Darlington and who visit our area. Premises used for gambling are licensed as they carry out activities that can impact on individuals and the community. For many, gambling is an enjoyable activity, however we recognise for others it may cause harm, particularly among the young and vulnerable.

This Statement of Principles, or more commonly recognised as the gambling policy for Darlington, seeks to promote the licensing objectives set out in the Gambling Act:

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

We have produced this statement as required by the Gambling Act 2005 taking into account the Gambling Commission's guidance, the licensing objectives and the views of those who have been consulted.

This document should provide information and guidance on the general approach we will take when licensing gambling premises in Darlington, whilst taking into account the local profile. It is intended that this Statement of Principles not only meets with the requirements of the Gambling Act and Gambling Commission guidance but also aims to support the Economic Strategy for Darlington.

INTRODUCTION AND DECLARATION

The Gambling Act 2005 (“The 2005 Act”) has provided for a new regime of regulating gambling and betting which was introduced throughout the United Kingdom from 1 September 2007. Apart from the National Lottery and spread betting, gambling and betting is regulated by the Gambling Commission, whose duties include licensing the operators and individuals involved in the provision of gambling and betting.

Darlington Borough Council (“The Council”) along with other Local Licensing Authorities, is required, under the 2005 Act, to licence premises where gambling is to take place. The Council is also required to licence certain other activities (such as registering small society lotteries). This document sets out how we intend to approach this task.

Licensing Authorities are required by Section 349 of the 2005 Act to publish a Statement of Principles which they propose to apply when exercising their functions in accordance with the legislation. This statement must be published at least every three years. It is a “living” document that must be regularly reviewed. If any part of the document is amended, further consultation and re-publication is required.

Darlington Borough Council consulted widely in relation to this statement before finalising its content. Full details of that consultation are detailed at **Appendix C** to this document.

DECLARATION: In producing the Final Statement, Darlington Borough Council’s Licensing Authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the Guidance issued by the Gambling Commission and any responses from those consulted on this statement.

This Statement of Principles was approved at a meeting of the Council on **XXXXXXXX**. It was then published via Darlington Borough Council’s Website on **XXXXXXXX**. Copies have been placed in public libraries in the Borough as well as being available in the Town Hall. The Statement of Principles became effective from **XXXXXX**

It should be noted that this Policy Statement does 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 Gambling Act 2005.

All references to the Gambling Commission Guidance in this document refer to the 5th edition of guidance, published September 2015 and updated in part in September 2016.

PART A

1. THE LICENSING OBJECTIVES

In exercising most of its functions under the Gambling Act 2005, the Council's Licensing Authority must have regard to the licensing objectives as set out in Section 1 of the 2005 Act. These 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.

NB The Gambling Commission, in its Guidance has stated (5.2): "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling".

In accordance with Section 153 of the 2005 Act, this Licensing Authority will generally aim to permit the use of premises for gambling as long as such use is considered to be:

- In accordance with any relevant Codes of Practice issued by the Gambling Commission.
- In accordance with any Guidance issued by the Gambling Commission.
- Reasonably consistent with the licensing objectives.
- In accordance with this Statement of Principles.

This Licensing Authority particularly notes the Gambling Commission's Guidance (5.27) to local authorities that:

"Licensing Authorities should be aware that other considerations such as moral or ethical objections are not a valid reason to reject applications for premises licenses. This is because such objections do not relate to the licensing objectives. An Authority's decision cannot be based on dislike of gambling, or a general notion that it is undesirable to allow gambling premises in an area (with the exception of the casino resolution powers)".

2. GAMBLING PARTICIPATION SURVEY 2017 FINDINGS

Local data is not currently available on the prevalence of gambling in Darlington, however national data does exist. The Gambling Commission's research found that overall, gambling participation has decreased since 2016 with 45% of people aged 16+ having participated in at least one form of gambling in the past four weeks in 2017. This compares with 48% in 2016.

Men are more likely to have gambled than women and those aged 55-64 are most likely to have gambled in the past four weeks. This is predominantly driven by participation in the National Lottery draws as when people who have only gambled in the National Lottery draws are excluded, participation is highest among 16-34 year olds.

Overall, 18% of people have gambled online in the past four weeks. Those aged 25-34 and 55-64 have seen the largest increases in online gambling participation whereas those aged 16-24 have seen a decline in online gambling participation in 2017. In terms of gambling activities:

- The National Lottery draws remain the most popular gambling activity, followed by scratch cards and other lotteries.
- Football and horse racing are the most popular betting activities.
- All gambling activities have seen an increase in online participation with the exception of betting on horse races and spread betting.

- In-person participation has declined for most activities.

2.1 Problem Gambling Estimates

An estimated 0.8% of people were identified as a problem gambler according to the full Problem Gambling Severity Index (PGSI) with a further 3.9% identifying as at low or moderate risk.

2.2 Online Gambling Behaviour

Although declining in use for gambling, laptops remain the most popular method of accessing online gambling in 2017 with 50% of online gamblers using a laptop. The use of mobile phones has seen the largest increase to 39% (an increase of 10 percentage points). The majority of online gamblers (97%) play at home. Male online gamblers were more likely than females to gamble outside of the home including on their commute, at work, at a venue or in a pub/club, as were younger age groups. Among online gamblers, 27% have bet in-play, with rates highest in 25-34 year olds but the largest increase was seen in 55-64 year olds. On average, online gamblers have four accounts with online gambling operators. 6% of online gamblers have bet on eSports during the past 12 months, with rates highest among 25-34 year olds.

The statement of principles is to enable a good understanding of all the harms and benefits of gambling to society. The legislative framework for gambling recognises it as a legitimate leisure activity that many people enjoy. It generates income, employment and tax revenue for the local economy.

However, gambling also generates significant harms such as working days lost through disordered gambling and the cost of treatment for ill-health caused by stress related to gambling debt. There are also less easily measured significant impacts such as the negative effects of some gambling on family relationships, and the psychological and social development of children. Recognising and addressing the risks of harmful gambling to vulnerable groups in particular, as well as to wider families and communities, is a public health priority. This statement of principles takes the public health issue into account and means that recognising a successful strategy not only focuses on individual gamblers but also needs to include products, environments and marketing within the wider context in which gambling happens. Equal importance needs to be given to prevention and treatment of harm.

The statement of principles is underpinned by a profile of Darlington to ensure an awareness of local risks and to facilitate constructive engagement with licensees with a coordinated response to local risks. The profile will help to inform specific risks that operators will need to address in their risk assessment.

3. THE BOROUGH OF DARLINGTON

Darlington is a medium sized town with a total population of just over 105,000 (Census 2011). The River Tees and North Yorkshire lie to the south, the Teesside conurbation to the east, County Durham to the north and rural Teesside to the west. There are excellent communication links with a principal station on the East Coast rail mainline, the A1 (M) Motorway and Durham Tees Valley International Airport.

52,000 or 73.5% of the working age population are in employment. Most of Darlington's population live in the urban area with Eastbourne, Park Hill and Harrowgate Hill having the highest resident population.

There are over 2,600 businesses, most of which are now in the public, health and education sector or financial and business services. Despite economic uncertainty, the number of businesses in Darlington

continues to grow. The town centre is of sub-regional importance for shopping and services and the town is also an important employment centre.

Generally Darlington is an economy of small, owner-managed businesses that co-exist with branch factories, offices and shops.

The late night economy of the Borough is principally centred around the town centre where a number of entertainment premises, pubs and takeaway establishments are situated. These activities support the cultural diversity of the Borough and contribute to its economy.

4. AUTHORISED ACTIVITIES

'Gambling' is defined in the 2005 Act as either gaming, betting or taking part in a lottery:

- 'Gaming' means playing a game of chance for a prize.
- 'Betting' means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not true.
- A 'lottery' is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process that relies wholly on chance.

Private gaming in private dwellings and on domestic occasions is exempt from licensing or registration providing that no charge is made for participating, only equal chance gaming takes place and it does not occur in a place to which the public have access. Domestic betting between inhabitants of the same premises or between employees of the same employer is also exempt.

Non-commercial gaming and betting (where no parts of the proceeds are for private gain) may be subject to certain exemptions. Further advice should be sought from the Council's Licensing Team where appropriate.

4. LICENCES UNDER THE 2005 ACT

The 2005 Act provides for three categories of licence as follows:

- Operating licences
- Personal licences
- Premises licences

The Council is responsible for the issue of Premises licenses. The Gambling Commission is responsible for the issue of Operating and Personal licenses.

5. THE GAMBLING COMMISSION

The Gambling Commission regulates gambling in the public interest. It does so by keeping crime out of gambling, by ensuring that gambling is conducted in a fair and open way and by protecting children and vulnerable people. The Commission provides independent advice to the Government about the manner in which gambling is carried out, the effects of gambling and the regulation of gambling generally.

The Commission draws on the intelligence and insights of its regulatory partners, in particular licensing authorities, who may well be better positioned to identify emerging risks to the licensing objectives, or instances of illegality which can start at a local level. By working closely together it will help prevent such risks growing into a more widespread problem and to ensure that both Commission and licensing authority resources are used efficiently.

The Commission has issued guidance in accordance with the Act about the manner in which Licensing Authorities exercise their licensing functions under the Act and in particular, the principles to be applied.

The Commission also issues Codes of Practice about the way in which facilities for gambling are provided, and may include provisions about the advertising of gambling facilities. The Gambling Commission can be contacted at:

Gambling Commission
Victoria Square House
Victoria Square
BIRMINGHAM
B2 4BP

Website: www.gamblingcommission.gov.uk
Email: info@gamblingcommision.gov.uk

6. THE COUNCIL'S FUNCTIONS

The Council, in its capacity as a Licensing Authority, is responsible for:

- The issue of Premises Licences in respect of premises where gambling activities are to take place.
- The issue of Provisional Statements.
- The issue of Club Gaming Permits and/or Club Machine Permits to members' clubs and miners' welfare institutes.
- The issue of Club Machine Permits to commercial clubs.
- The issue of Permits to Unlicensed Family Entertainment Centres for the use of certain lower stake gaming machines.
- The issue and regulation of gaming and gaming machines in alcohol licensed premises.
- The registration of Small Society Lotteries.
- The issue of Prize Gaming Permits.
- The receipt and endorsement of Temporary Use Notices.
- The receipt of Occasional Use Notices.
- The provision of information to the Gambling Commission about licenses issued (see section 13 on information exchange).
- The keeping of registers of the permits and licences issued under these functions.
- The exercise of its powers of compliance and enforcement under the 2005 Act in partnership with the Gambling Commission and other relevant responsible authorities.

NB The National Lottery is regulated by the National Lottery Commission. Remote Gambling is dealt with by the Gambling Commission and Spread Betting is regulated by the Financial Services Authority.

7. GENERAL STATEMENT OF PRINCIPLES

The Council recognises that a wide variety of premises will require a licence or a permit. These include casinos, betting shops, bingo halls, pubs, clubs and amusement arcades.

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

The Council will not seek to use the 2005 Act to resolve matters more readily dealt with under other legislation.

To ensure the licensing objectives are met, the Council has established a close working relationship with the Police, the Gambling Commission and where appropriate, other Responsible Authorities.

Where children, young persons and other vulnerable people are allowed access to premises where gambling takes place, the Council may take whatever steps are considered necessary to either limit access generally or introduce measures to prevent underage gambling where it believes it is right to do so for the prevention of their physical, moral or psychological harm, especially where the licensing authority receive representations to that effect.

Applicants seeking Premises Licenses are encouraged to propose any prohibitions or restrictions of their own in circumstances where it is felt that the presence of children would be undesirable or inappropriate.

The overriding principle, however, is that all applications and the circumstances prevailing at each premises will be considered on their own individual merits. When applying these principles this licensing authority will, in the light of relevant representations, consider whether exceptions should be made in any particular case.

8. PREVENTING GAMBLING FROM BEING A SOURCE OF CRIME OR DISORDER

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

Anyone applying to the Council for a Premises Licence will have to hold an Operating Licence from the Commission before a Premises Licence can be issued. The Council, therefore, will not generally be involved in determining the suitability of an applicant but where concerns about a person's suitability arise the Council will bring those concerns to the attention of the Commission.

If an application for a licence or permit is received in relation to premises which are in an area noted for particular problems with organised crime, the Council will, in consultation with the Police and other relevant authorities, consider whether specific controls need to be applied to prevent those premises from being a source of crime.

Powers already exist in relation to anti-social behaviour legislation and licensing legislation to deal with measures designed to prevent nuisance, whether it arises as a result of noise from a building or from general disturbance once people have left a building. The Council does not, therefore, intend to use the 2005 Act to deal with general nuisance issues e.g. parking problems, which can easily be dealt with using other powers.

Issues of disorder can only be dealt with under the 2005 Act if the disorder amounts to activity which is more serious and disruptive than mere nuisance **and it can be shown that gambling is the source of that disorder**. A disturbance might be serious enough to constitute disorder if police assistance was required to deal with it. Another factor which could be taken into account is how threatening the behaviour was to those who could see or hear it and whether those people live sufficiently close to be affected or has business interests that might be affected.

NB When making decisions in this regard this Licensing Authority will give due weight to any comments made by the Police.

9. ENSURING GAMBLING IS CONDUCTED IN A FAIR AND OPEN WAY

The Gambling Commission does not expect Local Authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will either be a matter for the management of the gambling business or will relate to the suitability and actions of an individual. Both issues will be addressed by the Commission through the operating and personal licensing regime. The Independent Betting Arbitration Service (IBAS) is an organisation that can assist businesses in relation to this matter.

As betting track operators do not need an Operating Licence from the Commission the Council may, in certain circumstances, require conditions relating to the suitability of the environment in which betting takes place.

10. PROTECTING CHILDREN AND OTHER VULNERABLE PEOPLE FROM GAMBLING

Apart from one or two limited exceptions, the intention of the 2005 Act is that children and young persons should not be allowed to gamble and should, therefore, be prevented from entering gambling premises which are 'adult-only' environments.

In practice, steps will generally be taken to prevent children from taking part in, or being in close proximity to, gambling especially with regard to premises situated in areas where there may be a high rate of reported truancy. There may also be restrictions on advertising so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children. In relation to Casinos only, the Gambling Commission has issued a Code of Practice about access to Casino premises for children and young persons.

When considering whether to grant a Premises Licence or Permit the Council will consider whether any measures are necessary to protect children, including the supervision of entrances, the segregation of gambling from areas frequented by children and the supervision of gaming machines in non-adult gambling specific premises, such as pubs, clubs, betting tracks etc.

In seeking to protect vulnerable people the Council will include those who gamble more than they want to, people who gamble beyond their means, and people who may not be able to make informed or balanced decisions about gambling, perhaps due to a mental impairment, alcohol or drugs. Applicants may find organisations such as GamCare a useful source of information and advisory material such as leaflets, etc.

Children (defined in the 2005 Act as under 16s) and young persons (16-17s) may take part in private and non-commercial betting and gaming but the 2005 Act contains a number of restrictions on the circumstances in which they may participate in gambling or be on premises where gambling is taking place. An adult is defined as 18 years of age and over. In summary:

- Betting shops cannot admit anyone under 18 years of age.
- Bingo clubs may admit those under 18 years of age but must have policies to ensure they do not gamble, except on category D machines.
- Adult Entertainment Centres cannot admit those under 18 years of age.
- Family Entertainment Centres and premises with an alcohol premises licence (such as pubs) can admit under-18s, but they may not play category C machines which are restricted to those over 18 years of age.
- Clubs with a Club Premises Certificate can admit under-18s, but they must have policies to ensure those under 18 years of age do not play machines other than category D machines.
- Tracks will be required to have policies to ensure that under 18s do not participate in gambling other than on category D machines.

The Council will always treat each case on its own individual merits and when considering whether specific measures are required to protect children and other vulnerable people will balance those considerations against its function of permitting premises to be used for gambling.

This Council will consider very carefully applications for gambling premises located very close to a school or a centre for gambling addicts. The local risk assessment submitted as part of the application should therefore specifically address how the applicant intends to minimise the risk to these children and vulnerable adults. This is likely to reduce or remove the need for representations from Responsible Authorities or Interested Parties. Each application will be considered on its own merits and will depend to a large extent on the type of gambling to be offered, whether the applicant can properly address the licensing objectives and how they can mitigate potential risks.

11. RESPONSIBLE AUTHORITIES

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

Section 157 of the 2005 Act defines those authorities as:

- The Gambling Commission
- The Police
- The Fire Service
- The Local Planning Authority
- Environmental Health
- The Local Safeguarding Children's Board***
- HM Revenue and Customs
- A Licensing Authority in whose area the premises are situated (that is, the Council itself and also any adjoining Council where premises straddle the boundaries between the two).

*** The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the 2005 Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm.

These 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 etc.

In accordance with the Gambling Commission's Guidance for Local Authorities this Council has designated Darlington Borough Council's Safeguarding Children's Board for this purpose.

Any concerns expressed by any Responsible Authority in relation to their own functions cannot be taken into account unless they are relevant to the application itself and the licensing objectives. In this regard the Council will not generally take into account representations from either Responsible Authorities or Interested Parties that are deemed to be irrelevant, such as:

- There are too many gambling premises in the locality (because need for gambling facilities cannot be taken into account).
- The premises are likely to be a fire risk (because public safety is not a licensing objective and can be dealt with under existing legislation).
- The location of the premises is likely to lead to traffic congestion (because this does not relate to the licensing objectives).
- The premises will cause crowds to congregate in one area causing noise and nuisance (because other powers are generally available to deal with these issues). It should be noted that, unlike the Licensing Act 2003, the Gambling Act 2005 does not include as a specific licensing objective the prevention of public nuisance. Any nuisance associated with gambling premises should be tackled under other relevant laws.
- Whether or not the premises comply with planning or building legislation (because the licensing authority is prohibited in law from considering such matters)
- Where representations are based solely on moral grounds (because this is not relevant to the licensing objectives)

This is not an exhaustive list and each representation will always be considered on its own individual merits.

The contact details of all the Responsible Authorities under the Gambling Act 2005 are reproduced at **Appendix B** and are also available via the Council's website at <http://www.darlington.gov.uk/resident/legalservices/licensing>

12. INTERESTED PARTIES

Interested Parties can make representations about licence applications, or apply for a review of an existing licence. An Interested Party is someone who:

- Lives sufficiently close to the premises likely to be affected by the authorised activities.
- Has business interests that might be affected by the authorised activities.
- Represents persons in either category of the above two groups.

The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party.

In accordance with the Gambling Commission's Guidance to Licensing Authorities when considering if someone lives sufficiently close to the premises, the Licensing Authority will take into account, among other things:

- The size and nature of the premises.
- The distance of the premises from the person making the representation.
- The potential impact of the premises such as number of customers and likely routes used
- The circumstances of the person(s) making the representation.

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

- The size of the premises.
- The “catchment” area of the premises.
- Whether the person making the representation has business interests in the catchment area that may be affected.

Each case will be decided upon its merits so this Authority will not apply a rigid rule to its decision-making. In the case of doubt, the benefit will be given to the party making the representation until the contrary can be shown.

Interested Parties can include trade associations and residents'/tenants' associations, providing that they can show they represent someone who would be classed as an Interested Party in their own right. Councillors and MPs may also be Interested Parties. Elected councillors may represent Interested Parties, providing they do not also sit on the Licensing Sub-Committee determining the application in question.

If an existing gaming business makes a representation that it is going to be affected by another gaming business wishing to start up in the area, the Licensing Authority would not consider this to be a relevant representation (unless there is other evidence) as it does not relate to any of the 3 licensing objectives and instead relates to demand or competition. Trade representations which are specific to the 3 licensing objectives, this Licensing Authority's Statement of Principles and/or the Gambling Commission's Guidance and/or Local Conditions and Codes of Practice (LCCP) document will however be considered.

The Council may receive representations which it considers to be frivolous or vexatious. A vexatious representation is generally one that is repetitive, without foundation or made for some other reason such as malice. A frivolous representation is generally one that is lacking in seriousness, or is unrelated to either the licensing objectives, the Guidance issued by the Gambling Commission or this Statement of Principles. Decisions on whether representations are frivolous or vexatious will generally be a matter of fact, given the circumstances of the representation. In deciding whether or not a representation is frivolous or vexatious the Licensing Authority will normally consider:

- Who is making the representation and whether there is a history of making representations that are not relevant.
- Whether the representation raises a relevant issue or not.
- Whether the representation is specific to the premises that are the subject of the application.

Any such decision will be made objectively and not on the basis of any political judgment. Where a representation is rejected the person making the representation will be given a written reason and a report will be made to the licensing sub-committee determining the application (if appropriate), indicating the general grounds of the representation and the reason it was rejected.

Representations should be made:

- In writing (preferably in duplicate, unless submitted electronically).
- In black ink on single sides of A4 paper.
- Indicate the name and address of the person or organisation making the representation.
- Indicate the premises to which the representation relates.
- Indicate the proximity of the premises to the person making the representation. A sketch map or plan may be helpful to show this.
- Clearly set out the reasons for making the representation.

Where relevant representations have been received and are not withdrawn the Licensing Authority will hold a hearing to determine an application.

13. EXCHANGE OF INFORMATION

Licensing Authorities are required to include in this statement the principles to be applied by the authority in exercising its functions in accordance with:

- Sections 29 and 30 of the 2005 Act in respect of the exchange of information between it and the Gambling Commission.
- Section 350 of the 2005 Act in respect to the exchange of information between it and the other persons listed in Schedule 6 to the 2005 Act.

The principle that this Licensing Authority will apply is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information, which includes the provision of General Data Protection Regulation's (GDPR) tailored by the Data Protection Act 2018. This Licensing Authority will also have regard to any Guidance issued by the Gambling Commission to Local Authorities on this matter as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

In accordance with the Gambling Commission's guidance we shall share information with:

- A Constable or Police force
- An Enforcement Officer
- A Licensing Authority
- Her Majesty's Revenue and Customs
- The Gambling Appeal Tribunal
- The Secretary of State

Details of applications and representations which are referred to a Licensing Sub-Committee for determination will be detailed in reports that are made publicly available in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000. Personal details of people making representations will be disclosed to applicants and only be withheld from publication where we are asked to do so on the grounds of personal safety.

14 PUBLIC REGISTER

Section 156 of the 2005 Act requires licensing authorities to maintain a register of the premises licences that it has issued. This register must be made available, at any reasonable time, to the public who may request copies of the entries. Details of how to access the register can be found on the Council's website at: <http://www.darlington.gov.uk/licensing>

15 FEES

Information regarding the fees to be charged, including the level of fees, for applications for premises licences and other permissions under the Act is available to the public at the Council's website as detailed above.

16. ENFORCEMENT

Licensing authorities are required to include in this Statement the principles to be applied by the authority in exercising the functions under Part 15 of the 2005 Act in respect of:

- The inspection of premises.
- The powers under Section 346 of the 2005 Act to institute criminal proceedings in respect of the offences specified.

The principles that we will apply are that we will be guided by the Regulator's Code and the Gambling Commission's Guidance for local authorities and we will endeavour to be:

- Proportionate - we will only intervene when necessary, remedies will be appropriate to the risk posed, and costs identified and minimised.
- Accountable - our decisions will be justifiable, and be subject to public scrutiny.
- Consistent - rules and standards will be joined up and implemented fairly.
- Transparent and Open - licence conditions will be kept simple and user friendly.
- Targeted - our regulation will be focused on the problem, and minimise side effects.

We will avoid duplication with other regulatory regimes so far as is possible.

We will also adopt a risk-based inspection programme to premises and will consider any risk models produced in conjunction with the Gambling Commission. This Licensing Authority's enforcement protocol is available from the Licensing Team or on the Council's website at: <http://www.darlington.gov.uk/licensing>

The main enforcement and compliance role for this Licensing Authority in terms of the Gambling Act 2005 will be to ensure compliance with the requirements of the Premises Licences and other permissions that we authorise. We will also keep ourselves informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities. We will continue to work closely with our colleagues in Durham Police.

The Gambling Commission will be the enforcement body for the Operator and Personal Licences.

This licensing authority also keeps itself informed of developments as regards the work of the Better Regulation Executive (BRE) in its consideration of the regulatory functions of local authorities.

Please note that concerns about the manufacture, supply or repair of gaming machines will not be dealt with by the Licensing Authority but will be notified to the Gambling Commission.

17 HUMAN RIGHTS

The Secretary of State has certified that the 2005 Act is compatible with the European Convention on Human Rights. When we consider an application or take any enforcement action under the 2005 Act we are aware that we are subject to the Human Rights Act and in particular:

- Article 6 – right to a fair hearing
- Article 8 – respect for private and family life. In particular, removal or restriction of a licence may affect a person's private life
- Article 10 – right to freedom of expression.

PREMISES LICENCES

1. INTRODUCTION

Premises Licences are subject to the requirements set out in the Gambling Act 2005 and regulations, as well as any 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 they believe it to be appropriate. The grant of a premises licence must be reasonably consistent with the licensing objectives.

This Licensing Authority is aware that we should aim to permit the use of premises for gambling in so far as we think it:

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

1.1. DEFINITION OF "PREMISES"

Premises are defined in the 2005 Act as "any place". Different premises licenses cannot apply in respect of a single premises at different times. It is possible, however, for a single building to be subject to more than one premises licence provided they are for different parts of a building and those different parts can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact.

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 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."

1.2 GAMBLING ACTIVITY

By distinguishing between the different types of premises the 2005 Act makes it clear that the gambling activity of the premises should be that described. This principle also applies to existing casino licences and betting premises licences.

1.3 DIVISION OF PREMISES AND ACCESS BETWEEN PREMISES

This Licensing Authority takes particular note of the Gambling Commission's Guidance to local authorities as follows:

Paragraph 7.19

"An issue that may arise when division of a premises is being considered is the nature of the unlicensed area from which a customer may access a licensed gambling premises. The precise nature of this public area will depend on the location and nature of the premises. Licensing authorities will need to consider whether the effect of any division is to create a machine shed-type environment with very large banks

of machines, which is not the intention of the access conditions, or whether it creates a public environment with gambling facilities being made available.”

When considering subdivision of premises this Licensing Authority will generally require full floor to ceiling, solid subdivision. Moveable barriers and barriers less than 2.2 metres high will generally not be acceptable.

Paragraph 7.20

"The Gambling Act 2005 (Mandatory and Default Conditions) Regulations set out the access provisions for each type of premises. The broad principle is that there can be no access from one licensed gambling premises to another, except between premises which allow access to those under the age of 18 and with further exception that licensed betting premises may be accessed from other licensed betting premises. Under-18s can go into FECs, tracks, pubs and some bingo clubs, so access is allowed between these types of premises.

Paragraph 7.32

“Licensing authorities should pay particular care in considering applications for multiple licenses 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 or exploited by gambling. In practice this means not only preventing them from taking part in gambling, but also prevents 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 and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not ‘drift’ into a gambling area. 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."

Paragraph 7.33

"In determining whether two or more proposed premises are truly separate, the licensing authority should consider factors which could assist them in making their decision, including

- Is a separate registration for business rates in place for the premises?
- 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?"

Paragraph 7.36

"Only one premises licence may be issued for any particular premises at any time although, in some circumstances, the licence may authorise more than one type of gambling. For example, a bingo licence will also authorise the provision of gaming machine. Details of the gambling permissible under each type of licence are set out in the Act and in the premises specific parts of the Guidance"

Paragraph 7.37

"The exception to this relates to tracks, that is a horse racing course, dog track or other premises where races or sporting events take place, which may be subject to more than one premises licence, provided each licence relates to a specified area of the track".

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

1.4 LOCATION

This Council is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. The Authority 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. It should be noted that any application being made will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

This Licensing Authority will seek to avoid any duplication with other statutory/regulatory systems where possible, including Planning. It will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. The Licensing Authority will, however, listen to, and consider carefully, any concerns about conditions that are not able to be met by licensees due to planning restrictions, should such a situation arise.

Under Section 210 of the 2005 Act a Licensing Authority is not entitled to have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with the law relating to planning or building. This Licensing Authority will, however, consider relevant representations from the Local Planning Authority about the effect of the grant of a Premises Licence on an existing planning permission where this relates to the licensing objectives, a Commission Code of Practice, or this Statement of Principles.

1.5 CONDITIONS

Premises used for gambling are subject to the mandatory and default conditions specified in the 2005 Act. These conditions will generally be sufficient, however additional conditions may be imposed where there is clear evidence of a risk to the licensing objectives. Any conditions attached to a licence by the Licensing Authority must be proportionate, necessary and, in accordance with section 9.31 of the Gambling Commission's Guidance, 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.
- Reasonable in all other respects.

Decisions upon individual conditions will be made on a case-by-case basis, although there will be a number of measures this Licensing Authority will consider using should there be a perceived need, such as use of door supervisors, appropriate signage for adult-only areas etc. There are specific comments made in this regard under some of the licence types below. This Licensing Authority will also expect the Premises Licence applicant to offer their own suggestions as to ways in which the licensing objectives can be met effectively.

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

We will also require that where Category C machines or above are on offer in premises to which children are admitted that:

- 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 the staff or the licence holder can observe it.
- 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 the age of 18 years.

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

This Licensing Authority is aware that tracks may be subject to one or more Premises Licences, provided each licence relates to a specified area of the track. In accordance with the Gambling Commission's Guidance, we will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

It is noted that there are certain conditions that we cannot attach to Premises Licences as follows:

- Any condition on the Premises Licence that 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 2005 Act specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated).
- Conditions in relation to stakes, fees, winning or prizes.

1.6 DOOR SUPERVISORS

The Gambling Commission advises in its Guidance to Local Authorities that Licensing Authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime. We note, however, that door supervisors at casinos or bingo premises cannot be licensed by the Security Industry Authority.

1.7 CREDIT/ATMS

Section 177 of the 2005 Act requires, in relation to Casino and Bingo Premises Licences, that a condition be placed on the licence prohibiting the provision of credit in connection with gambling authorised by the licence or any involvement with such provision.

Section 177 does not, however, prevent the licensee from permitting the installation of cash dispensers (ATMs) on the premises. Such machines may accept credit cards (and debit cards) providing the arrangement is subject to a requirement that the licensee has no other commercial connection in relation to gambling (aside from the agreement to site the machines) with the service-provider and does not profit from the arrangement, nor make any payment in connection with the machines.

1.8 LOCAL RISK ASSESSMENTS

The 5th edition of the Gambling Commission Guidance (published September 2015) reflects the need for operators to consider local risks. This Licensing Authority takes particular note of the Gambling Commission's Guidance to local authorities as follows:

- "6.42 Social Responsibility (SR) code 10.1.1 requires all premises licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, they must take into account relevant matters identified in the licensing authority's statement of policy.
- 6.43 Licensees are required to undertake a local risk assessment when applying for a new premises licence.

Their risk assessment must also be updated:

- when applying for a variation of licence
- to take account of significant changes in local circumstances, including those identified in a licensing authority's statement of policy
- when there are significant changes at a licensee's premises that may affect their mitigation of local risks.

6.44 The new SR provision is supplemented by an ordinary code provision that requires licensees to share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise at the request of the licensing authority, such as when they are inspecting a premise.

6.45 Where concerns do exist, perhaps prompted by new or existing risks, a licensing authority might request that the licensee share a copy of its own risk assessment which will set out the measures the licensee has in place to address specific concerns. This practice should reduce the occasions on which a premises review and the imposition of licence conditions is required. There is no statutory requirement for licensees to share their risk assessments with responsible authorities or interested parties, however responsible businesses will wish to assist licensing authorities and responsible authorities are far as possible in their consideration of applications by making relevant information available as part of their applications.

6.46 Where a licensing authority statement of policy sets out its approach to regulation with clear reference to local risks, it will facilitate operators being able to better understand the local environment and therefore proactively mitigate risks to the licensing objectives. In some circumstances, it might be appropriate to offer the licensee the opportunity to volunteer specific conditions that could be attached to the premises licence."

1.9 LOCAL AREA PROFILE

While it is not currently the intention for this Licensing Authority to identify a local area profile, the Licensing Authority note the guidance offered by the Gambling Commission in sections 6.47 to 6.53 of the 5th edition of its Guidance. In particular, sections 6.48 and 6.50 which state as follows:

"6.48 An effective local area profile is likely to take account of a wide range of factors, data and information held by the licensing authority and its partners. An important element of preparing the local area profile will be proactive engagement with responsible authorities as well as other organisations in the area that can give input to 'map' local risks in their area. These are likely to include public health, mental health, housing, education, community welfare groups and safety partnerships, and organisations such as Gamcare or equivalent local organisations.

6.50 For example an area might be identified as high risk on the basis that it is located within close proximity to a youth centre, rehabilitation centre, or school. The licensing authority might indicate, for example, that they would expect licensees to take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises. The licensee would be reasonably expected to have sufficient controls in place to mitigate associated risks in such areas, and, if not, the licensing authority would consider other controls themselves. "

This Licensing Authority will therefore expect applicants for premises licences to submit a copy of their local risk assessment as part of their application. This should reflect factors such as the premises' proximity to schools and other sensitive locations, vulnerable people schemes and other information relevant to the locality and how the applicant intends to mitigate any potential risks.

1.10 MACHINE STAKES AND PRIZES

Category of machine	Maximum stake (from Jan 2014)	Maximum prize (from Jan 2014)
A	Unlimited - <i>No category A gaming machines are currently permitted</i>	Unlimited - <i>No category A gaming machines are currently permitted</i>
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 a money prize)
D - combined money and non-money prize (coin pusher or penny falls machine)	20p	£20 (of which no more than £10 may be a money prize)

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

2. PROVISIONAL STATEMENTS

An applicant cannot obtain a Full Premises Licence until the premises in which it is proposed to offer gambling are constructed (or altered or acquired). An application for a Provisional Statement follows the same process as that for a premises licence. When the premises have been built, altered or acquired an application is then made for a Premises Licence.

In terms of representations about Premises Licence applications, following the grant of a Provisional Statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters that could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances.

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

- That could not have been raised by objectors at the provisional licence stage.
- That, in our opinion, reflects a change in the operator's circumstances.

3. ADULT GAMING CENTRES

This Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises. Applicants will be expected to offer their own measures to meet the licensing objectives and appropriate measures/licence conditions may include such issues as:

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

4. (LICENSED) FAMILY ENTERTAINMENT CENTRES

This Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, 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. Applicants will be expected to offer their own measures to meet the licensing objectives and appropriate measures/licence conditions may include:

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

NB The lists on this page are neither mandatory, nor exhaustive. They are merely indicative of example measures.

This Licensing Authority will, in accordance with the Gambling Commission's Guidance, refer to the Commission's website to see any conditions that apply to Operating Licenses covering the way in which the area containing the category C machines should be delineated. The Licensing Authority will also be made aware of any mandatory or default conditions on these Premises Licenses.

5. CASINOS

This Licensing Authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should it be decided in the future to pass such a resolution, this Policy Statement will be updated with details of that resolution. The Council itself will make any such decision.

This Licensing Authority is aware that where a Licensing Authority is enabled to grant a Premises Licence for a new style casino (i.e. The Secretary of State has made such regulations under Section 175 of the 2005 Act) there are likely to be a number of operators who will want to run the Casino. In such situations relevant Local Authorities will hold a "competition" under Schedule 9 of the Gambling Act 2005. Such competition is to be in line with any Regulations/Codes of Practice issued under the 2005 Act.

6. BINGO PREMISES

Bingo is a class of equal chance gaming and will be permitted in alcohol licensed premises / clubs provided it remains below a certain threshold, otherwise it will be subject to a Bingo Operating Licence, which will have to be obtained from the Gambling Commission. The holder of a Bingo Operating Licence will be able to provide any type of bingo game including cash and prize bingo. Commercial bingo halls will require a Bingo Premises Licence from the Council. Amusement arcades providing prize bingo will require a Prize Gaming Permit from the Council.

In each of the above cases it is important that where children are allowed to enter premises licensed for bingo, in whatever form, they are not allowed to participate in any bingo game/gambling other than on category D machines. When considering applications of this type this Licensing Authority will, therefore, take into account, among other things, the location of the games or machines, access to those areas, general supervision of the premises and the display of appropriate notices.

Where category C or above machines are available in premises to which children are admitted, the Licensing Authority will seek to ensure that:

- All such machines are located in an area of the premises separated from the remainder of the premises by a physical barrier that 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 the machines are located is arranged so that staff of the operator or the licence holder can observe it.
- At the entrance to, and inside any such area, there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

This Licensing Authority will also consider any guidance issued by the Gambling Commission about particular issues to be taken into account by Licensing Authorities in relation to suitability and layout.

Bingo may be provided at clubs and institutes either in accordance with a permit or providing that the limits in Section 275 of the Act are complied with. These restrictions limit the aggregate stake or prizes within any seven days to £2000, and require the Commission to be notified as soon as is reasonably practicable if that limit is breached. Stakes or prizes above that limit will require a Bingo Operators Licence and the corresponding Personal and Premises Licenses.

7. BETTING PREMISES

Anyone wishing to operate a betting office will require a Betting Premises Licence from the Council. Betting premises will be able to provide a limited number of gaming machines and some betting machines.

In accordance with the Gambling Commission's guidance, this Licensing Authority will take into account the size of the premises, the number of counter positions available for person-to-person transactions and the ability of staff to monitor the use of machines by children and young persons (it is an offence for those under 18 years of age to bet) or by vulnerable people when considering the number/nature/circumstances of betting machines an operator wishes to offer. Each application will, however, be considered on its own individual merits.

8. TRACKS

Section 353 of the Act defines a track as a horse racecourse, greyhound track or other premises on any part of which a race or other sporting event takes place or is intended to take place. Examples of tracks include:

- a horse racecourse (referred to in this Guidance as 'racecourses')
- a greyhound track
- a point-to-point horserace meeting

- football, cricket and rugby grounds
- an athletics stadium
- a golf course
- venues hosting darts, bowls, or snooker tournaments
- a premises staging boxing matches
- a section of river hosting a fishing competition
- a motor racing event.

Only one Premises Licence can be issued for any particular premises at any time unless the premises is a 'track'. A track is a site where races or other sporting events take place. Tracks may be subject to more than one Premises Licence, provided each licence relates to a specified area of the track.

In accordance with the Gambling Commission's Guidance this Licensing Authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling), the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

This Licensing Authority will, therefore, expect applicants for Premises Licences 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 are permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided. Applicants will be expected to offer their own measures to meet the licensing objectives and appropriate measures/licence conditions may cover such issues as:

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

This list is neither mandatory, nor exhaustive. It is merely indicative of example measures.

8.1 GAMING MACHINES ON TRACKS

The 2005 Act permits track owners holding both a track premises licence and a pool betting operating licence up to four gaming machines within categories B2 to D on the track. If a track qualifies for an alcohol licence they will be automatically entitled to two gaming machines of category C or D by notifying the Licensing Authority and paying the relevant fee. Therefore if a track premises licence holder has both an alcohol licence and a pool betting operating licence, then they will be entitled to a total of six gaming machines.

8.2 BETTING MACHINES ON TRACKS

Bet receipt terminals may be installed on tracks. There is no restriction on the number that may be in use but operators must supervise such terminals to prevent them being used by those under 18 years of age.

This Licensing Authority will, in accordance with the Gambling Commission's guidance, take into account the size of the premises, the ability of staff to monitor the use of machines by children and young persons (it is an offence for those under 18 years of age to bet) or by vulnerable people when considering the number/nature/circumstances of betting machines an operator wishes to offer. It will also take into account the Gambling Commission's suggestion that Licensing Authorities will want to

consider restricting the number and location of such machines in respect of applications for track betting premises licences. Each application will, however, be considered on its own individual merits.

8.3 CONDITION ON RULES BEING DISPLAYED

In line with guidance from the Gambling Commission a condition will be attached to a track premises licence 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. Examples of how this may be achieved may include rules being printed in the race card or made available in leaflet form from the track office.

9. TRAVELLING FAIRS

The Act defines a travelling fair as 'wholly or principally' providing amusements and they must be on a site that has been used for fairs for no more than 27 days per calendar year. It applies to the piece of land on which fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This authority will monitor the use of land and maintain a record of the dates on which it is used. If the land straddles other licensing authority areas, it will work together to ensure statutory limits are not exceeded.

Where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the Licensing Authority must decide whether the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met. It will also consider whether the applicant falls within the statutory definition of a travelling fair.

10. REVIEW OF PREMISES LICENCES

Interested Parties or Responsible Authorities can make requests for a review of a Premises Licence; however, it is for the Licensing Authority to decide whether the review is to be carried out.

This will be on the basis of whether the request for the review is relevant to the matters listed below (as well as consideration as to whether the request is frivolous, vexatious, will definitely not cause this Licensing Authority to wish to alter/ revoke/ suspend the licence or whether it is substantially the same as previous representations or requests for review), i.e. that 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.
- In accordance with this Authority's statement of licensing policy.

Licensing Authority officers may be involved in the initial investigations of complaints leading to a review, try informal mediation or dispute resolution before a full review is conducted. Unlike the Licensing Act 2003, the Licensing Authority may review Premises Licences in its own right on the basis of any reason it thinks is appropriate.

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

The Licensing Authority must carry out the review as soon as possible after the 28 day period for making representations has passed. The purpose of the review will be to determine whether any action is taken in relation to the licence. If action is justified, the options open to the licensing authority are:-

- (a) add, remove or amend a licence condition imposed by the licensing authority;
- (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;

(d) revoke the premises licence.

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

The Licensing Authority itself 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.

Once the review has been completed, the Licensing Authority must, as soon as possible, notify its decision to:

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

NB The Gambling Commission will be a Responsible Authority in Premises Licence reviews.

PERMITS/TEMPORARY AND OCCASIONAL USE NOTICE

1. UNLICENSED FAMILY ENTERTAINMENT CENTRE (FEC) GAMING MACHINE PERMITS

Where a premises does not hold a Premises Licence but an applicant wishes to provide gaming machines, (s)he may apply to the Licensing Authority for a FEC permit. It should be noted that in accordance with Section 238 of the 2005 Act the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use.

The 2005 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. In preparing that 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 2005 Act.

An FEC Gaming Machine 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. No conditions can be imposed upon the grant of this type of permit. This Licensing Authority will, therefore, wish to be satisfied, among other things, that the applicant has a full understanding of the maximum stakes and prizes of the gambling that is permitted in unlicensed FECs; has no relevant convictions (as detailed in Schedule 7 to the 2005 Act); and that all staff employed on the premises are provided with proper training in relation to stakes and prizes.

1.1 STATEMENT OF PRINCIPLES

Applicants will be expected 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 in relation to suspected truant school children on the premises/dealing with unsupervised very young children being on the premises, or children causing perceived problems on or around the premises. Applicants will be expected to demonstrate, among other things:

- 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).
- That staff are trained to have a full understanding of the maximum stakes and prizes.
- An awareness of local school holiday times and how to identify the local education office should truants be identified.

Evidence of compliance with the Code of Practice for FECs issued by the British Amusement Catering Trade Association (BACTA) may be accepted as evidence that (apart from the criteria relating to criminal convictions) the applicant has met the above requirements. Full details of the statement of principles and requirements for applicants, including any requirement to submit plans etc may be obtained from the Licensing Section.

A Licensing Authority may refuse an application for renewal of a permit only on the grounds that an Authorised Local Authority Officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with the pursuit of the licensing objectives.

2. (ALCOHOL) LICENSED PREMISES GAMING MACHINE PERMITS

There is provision in the 2005 Act for premises licensed to sell alcohol for consumption on the premises, to automatically have two gaming machines, of categories C and/or D. The premises merely need to notify the Licensing Authority. Under section 284 of the 2005 Act a licensing authority can remove the automatic authorisation in respect of any particular premises if:

- Provision of the machines is not reasonably consistent with the pursuit of the licensing objectives.
- Gaming has taken place on the premises that breaches a condition of Section 282 of the 2005 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.
- An offence under the 2005 Act has been committed on the premises.

Should it be necessary to issue a Section 284 order, the licence holder will be given at least twenty-one days' notice of the intention to make the order, and consider any representations which might be made. A hearing will be held if requested by the licensee.

If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon:

- The licensing objectives
- Any Guidance issued by the Gambling Commission under Section 25 of the 2005 Act
- "Such matters as they think relevant"

2.1 STATEMENT OF PRINCIPLES

This Licensing Authority considers that 'such matters' will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from being harmed or being exploited by gambling and will expect the applicant to satisfy the licensing authority that there will be sufficient measures to ensure that children/young people under 18 years of age do not have access to the adult-only gaming machines. It will take into account whether access by children to the premises under the Licensing Act 2003 is restricted or not.

Measures which will satisfy the licensing authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff that will monitor that the machines are not being used by those under 18 years of age. Notices and signage may also be helpful. With regard to the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for such organisations as GamCare.

A plan will be required as part of the application indicating where and what type of gambling machines are to be provided. This plan may take the form of an amendment to the plan attached to the Premises Licence issued under the Licensing Act 2003.

It is recognised that some alcohol-licensed premises may apply for a Premises Licence for their non-alcohol licensed areas. It is likely that any such application would need to be made and dealt with as an Adult Gaming Centre Premises Licence.

A Licensing Authority can decide to grant an 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. The holder of a permit must, however, comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

3. PRIZE GAMING PERMITS

Prize gaming may be provided in bingo premises as a consequence of the Bingo Operating Licence. Any type of prize gaming may be provided in Adult Gaming Centres and licensed Family Entertainment Centres. Unlicensed Family Entertainment Centres may offer equal chance prize gaming under a gaming machine permit. Travelling fairs may provide prize gaming without a permit, as long as none of the gambling facilities at the fair amount to more than an ancillary amusement. Children and young people may participate in equal chance gaming only.

3.1 STATEMENT OF PRINCIPLES

The Gambling Act 2005 states that a Licensing Authority may prepare a Statement of Principles, which they propose to apply in exercising their functions and may specify matters that the Licensing Authority propose to consider in determining the suitability of the applicant for a permit.

This Licensing Authority considers that such matters will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and it is expected that the applicant will satisfy the Licensing Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to unequal chances prize gaming. It will take into account whether access by children to the premises under the Licensing Act 2003 is restricted or not.

This Licensing Authority considers that the applicant should set out the types of gaming that (s)he is intending to offer and that the applicant should be able to demonstrate they understand the limits to stakes and prizes that are set out in the Regulations and that the gaming offered is within the law. Full details of this statement of principles and requirements for applicants may be obtained from the Licensing Section.

3.2 CONDITIONS

It should be noted that there are conditions in the Gambling Act 2005 with which the permit holder must comply, but that the Licensing Authority cannot attach conditions. The conditions in the 2005 Act are that:

- 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).
- Participation in the gaming must not entitle the player to take part in any other gambling.

In making its decision on an application for this type of permit a Licensing Authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

Applications may only be made by people who occupy or plan to occupy the premises, are aged 18 or over (if an individual), and no Premises Licence or Club Gaming Permit issued under the 2005 Act may be in force. A plan must accompany applications indicating where and what type of prize gaming is to be provided.

4. CLUB GAMING AND CLUB MACHINES PERMITS

Members' clubs (but not commercial clubs) may apply for a Club Gaming Permit or a Club Gaming Machines Permit. The Club Gaming Permit allows the premises to provide:

- Up to three machines of categories B, C or D
- Equal chance gaming
- Games of chance as set out in regulations

A Club Gaming Machine Permit will enable the premises to provide up to three machines of categories B, C or D.

This Licensing Authority will wish to be satisfied that applicants for these permits meet the statutory criteria for Members' Clubs contained in Sections 266 and 267 of the 2005 Act. Members Clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless gaming is permitted by separate regulations. It is anticipated that this will cover Bridge and Whist Clubs and this will replicate the position under the Gaming Act 1968. A Members' Club must be permanent in nature, not established to make commercial profit and be controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations.

The Gambling Commission's Guidance also notes that licensing authorities may only refuse an application on the grounds that:

- The applicant does not fulfil the requirements for a members club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied.
- The applicant's premises are used wholly or mainly by children and/or young persons.
- An offence under the 2005 Act or a breach of permit has been committed by the applicant while providing gaming facilities.
- A permit held by the applicant has been cancelled in the previous 10 years.
- An objection has been lodged by the Commission or the Police.

Clubs, which hold a Club Premises Certificate under the Licensing Act 2003, are entitled to benefit from a fast-track application procedure. Under this procedure there is no opportunity for objections to be made by the Commission or the Police and the grounds upon which a Licensing Authority can refuse a permit are reduced. Grounds for refusal are:

- That the club is established primarily for gaming other than gaming prescribed under Schedule 12 of the 2005 Act.
- That in addition to the prescribed gaming, the applicant provides facilities for other gaming.
- That a Club Gaming Permit or Club Machine Permit issued to the applicant in the last 10 years has been cancelled.

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.

5 SMALL SOCIETY LOTTERIES

5.1 Society Lotteries must be registered with the Council. A 'Society' is an organisation on whose behalf a lottery is to be promoted, which is:

- non-commercial
- is established and conducted for charitable purposes; or
- for the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity; or
- for any other non-commercial purpose other than that of private gain.

A Society cannot be established for the sole purpose of facilitating lotteries – it must have some other purpose.

5.2 The total value of tickets for sale per single lottery must be £20,000 or less, or the aggregate value of tickets to be put on sale for all lotteries in a calendar year must not exceed £250,000. If the Society plans to exceed either of these values they may need to be licensed with the Gambling Commission to operate large lotteries instead.

5.3 The requirements for a small society lottery include the following:

- At least 20% of the proceeds must be for purposes of the society
- No single prize may be worth more than £25,000
- Every ticket in the lottery must cost the same
- The society must take payment for the ticket fee before entry into the draw is allowed
- Lottery tickets may only be sold by persons over the age of 16 to persons over the age of 16

5.4 The society must send returns to the licensing authority after each lottery held. This information must include:

- The date on which tickets were available for sale
- The date of the draw
- The value of prizes, including any donated prizes
- The total proceeds of the lottery
- The amounts deducted by the promoter in providing prizes,
- The amounts deducted by the promoter in respect of costs incurred in organising the lottery
- The amount given to the purpose for which the society is conducted (this must be at least 20% of the proceeds)
- Details of any expenses incurred in connection with the lottery that were not paid for from the proceeds and from where they were paid.

5.5 Returns must be sent to the Council no later than three months after the date of the lottery draw. They must be signed by two members of the society, who must be aged eighteen or older, are appointed for the purpose in writing by the society or, if it has one, its governing body, and be accompanied by a copy of their letter or letters of appointment.

5.6 Further information about applying for a small society lottery can be found on the Council's website at: <http://www.darlington.gov.uk/licensing>

6. TEMPORARY USE NOTICES

Temporary Use Notices (TUNs) allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a temporary use notice include hotels, conference centres and sporting venues. A TUN may only be granted to a person or company holding a relevant operating licence.

TUNs may only be used to permit the provision of facilities for equal chance gaming, where the gaming is intended to produce a single overall winner but not where any person participating in the gaming does so by means of a gaming machine. Examples of equal chance gaming include backgammon, mah-jong, rummy, dominoes, cribbage, bingo and poker.

A set of premises may not be the subject of a TUN for more than 21 days in a period of 12 months but more than one TUN may be provided in respect of a set of premises during a 12 month period, provided that the aggregate of the periods do not exceed 21 days etc. 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. For further information on what constitutes "Premises" please refer to section B 1 of this document

A TUN must be lodged with the licensing authority not less than three months and one day before the day on which the gambling event will begin and must be copied to:

- The Gambling Commission
- The Police
- HM Revenue and Customs
- If applicable, any other licensing authority in whose area the premises are situated.

It must contain the following information:

- The type of gaming to be carried on
- The premises where it will take place
- The dates and times the gaming will take place
- Any periods during the previous 12 months that a temporary use notice has had effect for the same premises
- The date on which the notice is given
- The nature of the event itself.

Although this Licensing Authority will aim to permit gambling under a TUN it may object to a notice 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.

7. OCCASIONAL USE NOTICES

Occasional Use Notices (OUNs) can be used in respect of the acceptance of bets on a track. A Licensing Authority has very little discretion as regards these notices aside from ensuring that the statutory limit is not exceeded (currently 8 days in a calendar year but this can be amended by the Secretary of State). This Licensing Authority will consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

Scheme of Delegation for Gambling Act 2005 Functions

Matter to be dealt with	Full Council	Licensing Committee (Sub Committees)	Officers
Final approval of 3 year licensing policy	X		
Policy not to permit casinos	X		
Fee setting (when appropriate)	X		
Application for Premises Licence		Where representations have been made and not withdrawn	Where no representations received/representations have been withdrawn
Making a representation on behalf of Licensing Authority			Assistant Director Community Services
Application for a Variation to a Licence		Where representations have been made and not withdrawn	Where no representations received/representations have been withdrawn
Application for a Transfer of a Licence		Where representations have been made and not withdrawn	Where no representations received/representations have been withdrawn
Application for a Provisional Statement		Where representations have been made and not withdrawn	Where no representations received/representations have been withdrawn
Initiating a review on behalf of the Licensing Authority			Assistant Director Community Services
Review of a Premises Licence		X	
Application for Club Gaming/Club Machine Permits		Where objections have been made (and not withdrawn)	Where no objections made/objections have been withdrawn
Cancellation of Club Gaming/Club Machine Permits		X	
Applications for other Permits			X
Cancellation of Licensed Premises Gaming Machine Permits			X
Consideration of Temporary Use Notice			X
Decision to give a Counter Notice to a Temporary Use Notice		X	
Authorisation of Officer as a) Authorised Officer b) to Authorise other officers	To Authorise a) & b) to Licensing Manager		The Licensing Manager (b)
Section 346: Institution of criminal proceedings			The Licensing Manager

NB: All delegations except those indicated as responsibility of Full Council will be determined by Sub Committees of the Licensing Committee established under section 6 of the Licensing Act 2003 in accordance with Section 154 of The Gambling Act 2005

APPENDIX B

DETAILS OF RESPONSIBLE AUTHORITIES

1. **THE GAMBLING COMMISSION**
Victoria Square House, Victoria Square, BIRMINGHAM B2 4BP
E-mail info@gamblingcommission.gov.uk Website www.gamblingcommission.gov.uk
2. **POLICE**
Chief Officer of Police, Police HQ, St Cuthbert's Way, DARLINGTON DL15LB
3. **FIRE AUTHORITY**
Fire Safety Officer, Fire Brigade HQ, Framwellgate Moor, DURHAM DH1 5JR
4. **PLANNING**
Head of Planning Development Management and Environmental Health, Darlington Borough Council, Town Hall, DARLINGTON, DL1 5QT
5. **ENVIRONMENTAL HEALTH**
Environmental Health Manager, Darlington Borough Council, Town Hall DARLINGTON, DL1 5QT
6. **LOCAL SAFEGUARDING CHILDREN'S BOARD**
Assistant Director of Children's Services, Town Hall, DARLINGTON, DL1 5QT
7. **HM REVENUE & CUSTOMS**
Greenock Accounting Centre, Custom House, Custom House Quay, GREENOCK PA15 1EQ
8. **THE LICENSING AUTHORITY**
The Assistant Director of Community Services
Darlington Borough Council, 17 Allington Way, DARLINGTON DL1 4QB

LIST OF CONSULTEES

Our consultation took place between **11 February 2019** and **23 March 2019** and we followed the Code of Practice and the Cabinet Office Guidance on consultations by the public sector. The Gambling Act 2005 requires that the following parties are consulted by Licensing Authorities:

- The Chief Officer of Police.
- One or more persons who appear to the authority represent the interests of persons carrying on gambling businesses in the authority's area.
- One or more persons who appear to the authority represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.

This Authority has consulted the following persons/organisations:

- Durham Constabulary
- The Fire Service
- Environmental Health Manager, Darlington Borough Council
- Planning Manager, Darlington Borough Council
- The Safeguarding Children Board, Darlington Borough Council
- Legal Services, Darlington Borough Council
- Adult Services, Darlington Borough Council
- HM Customs & Excise
- The Gambling Commission
- Gamble Aware
- Ladbrokes Coral Group
- Buzz Group Ltd
- Luxury Leisure / Talarius Ltd
- William Hill (North Eastern) Ltd
- Betfred
- British Amusement Catering Trade Association (BACTA)
- The Industry Betting Arbitration Service (IBAS)
- Responsibility in Gambling Trust (RIGT)
- North East Council on Addictions (NECA) Darlington
- Business in Sport and Leisure
- British Beer and Pub Association
- Association of British Bookmakers (ABB)
- Gamcare
- All Darlington Borough Council Ward Councillors
- The Licensing Act 2003 Committee
- Clubs with club premises certificates under the Licensing Act 2003
- All Licensing Act 2003 Premises Licence holders with on licences
- Salvation Army

The various pub companies:

- Admiral Taverns (780) Ltd
- Cameron's Brewery
- Marston's PLC
- Spirit Group Ltd
- Stonegate Pub Company
- Enterprise Inns PLC
- Mitchells & Butlers
- Punch Tavern Ltd
- JD Wetherspoons
- The Craft Union Pub Company Ltd

Firms of licensing Solicitors:

- DWF
- Winkworth Sherwood
- Freeths
- Gosschalks
- Poppleston Allen
- Flint Bishop
- John Gaunt
- Ward Hadaway
- Shoosmiths
- Sintons

Glossary

<u>Term</u>	<u>Description</u>
ATM	Auto teller machine or cash machine.
Betting	Betting is defined as making or accepting a bet on the outcome of a race, competition or other event or process or on the outcome of anything occurring or not occurring or on whether anything is or is not true. It is irrelevant if the event has already happened or not and likewise whether one person knows the outcome or not. (Spread betting is not included within this definition).
Betting Machines / Bet Receipt Terminal	Betting machines can be described as automated betting terminals where people can place bets on sporting events removing the need to queue up and place a bet over the counter.
Bingo	There are essentially two types of bingo: cash bingo, where the stakes paid make up the cash prizes that can be won and prize bingo, where various forms of prizes can be won, not directly related to the stakes paid.
Book	Running a 'book' is the act of quoting odds and accepting bets on an event. Hence the term 'Bookmaker'.
Casino games	A game of chance, which is not equal chance gaming. Casino games includes Roulette and black jack etc.
Chip	Casinos in the UK require you to use chips to denote money. They are usually purchased and exchanged at a cashier's booth.
Pusher or penny falls machine	A machine of the kind which is neither a money prize machine nor a non-money prize machine
Crane grab machine	A non-money prize machine in respect of which every prize which can be won consists of an individual physical object (such as a stuffed toy) won by a person's

success in manipulating a device forming part of the machine so as to separate, and keep separate, one or more physical objects from a group of such objects.

Default condition

These are prescribed in regulations and will be attached to all classes of premises licence, unless excluded by the Council.

Equal Chance Gaming

Gaming which does not involve playing or staking against a bank.

Fixed Odds Betting

If a gambler is able to establish what the return on a bet will be when it is placed, (and the activity is not 'gaming' see below), then it is likely to be betting at fixed odds.

Fixed Odds Betting Terminals (FOBTs)

FOBTs are a type of gaming machine which generally appear in licensed bookmakers. FOBTs have 'touch-screen' displays and look similar to quiz machines familiar in pubs and clubs.

Gaming

Gaming can be defined as 'the playing of a game of chance for winnings in money or monies worth, whether any person playing the game is at risk of losing any money or monies worth or not'.

Gaming Machine

Any type of machine allowing any sort of gambling activity including betting on virtual events but not including home computers even though users can access online gaming websites.

Licensing Objectives

The licensing objectives are three principal goals which form the basis of the Act. Stakeholders who have an interest in the Act need to try and promote these objectives: The licensing objectives are:

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

Lottery	<p>A lottery generally refers to schemes under which prizes are distributed by chance among entrants who have given some form of value for their chance to take part. A lottery is defined as either a simple lottery or a complex lottery. A simple lottery is one where persons are required to pay to participate and one or more prizes are allocated to one or more members of a class and the prizes are allocated by a process which relies wholly on chance. A complex lottery is where persons are required to pay to participate and one or more members of a class and the prizes are allocated by a series of processes where the first of those processes relies wholly on chance. Prize means money, articles or services provided by the members of the class among whom the prize is allocated. (It should be noted that the National Lottery is not included in this definition of lottery and is regulated by the National Lottery Commission).</p>
Mandatory condition	<p>A condition which will be set by the Secretary of State (some set out in the Act and some to be prescribed by regulations) which will be automatically attached to a specific type of premises licence. The Council will have no discretion to alter or remove these conditions.</p>
Money prize machine	<p>A machine in respect of which every prize which can be won as a result of using the machine is a money prize.</p>
Non-money prize machine	<p>A machine in respect of which every prize which can be won as a result of using the machine is a non-money prize. The winner of the prize is determined by:</p> <ul style="list-style-type: none">(i) the position in which the coin or token comes to rest after it has been inserted into the machine, together with the position of other coins or tokens which have previously been inserted into the machine to pay a charge for use, or(ii) if the insertion of a single coin to pay the charge for use enables the person using the machine to release one or more tokens within the machine, the position in which such tokens come to rest after being released, together with the position of other tokens which have previously been so released.

Odds	The ratio to which a bet will be paid if the bet wins, e.g. 4-1 means for every £1 bet, a person would receive £4 of winnings.
Off-course betting operator	Off-course betting operators may, in addition to premises away from the track, operate self-contained betting premises within a track premises. Such self-contained premises will provide facilities for betting on both events taking place at the track (on-course betting), as well as other sporting events taking place away from the track (off-course betting). In essence such premises operate like a traditional high street bookmaker. They will however only normally operate on race days.
On-course betting operator	The on-course betting operator is one who comes onto on a track, temporarily, while races are taking place, and operates at the track side. On-course betting operators tend to offer betting only on the events taking place on the track that day (on-course betting).
Pool Betting	For the purposes of the Gambling Act, pool betting is made on terms that all or part of the winnings: 1) Shall be determined by reference to the aggregate of the stakes paid or agreed to be paid by the persons betting 2) Shall be divided among the winners or 3) Shall or may be something other than money. For the purposes of the Gambling Act, pool betting is horse-race pool betting if it relates to horse-racing in Britain.
Regulations or Statutory instruments	Regulations are a form of law, often referred to as delegated or secondary legislation. They have the same binding legal effect as Acts and usually state rules that apply generally, rather than to specific persons or things. However, regulations are not made by Parliament. Rather, they are made by persons or bodies to whom Parliament has delegated the authority to make them, such as a minister or an administrative agency.
Representations	In the context of the Gambling Act representations are either positive statements of support or negative objections which are made in relation to a licensing application. Representations must be made in time, e.g. during a designated notice period.

Responsible authority (authorities)	Responsible authorities (RAs) are agencies which have been appointed by the Gambling Act or regulations to fulfil a designated role during the licensing process. RAs must be sent copies of all licensing applications and have the power to make representations about such applications. RAs also have the power to ask for licences to be reviewed.
Skill machine / Skill with prizes machine	The Act does not cover machines that give prizes as a result of the application of pure skill by players. A skill with prizes machine is one on which the winning of a prize is determined only by the player's skill – any element of chance imparted by the action of the machine would cause it to be a gaming machine. An example of a skill game would be trivia game machines, popular in pubs and clubs, which require the player to answer general knowledge questions to win cash prizes.
Spread betting	A form of investing which is more akin to betting and can be applied either to sporting events or to the financial markets. Spread betting is regulated by the Financial Services Authority.
Stake	The amount pledged when taking part in gambling activity as either a bet, or deposit to the bank or house where the house could be a gaming machine.
Statement of principles document	A document prepared by the Council which outlines the areas that applicants need to consider before applying for gaming permits.
Table gaming	Card games played in casinos.
Tote	"Tote" is short for Totalizer, a system introduced to Britain in 1929 to offer pool betting on racecourses.
Track	Tracks are sites (including horse tracks and dog tracks) where races or other sporting events take place.

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BRAILLE
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Arabic

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Bengali

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Hindi

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Punjabi

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Urdu

اگر آپ کو یہ کتابچہ انگریزی کے علاوہ کسی دوسری زبان میں درکار ہو تو براہ مہربانی ٹیلیفون نمبر 01325 405888 پر فون کر کے حوالہ نمبر بتائیں۔

Polish

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**COUNCIL
25 APRIL 2019**

LEADER AND EFFICIENCY AND RESOURCES PORTFOLIO OVERVIEW

Updates and issues

1. Since my last update to Council, there have been several key issues which I wish to refer to below :-
2. **Ofsted Focussed Visit** – Inspectors spent two days reviewing progress in Children Services and their letter highlighted that we continue to make good progress although there remains plenty to do to achieve good. It is a credit to our team that good progress is being made on the back of getting out of intervention in a timely manner, some other Councils who went into intervention at the same time, haven't progressed sufficiently to get out of special measures. A big thanks is due to the Children Services team.
3. **The Covered Market MAM Ltd.**– recently revealed their plans for the Covered Market – Plan A which is fundable from within their resources as agreed within their contract with the Council. Option B which builds on Option A and includes an exciting Temperate Garden to the Market Square side of the market, would require public sector investment. This will be a decision for the new Council, but I would be keen to invest in what is our unique selling proposition (USP) for Darlington Town Centre and look to identify public funds to support Option B.
4. **Public Spaces Protection Order (PSPO)** – Community Safety was one of the public's priorities for investment and Council has invested in additional staffing measures in this area and I was pleased to agree the PSPO for the town centre. The PSPO is a tool to assist the Council in dealing with unsociable behaviour in the town centre and is something the public has been clear about. In terms of town centre behaviours, I was very pleased to see the additional resources the Police employed in the town centre when Hartlepool visited Darlington recently for a local derby football match. The Police recognise how important our town centre is to us and resourced it accordingly.
5. **Chief Constable Mike Barton** – finally just to say a big thanks to Mike for all he has done for policing in Durham and Darlington and we wish him a happy retirement this summer.

Feethams Project

6. Activity has begun on site for Feethams House – with archaeology/excavation works being carried out in preparation for commencement of construction. ERDF and TVCA funding has been secured and the 5-storey office building is anticipated to be completed in early 2020. Greg Davidson at Cushman & Wakefield and Andrew Wilkinson at Connect Property North East Ltd are seeking to secure tenants.

Neasham Road

7. A pre-application has been submitted for 450 homes at the Neasham Road development site. The site is currently undergoing archaeological investigation works and gas monitoring activity with reports being circulated to Ecology and Environmental Health teams. It is not anticipated that these works will impact on existing plans or timescales.

Stag House

8. Reserve Matters planning application for 465 homes has been submitted and it is anticipated that Highways construction works will commence in July, subject to obtaining the requisite planning consents. Contracts have now exchanged with Bussey & Armstrong Projects Ltd, the ESH/JV and Barratt Homes.

Meetings and Visitors

9. **Darlington Partnership** – I attended Darlington Partnership Board meeting on 23rd January. The Partnership received a presentation for the consultants CLES who explained the work they will be doing in support of delivering the Fairer Richer Darlington Programme. CLES will be undertaking an in-depth analysis of the spend of the Council and other public-sector agencies and recommending how, by the application of social value in procurement the money spent maximises the benefit to Darlington residents. Councillor McEwan is leading the steering group that is overseeing this work.
10. **PD Ports** – I visited PD Ports and had a tour of Teesport on a rather cold and wet February morning. Despite the weather, it was fabulous to see the port in action and a get a good understanding of what the Port means to the region's economy. It really is an asset for the Tees Valley with much potential to add further value.
11. **Darlington Cares** - In total Darlington Carers members delivered over 11,000 hours of volunteering during 2018. But more important to that achieved the following:
 - Education:
 - Busy Readers – over 400 children got help with their reading
 - Homework Club – 90 children, fed and helped with their homework
 - Social Justice:
 - Food Parcels – helped deliver over 600 food parcels
 - Christmas appeal – Helping over 1000 families
 - Community centres & sheltered accommodation supported in numerous was
 - Period Poverty – helped over 1000 girls
 - Environment:
 - Bags of litter – over 600 bags collected
 - Kids in Cockerton – over 200 children given access to wildlife facility
12. Darlington Cares has adopted Fairer Richer Darlington as a priority and will increasingly focus its activities on supporting the programme.

Transport Portfolio – Tees Valley Combined Authority

13. As TVCA Cabinet Member with the portfolio for strategic transport, I would like to provide you with some of the highlights:
14. Durham Tees Valley Airport has been purchased and the Stobart Group have just been appointed to operate the airport. Governance structures to enable TVCA to oversee the management of the airport are still being developed.
15. On 5 February 2019, Cabinet agreed to waive the pre-emption rights that the Council held as a shareholder in Durham Tees Valley Airport Limited, in order to facilitate a transfer of shares controlled by Peel Holdings Limited to a company established by the Tees Valley Combined Authority.
16. Cabinet also agreed to the continuance of the shareholder protections for the minority shareholders, subject to some modifications, and delegated power to the Managing Director, in consultation with myself, to implement the decision, with the authority to make any minor changes required to give effect to this decision.
17. I led the commencement of consultation on the new Tees Crossing planned for the A19. This is a key part of the Tees Valley's transport infrastructure and we hope government will provide funding for this and the Darlington Northern bypass.
18. Work is ongoing on finalising the Transport Strategy for consultation and I have had a number of meetings with Tees Valley Combined Authority officers to help shape the strategy. There are some great opportunities for the Tees Valley and Darlington within the draft strategy.

Cabinet – Efficiency and Resources Portfolio Update

19. At its meeting on 5 February 2019, Cabinet received a number of reports, including an update on the issues relevant to the use of the Regulation of Investigatory Powers Act 2000, and the developments that had taken place since the last report to Cabinet in July 2018.
20. Cabinet gave consideration the latest Capital resource and commitment position, to inform monitoring of the affordability and funding of the Council's capital programme and received an update on the current status of all construction projects currently being undertaken by the Council.
21. At the meeting, Cabinet also received an up-to-date forecast (Quarter 3) of the 2018-19 revenue budget outturn as part of the Council's continuous financial management process, and the latest projections demonstrated an overall improvement against the Medium Term Financial Plan (MTFP) of £2.689m, an increase of £1.573m from the position reported in Quarter 2. The figures reported increased projected balances at 31 March 2019, and were reflected in the revised MTFP submitted to Council on 21 February 2019.

Absent Vote Signature Refresh 2019

22. The Elections Team wrote to 2567 electors in January, whose Postal Vote was over five years old, in order to request that a fresh specimen signature be provided

as part of the security measures in place to ensure that their Postal Vote cannot be used by anyone else.

23. At the end of the six week refresh period, 2305 electors had responded, either to provide a fresh specimen signature, or cancel their Absent Vote, and 262 electors had their Absent Vote rescinded accordingly.

Local Government (Borough) Elections and Parish Council Elections 2019

24. Preparations for the Local Government (Borough) Elections and the Parish Council Elections 2019 are now at an advanced stage, with polling taking place on 2 May 2019. The Verification and Count for the Local Government (Borough) Elections will take place at 10am on 3 May 2019. All of the candidates standing for Parish Councils have been elected without a poll being required. The remaining vacancies will be filled by the Parish Councils advertising and co opting to fill vacancies.
25. It is evident from the list of retiring Members, and the combined number of years' service given by those Members, from across the Chamber, that the Council will be losing much experience. I would like to extend my own gratitude and best wishes to those stepping down in a few days' time.

ICT Update

26. Since the last update to Members, ICT Services have successfully achieved PSN certification for another year (PSN is the Government's Public Services Network and is used to transfer information between public sector systems) as well as continuing to pass PCI DSS quarterly tests which are the Payment Card Industry Data Security Standards.
27. ICT also undertook a simulated phishing attempt across all IT users to gauge their awareness to spam emails and the risks these present. The outcomes were presented to COE/COB and information was circulated wider via the weekly Briefing and management cascade.
28. In addition to the above, progress has also been made on a number of architecture projects which include:
 - (a) Commenced development on the detailed design of a new voice and data network for the Council to be implemented later this year.
 - (b) Implemented GovWifi across Council buildings which supplements the existing self-service system. GovWifi is recognised across national and local government as a universal means of connection when visiting other government offices.
 - (c) Continued with developments surrounding the migration and deployment of the Microsoft Office 365 suite of systems and associated platform.
 - (d) Implemented measures on the Council's website to help mitigate against distributed denial of service attacks.
 - (e) Renewed the McAfee security suite.

- (f) Implemented performance updates on the Council's server/storage estate.
29. ICT services have also continued to deliver against the Council's service IT project requirements and have delivered further thirteen projects since the last ICT update to Members. These have included:
- (a) Upgrade to the contact centre system
 - (b) Upgrade to the AutoCad system
 - (c) Implemented the HSCN (Health & Social Care Network) links into Health
 - (d) Migration to the public access & enterprise version of the planning & regulatory services system
 - (e) Implementation of Modern.Gov for Cabinet/Committee report management
 - (f) Implementation of an online adult social care financial assessment module.

Stephen Harker
Leader of the Council and Efficiency and Resources Portfolio

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COUNCIL
25 APRIL 2019

OVERVIEW OF ADULT SOCIAL CARE PORTFOLIO

Purpose of the Report

1. To inform and update Members on progress within Adult Social Care since the last meeting of Council. The following are the main areas of work under the Portfolio for Adult Social Care (ASC).

Adult Social Care – Strategic Commissioning

2. The local Residential Care Home market remains stable, although one recently made a business decision to de-register their dementia nursing beds from March 2019. The remainder of the care home remains fully operational. The Commissioning and Contracts Team is working closely with adult services colleagues and the NHS Darlington Clinical Commissioning Group (CCG) to find suitable alternative placements, and comprehensive care reviews have been completed for all residents affected. This will ensure that residents and their families' wishes are fully taken into account and that the moves are undertaken as sensitively as possible. In addition, the Council is undertaking a joint strategic review with Darlington CCG to ensure that there continue to be sufficient nursing care beds in Darlington.
3. The Care Quality Commission recently reported their Inspection outcomes for Older People Care Homes, which in Darlington there are 95 per cent of homes rated as Good or Outstanding.
4. The Commissioning and Contracts Team are working with local care home and domiciliary care providers and the NHS over the Easter period to ensure that people continue to be discharged from hospital in a safe and timely manner. Alongside Christmas, the Easter holiday period also requires our local providers to ensure that there is sufficient care capacity to support hospital discharge arrangements.
5. A twelve-month Assistive Technology pilot is due to start shortly. The products identified were chosen for their perceived simplicity/ease of use, with a particular emphasis on products that could be used outside a person's home, in order to maximise their independence, or on products that would enable family members to monitor activity easily. An additional focus was on products that would support people with a broader range of needs than those traditionally addressed by telecare. The intention was that the products chosen would enable people to live as independently as possible for as long as possible and support family carers to continue in their caring role.

Adult Social Care – Operational Developments

6. At the end of Quarter 3, performance across Adult Social Care continues to be strong. The provision of Direct Payments is particularly positive, at 43 per, demonstrating that individuals have good choice and control of how their care

needs are met. This level of performance is well above the North East (25 per cent) and England (28 per cent) averages and, in the national context, Darlington is ranked eleventh out of 151 areas for the provision of Direct Payments.

7. Adult Social Care and Health partners are in the process of evaluating how services have managed winter pressures across the local health and social care system. The system as whole has seen an increase in demand during the winter months, which has placed services under significant pressure. Adult Social Care has responded well to the increase in demand and have improved performance relating Delayed Transfers of Care (DTC). For example, in December there were 44 delayed days reported against our nationally set target of 155 delayed days. This is a high level of performance and, as a result, Darlington were ranked fifth out of 151 areas nationally.
8. Work is underway to strengthen the Council's reablement service, which will ensure that we continue to work with individuals to maximise their independence so that they can remain at home where possible.

Darlington Safeguarding Adult Partnership Board

9. At the Board on 15 February 2019, a report was presented regarding the proposed structure for the new Safeguarding Partnership This must be in place by 29 September 2019 and replaces Local Safeguarding Children Boards. This will be a joint partnership covering both Children and Adult safeguarding, allowing the best use of resources, in the interests of delivering consistent standards. Plans will be finalised and submitted to DfE by the deadline in June. The Board were happy to support the direction of travel that is being proposed and requested details of the draft plan be shared at the next meeting.
10. There was a themed discussion at on Financial Abuse, DC Tony Murray, from City of London Police, delivered a presentation on the financial abuse of vulnerable adults. This demonstrated why working in partnership is important to protect and empower communities to reduce the harm from scams, fraud and cybercrime. DC Murray outlined the technology that is available to protect vulnerable people from scams and frauds. There are two campaigns in place 'Take 5' and 'Tell 2' which the Board will raise awareness of.
11. Durham and Darlington Fire and Rescue Service provided a presentation on Safe and Wellbeing Visits within the community. The presentation provided an overview of the visits which are routinely conducted by the Fire Service and cover issues such as fuel poverty, dementia awareness, alcohol harm and reduction, loneliness and isolation as well as fire safety. There have been in excess of 18,000 visits across Darlington and County Durham which has resulted in improved outcomes for vulnerable people.

Councillor Sue Richmond
Cabinet Member with Portfolio for Adult Social Care

COUNCIL
25 APRIL 2019

OVERVIEW OF CHILDREN AND YOUNG PEOPLE PORTFOLIO

1. Since the last meeting of Council, the following are the main areas of work undertaken under the Children and Young People Portfolio.

Schools Admissions 2020-21

2. The Local Authority's admission arrangements for 2020/21 academic year for maintained schools in the Borough have been approved in accordance with our statutory duty.
3. The co-ordinated Admission Scheme for both primary and secondary schools for the 2020/21 academic year was returned to the Department for Education within the timescale.

The Children's Trust

4. At the meeting of the Health and Well Being Board (which is also the Children's Trust) held in January, a 'stocktake' of the Board's priorities was considered together with a review of its Terms of Reference, and it was agreed that the Board would continue with the 'life course' approach but that it would have a more strategic role, promoting joint working, where possible, with a focus on health inequalities, with the Integration Board dealing with the day to day issues. Several other amendments were made to the Terms of Reference including the frequency of meetings, and as a result, the next meeting of the Board will be held early in July 2019, with a focus of 'Starting Well'. This will provide an opportunity for the Board to understand progress on the Darlington Children and Young People's Plan.

Corporate Parenting Panel

5. The Panel met on 29 January 2019. This meeting focused on considering and agreeing the proposed revised arrangements for the Corporate Parenting Panel following a workshop held on 2 October 2018. Panel members agreed to amend the Terms of Reference accordingly and the revised arrangements are to begin at the next meeting in April.

Local Safeguarding Children Board (LSCB)

6. The Board met on 12 February 2019. Board acknowledged that this meeting would be the last for the current Chair, Simon Hart, as he is moving on to a new role in Surrey. Simon was thanked for his contribution and achievements over the past two and a half years the support he provided on the improvement work and how he enabled the DFE and Improvement Board to gain confidence in the Local Authority.
7. The Board received a presentation from Children and Family Court Advisory and Support Service (CAFCASS). Details of a pilot scheme that is being undertaken across the region to test a new resource to support parents/carers with an online

platform to support them through their child arrangement proceedings and beyond were shared. The resource, called Co-Parent Hub, enables parents to tailor the content to help support and help them to reach their goal, develop a parenting plan and an emotional readiness tool to assess whether they are ready to start making plans.

8. At the Board on 15 February 2019, a report was presented regarding the proposed structure for the new Safeguarding Partnership This must be in place by 29 September 2019 and replaces Local Safeguarding Children Boards. This will be a partnership covering both Children and Adult safeguarding, allowing the best use of resources, in the interests of delivering consistent standards. Plans will be finalised and submitted to DfE by the deadline in June. The Board were happy to support the direction of travel that is being proposed and requested details of the draft plan be shared at the next meeting.
9. Board was updated on a further meeting that took place between representatives of the Children and Adult Safeguarding Boards and British Transport Police (BTP), where several safeguarding issues were discussed. It was agreed the main point of contact with BTP should be through the Multi-Agency Problem Solving Group (MAPP) as there are members of that group who also sit on the boards. Several opportunities were identified to strengthen work between partners and BTP and board requested feedback on this work be provided by BTP in 12 months.

School Forum

10. The Forum met on 12 March 2019 and were provided with updates on :-
 - (a) The current Dedicated Schools Grant (DSG) budget position;
 - (b) High needs/SEN(D) strategies and changes;
 - (c) Joint commissioning; and
 - (d) Children and Young People's mental health provision.

Locality Teams

11. Children Centres continue to offer a varied programme for families of Children under 5 and continue to support the development of Healthy Children by offering health drop in with local health visitors, as well as bespoke parenting programmes covering the full age range.

Child Protection/Looked After Children Statistics

12. As at 11 March 2019 the following figures were reported:
 - (a) 108 children were subject to a Child Protection Plan
 - (b) 262 children were in care

Commissioning and Contracts

13. The Contracts and Commissioning have participated in a Tees wide re-procurement for an Independent Visitors service effective from 1 April 2019. The provision of an Independent Visitor service is a statutory duty under the Children Act 1989 and provides volunteers who befriend Looked After Children who do not have family connections or adult interaction outside of care and support teams. The young person

and volunteer take part in leisure activities and activities of shared interest, this service provision has a key role in placement stability and the emotional wellbeing of children and young people. The new service will be delivered by Changing Futures.

14. Through the new burdens funding received to the Council, a new wellbeing service for Care Leavers is being piloted effective from 1 April 2019. The service will provide a Children's Psychological Wellbeing Practitioner (CPWP) through TEWV co-located within the leaving care service one day a week, the CPWP will provide direct support and interventions to Care Leavers with identified emotional wellbeing needs, the positive impact and outcomes for Care Leavers from this pilot will be closely monitored.

Meetings

15. Since the last meeting of Council, I have :-

- (a) addressed the Soroptimist launch of Buddy Bookmarks at the Dolphin Centre;
- (b) attended a Signs of Safety Meeting with key Children's Services officers;
- (c) attended the quarterly meeting of the North East Migration Partnership to discuss the situation of unaccompanied child asylum seekers;
- (d) attended the North East Child Poverty Commission in Newcastle to discuss a bid for a summer activity/ food programme throughout the region;
- (e) attended a Healthy Lifestyle Survey meeting to discuss results from this year's survey of secondary school pupils throughout Darlington;
- (f) organised a meeting with Jenny Chapman MP to discuss the Schools Funding Formula with Chairs of Governors from schools throughout Darlington;
- (g) attended and formed part of the judging panel for The Mayor's Schools' Song Contest held at the Dolphin Centre;
- (h) visited the Women's Refuge to discuss facilities for young people;
- (i) met with apprentices to celebrate National Apprenticeship Week;
- (j) compared the International Women's Day Event at Theatre Hullabaloo;
- (k) attended the Darlington Partnership Executive Board;
- (l) attended the Schools Forum;
- (m) attended a Young Offenders Health Meeting which brought together the Youth Offending Service, CCG, Public Health and others;
- (n) attended a Regional Lead Members for Children and Young People meeting at County Hall in Durham;
- (o) attended Carmel College's "Carmel Does Strictly" dance competition and formed part of the judging panel;
- (p) attended the Standing Advisory Committee for Religious Education (SACRE);
- (q) attended the Tees Valley Combined Authority Education, Employment and Skills Partnership Board in Stockton;
- (r) held monthly Young Person surgeries at the Dolphin Centre;
- (s) took part in weekly discussions/ briefings with the Director of Children's Services and other relevant officers ;
- (t) held discussions with children and young people about mental health issues, social media, self-harming and peer support; and
- (u) held discussions with officers on the upcoming Darlington Pride event to be held this summer.

Councillor Cyndi Hughes
Children and Young People Portfolio

**COUNCIL
25 APRIL 2019**

OVERVIEW OF COMMUNITY SAFETY PORTFOLIO

1. Since the last meeting of Council, the following are the main areas of work undertaken under the Community Safety Portfolio.

Civic Enforcement Service

Public Space Protection Order (PSPO)

2. From 1 March 2019, Darlington Borough Council and Durham Constabulary have been able to utilise a Public Space Protection Order (PSPO), which is a positive measure that enables the Council's Enforcement Officers to address anti-social behaviour in Darlington with the aim of delivering a better experience for everyone as they go about their day-to-day business in the town centre. Signage reminding people of the new legislation will go up around the town centre and all staff involved in enforcement activity will undergo training.

Anti-Social Behaviour in the Town Centre

3. In recent months, Darlington town centre has seen an increase in youth-related anti-social behaviour. The Anti-Social Behaviour and Civic Enforcement Team, along with the Police, have managed to identify all the young people involved and the Civic Enforcement Team have undertaken several interviews with young people and their parents.
4. A number of Acceptable Behaviour Agreements have been signed, with the majority of the young people involved referred to the Youth Offending Service to undertake a range of positive interventions to attempt to address their behaviour. On 22 February, the court granted a twelve month injunction with the power of arrest with a twelve month Parenting Order against one of the young people and the parent concerned. Unfortunately other attempts to address his behaviour had been unsuccessful.
5. Feedback from businesses in the town centre since the start of the interventions has been very positive.

Crime and Disorder

6. There has been a five per cent decrease in the number of reported crimes during the period 1 April to 28 February 2019 compared to the same period in 2018. This equates to a reduction of 578 crimes. Crimes showing an increase include: violence without injury (disorder), harassment and possession of weapons. Crimes showing a significant decrease include: theft, burglary and vehicle crime.

7. Whilst Darlington is currently showing a decrease in reported crime there are increases elsewhere in the Durham Constabulary area, with figures ranging from five per cent in East Durham to eight per cent in West Durham.
8. Darlington has also experienced a seven per cent decrease in all reported incidents to the police during the same period and anti-social behaviour is currently eleven per cent lower than last year.
9. An exception relating to increases in anti-social behaviour is the Eastbourne area, which is showing an increase of ten per cent when compared to similar periods last year.
10. Darlington Community Partnership and the Multi-Agency Problem Solving Group are currently working together to tackle these issues and have developed and completed a number of operations, initiatives and time limited work to reduce crime and disorder in the areas of exception.

Trading Standards

11. Trading Standards has disposed of thousands of pounds worth of counterfeit goods that had been seized and subsequently forfeited or signed over to the Team.
12. The goods, which included more than 300 items of clothing, around 30 dinner and tea sets as well as 50 sets of knives, were donated to His Church, a national charity that specialises in rebranding and redistributing counterfeit clothing. Once rebranding is complete, the clothing will go to First Stop, a local front-line charity that supports the homeless and other vulnerable people. Trading Standards will continue to ensure that, where possible, counterfeit goods, which come into the Team's possession, are rebranded and used for the benefit of others rather than being destroyed.
13. Trading Standards carried out internet checks on 10 traders to ensure that any claims made about membership of reputable trade and consumer organisations were genuine. The traders included garages, window installers and gas engineers and the claims made included Gas Safe accreditation, FENSA registration and the use of Check Safe and Checked and Vetted logos. All claims were found to be correct. Trading Standards publicised the outcome and offered tips on how to find a trusted trader.
14. Trading Standards led Operation Red Panda, an illegal tobacco operation, which was carried out on 30 January 2019 with support from the Police and HMRC. More than 7,000 cigarettes and 0.9kg (18 packs) of hand-rolling tobacco were seized. A criminal investigation is on-going.
15. Trading Standards has also carried out legal compliance inspections of a number of car traders within Darlington as part of a local market surveillance project.
16. On 1 February 2019 as a result of information received, Trading Standards put out a warning via the Council's social media to prevent people falling victim to a telephone preference service phone scam. Facebook and Twitter activity checks showed that the warning had a reach of nearly 13,000.

17. Trading Standards also participated in the Food Standards Agency's National Animal Feed Delivery Programme. This is priority work because unsafe feed not only impacts on the health and welfare of animals, but also has the potential to contaminate meat that could ultimately pose a threat to public health and compromise trade.

Private Sector Housing

Landlord Civil Penalties

18. Work is underway that will allow the Private Sector Housing Team to fine private landlords who flout housing regulations. 'Civic Penalties' can be used as an alternative to prosecuting landlords, which will often take longer and at a greater cost to the Council. Introduced under the Housing and Planning Act 2016, this applies to offences under the Housing Act 2004 and a maximum penalty of £30,000 can be applied for the most serious housing breaches.

Purple Flag

19. This award is a benchmark for good night time destinations, meaning Darlington would be regarded as a safe, diverse, vibrant, appealing and well managed place to visit. The initial bid was submitted in April and is judged on levels of crime/ASB, impact on public health, choice of activities, footfall, people's perceptions of how safe they are, levels of economic activity and the diversity of the patrons (age, gender, etc.).

Street Friends

20. Darlington Street Friends initiative held launch events in January and February 2019 and has achieved significant success so far; notably providing direct assistance to four vulnerable individuals and preventing incidents from escalating. It is estimated that purely in financial terms it has saved the NHS alone over £1,000, as well as the potential workloads removed from the police/door staff/etc.

Hate Crime

21. On 4 March, the Joint Hate Crime Action Group launched a new Hate Crime Communications Strategy featuring consistent impactful branding for leaflets, posters and social media, using the strap line 'Hate Hurts'. This will be used in all communications across the Darlington and Durham areas to increase awareness and encourage reporting of hate crime, and ultimately to discourage perpetrators.

Licensing

22. The Licensing Department conducted a joint operation with officers from Durham Constabulary Alcohol Harm Reduction Unit in early February. The operation concentrated on visiting the premises in the known hotspots and licensees were advised of their responsibilities in relation to underage sales and informed that offenders are at risk of action being taken against their premises licence.

23. In conjunction with the above operation into under age drinking, checks were carried out on the Darlington taxi trade to ensure that fare paying passengers were not being over-charged. One licensed Hackney Carriage driver has been reported for failing to engage his meter when hired and will be cautioned by the Licensing Department regarding his future conduct.

**Councillor Helen Crumbie
Community Safety Portfolio**

COUNCIL
25 APRIL 2019

OVERVIEW OF ECONOMY AND REGENERATION PORTFOLIO

1. Since the last meeting of Council, the following are the main areas of work undertaken under the Economy and Regeneration Portfolio.

Strategic Sites Development Programme Darlington Town Centre

2. Cabinet welcomed updates on the emerging high-level thoughts and the future development of proposals to encourage further investment on key strategic sites in Darlington Town Centre; and on the successful outcomes of several objectives articulated in the Town Centre Regeneration Strategy for Darlington, adopted by the Council in 2012.
3. Since the adoption of the Town Centre Regeneration Strategy the landscape of retail and commerce within town centres across the UK has changed markedly. It is important to note that while Darlington Town Centre has experienced a number of shocks to its retail profile over the last few years, the town centre continues to retain a high proportion of top national retailers and has a strong representation from independent retailers in certain parts of the town. A recent report, commissioned by the North East Chamber of Commerce – Town Centres: Planning for the Future (November 2018), identified Darlington as the highest ranked retail town in the Tees Valley and the third highest retail centre in the North East behind Newcastle and the Metro Centre.
4. The threat to the Country's high streets has been acknowledged by Central Government which announced a £675m Future High Street Fund as part of the 2018 budget. A Bid has been made to the Fund with feedback expected early Summer.
5. Cabinet has agreed the key Town Centre development areas appropriate for consideration are:
 - (a) Victorian Indoor Market
 - (b) Skinnergate and the Yards and Wynds
 - (c) Northgate
 - (d) Crown Street

Darlington Indoor Market

6. Darlington's Victorian Indoor Market is an important anchor for the Town Centre going forward. In terms of being a unique proposition the market should and could act as an attractor for many people to come to the Town. However, it is an accepted fact that this building is underperforming and is not fulfilling its potential. The Council has recognised the need for further investment and in 2017 entered a partnership agreement with Market Asset Management.

7. As part of the partnership agreement Market Asset Management (MAM) is obliged to produce a redevelopment scheme for the Indoor Market. In March 2019 MAM launched a public conversation exercise on two refurbishment options for the Indoor Market.
 - (a) Option 1 detailed the general improvements to the overall fabric of the building, which includes the provision of a modern retailing space, which will showcase the existing and potentially new independent businesses and create an environment to appeal to younger more affluent shoppers, while retaining the varied retail choices currently used by customers.
 - (b) Option 2 includes the proposals detailed in option one but also includes the development of a 'temperate garden' on the eastern elevation of the market building.
8. This engagement exercise is due to be completed within the next few weeks and following its conclusion the necessary planning permissions will be submitted. The Council with its partners are confident that this investment and transformation of this much-loved heritage building into a modern retail and leisure venue would not only provide a quality retail offer to residents but act as a regional attraction for visitors.

Heighington Conservation Area Character Appraisal and Boundary Review

9. Cabinet approved the Heighington Conservation Area Character Appraisal including the proposed extension to the boundary, in order to assist in the preservation and enhancement of the Heighington Conservation Area and its setting, in accordance with Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
10. Darlington Borough has 17 Conservation Areas. The earliest were designated in 1968 and the last in 2016. 12 of these Conservation Areas have the benefit of an adopted Character Appraisals. Heighington Conservation Area was designated in February 1972 and extended in 1999. Up to this point, it has not had the benefit of a Character Appraisal.
11. Defining the 'special interest' of an area is the main purpose of a Character Appraisal and is gained from the area's character and appearance; but other senses and experiences, local environmental conditions and historical associations can be drawn on.
12. The Character Appraisal for Heighington Conservation Area has been prioritised due to increasing development pressure which, if not managed effectively through the planning process, could lead to impact on its special character and appearance.

Low Coniscliffe and Merrybent Neighbourhood Plan

13. Low Coniscliffe Parish Council has prepared a Neighbourhood Plan which covers the whole of the geographic area of the parish. The Plan has been prepared in accordance with the Neighbourhood Planning (General) Regulations 2012. The Plan was submitted for independent examination. The examiner suggested some modifications and officers of the Council are satisfied that with these modifications the Plan meets the basic conditions and the Legislation.

14. As the Plan meets the basic conditions, it can now proceed to a referendum. A referendum will be held on 23 May when all the electorate of Low Coniscliffe Parish are eligible to vote. The question on the voting paper will be **“Do you want Darlington Borough Council to use the neighbourhood plan for Low Coniscliffe and Merrybent to help it decide planning applications in the neighbourhood area?”** The vote requires a simple yes or no answer and the result would be based on a majority of those who voted.
15. If the majority vote yes, the Council are legally obliged to **Make** (adopt) the Plan as part of the Development Plan Framework.

Feethams Project

16. Activity has begun on site for Feethams House – with archaeology/excavation works being carried out in preparation for commencement of construction. European Regional Development Fund (ERDF) and Tees Valley Combined Authority funding has been secured and the five-storey office building is anticipated to be completed in early 2020. Cushman and Wakefield and Connect Property North East Ltd are seeking to secure tenants.

Business Investment

17. From the beginning of the year, the Invest in Darlington website has generated 79 property search enquiries. Work is ongoing to develop testimonials and case studies for the website to fully show the sectoral strengths Darlington has, as a means to attract further inward investment from priority sectors. Relationships with key partners and intermediaries are developing and a number of leads have come through for companies looking for sites to develop new manufacturing facilities. These are early stage enquiries, but the team are working hard to progress them.
18. 49 new projects have been created since the start of the year and it is hoped that they will lead to a number of new businesses setting up in Darlington thus adding to employment opportunities for local residents. There has been a noticeable increase in enquiries for town centre premises and a number of new businesses have started trading or are looking to open in the next one to two months.
19. There are currently 2,745 Darlington residents claiming out-of-work benefits. This equates to 4.2 per cent of all residents which is the same level as the North East figure. Great Britain's figure is 2.6 per cent.
20. Of those claiming out-of-work benefits, 570 are aged 18-24 (7.6 per cent) and 340 (8.2 per cent) are aged 18-21. These two age groups are those which are most notable in variance compared to Great Britain as a whole at 3.4 per cent and the North East at 5.9 per cent for the 18-24 age range and 6.2 per cent respectively for the 18-21 age range.

Environmental Health

21. The Environmental Health Section responded to 962 requests for service in Quarter 3.

22. The main categories of these requests are:

- (a) Food (102)
- (b) Licensing (83)
- (c) Noise (119)
- (d) Planning Consultations (77)
- (e) Refuse (46)
- (f) Pest (134)

23. Additionally, the Commercial Team carried out the following proactive Food Inspections:

- (a) Food Safety (125)
- (b) Food Standards (82)

24. A high percentage of requests for service received by Environmental Health relate to matters which could result in a statutory nuisance. The Council has a statutory duty to investigate cases of potential statutory nuisance and whilst many cases can be resolved informally there is a legal requirement to serve an Abatement Notice if a statutory nuisance is proven. To be a statutory nuisance there needs to be evidence of something being a nuisance or prejudicial to health (or likely to be). There is no set definition of the term 'nuisance' but a nuisance is something which causes substantial interference with the use and enjoyment of a person's property and is more than just an annoyance or something that is present.

25. Types of situations which may give rise to a statutory nuisance are as follows:

- (a) State of premises
- (b) Smoke/fumes and gases emitted from premises
- (c) Smell/Dust/Steam from industrial, trade or business premises
- (d) Accumulations or deposits for example accumulations of refuse containing food waste
- (e) Animals kept in such a place or manner
- (f) Insects from any industrial, trade or business premises
- (g) Artificial light from premises
- (h) Noise emitted from premises or caused by a vehicle, machinery or equipment in a street

26. The most common complaints of potential statutory nuisance investigated by Environmental Health relate to noise, specifically barking dogs and music from domestic premises, as well as complaints about industrial/commercial premises.

Councillor Chris McEwan
Economy and Regeneration Portfolio

COUNCIL
25 APRIL 2019

OVERVIEW OF HOUSING, HEALTH AND PARTNERSHIPS PORTFOLIO

Purpose of the Report

1. Since the last meeting of Council, the main areas of work under my Housing, Health and Partnerships Portfolio were as follows:

Public Health

2. A Healthy New Towns (HNT) Legacy event was held on 22 March 2019 and showcased what has been happening in Darlington, since Darlington gained HNT status one of only 10 in England. Partners shared how plans have been agreed for sustainability and legacy across our various work-streams so that the work can continue.
3. The event provided an opportunity to show how the HNT Programme has influenced plans for the built environment to create health enabling neighbourhoods, support community development and resilience, promote new models of care and embrace digital technology to support patient empowerment and choice.
4. It was National Stop Smoking Day on 13 March 2019 and the Stop Smoking team promoted the service. Stop smoking advisors were in the Cornmill Shopping Centre speaking to people and sharing information.
5. A consensus workshop was held on 15 March 2019 to consider the Health and Wellbeing Needs of Young Offenders. Health and well-being needs assessments are conducted so that commissioners can make plans for healthcare and other services, based on a sound understanding of current service provision and young people's needs.
6. Children and young people who offend often have significant health needs, contributing to the development of their offending behaviour and putting them at risk of poor outcomes in terms of health, wellbeing, education and employment. An outcomes report will be shared with the YOS Board.

Darlington Partnership

7. Darlington Partnership is focused on delivering Fairer Richer Darlington which is a programme the Council is supporting aimed at narrowing the gap for those who are struggling. I am leading the work stream on resilience. A range of activities have been started to engage different communities around Darlington and we are looking at models from around the Country which are aimed at supporting people's resilience. I also attended the first meeting of the Basics workstream steering group which is establishing task and finish groups around food poverty and financial stability.

Health and Well Being Board

8. At the meeting of the Health and Well Being Board held in January, a 'stocktake' of the Board's priorities was considered together with a review of its Terms of Reference, and it was agreed, at the meeting, that the Board would continue with the 'life course' approach but that it would have a more strategic role, promoting joint working, where possible, with a focus on health inequalities, with the Integration Board dealing with the day to day issues. A number of other amendments were made to the Terms of Reference including the frequency of meetings, and as a result, the next meeting of the Board will be held early in July 2019, with a focus of 'Starting Well'.

Housing Services

Wi-Fi in Sheltered Housing

9. A programme to provide Wi-Fi in communal areas in sheltered housing and some good neighbour schemes is now complete. This will allow residents to access the internet free of charge in communal areas. A programme of support training will be offered to residents at each scheme to help them to get the most from this opportunity.
10. The use of Echo Dots with built in Alexa is also being piloted in a couple of schemes for general use by residents. Anticipated uses include provision of general information, quick and easy entertainment such as popular songs and a memory aid. However it is hoped moving forward that some residents may choose to start using the devices in their own homes to support them in living independently and enhancing the quality of their lives. In particular it would enable connection to smart home devices, set up reminders for medication or important events and assist with loneliness and social isolation.

Scan Station

11. In January the Council introduced a new simple to use scanning station in the Customer Contact Centre in the Town Hall. This will allow customers to supply documents to the Council without queuing to see an advisor. A floorwalker is available in the Contact Centre for those in need of assistance.

Firthmoor

12. One of the residents at Roxby Court has a hearing impairment. The residents wanted to be able to communicate with this resident, so they sought funding from the Community Fund to learn some basic sign language. A successful course was provided by MeSign.

Red Hall

New Community Group

13. A new community group has been established on Red Hall to replace the Friends of Red Hall Group who have disbanded. Their first activity was a Community Litter Pick on 17 February which 65 people attended, comprising 34 children and 31

adults. They collected an impressive 62 bags of rubbish and a mix of larger items.

14. Residents now want to take a more proactive approach. The children have made posters and written letters to encourage the perpetrators not to drop their litter, especially in areas where the litter levels were particularly high. The group has also met with the local Police Officer, PCSOs and the Council's Community Safety Team to look at tackling the issues long term.
15. The Group has already planned their next activity which will be an Easter celebration including an Easter Egg Hunt.

Stockton International Riverside Festival (SIRF)

16. The SIRF team had previously worked with the Friends of Red Hall Group and will continue to work with the new Red Hall Partnership Group engaging residents in community activities until August 2019. The Group was asked to decide whether it would prefer a large Easter performance and workshops or a series of weekly workshops with the opportunity to take part in the actual SIRF in August. The Group opted for the latter option as it felt a series of workshops would provide more provision and a longer-term goal of taking part in the Festival.
17. In addition, the SIRF team provided a full day of workshops in Red Hall Primary School on 15 March where the children had the opportunity to enjoy a performance by circus performers and Back Chat Brass, as well as trying workshops of circus skills and brass instrument playing. This will be running on a carousel basis as all the children will have the chance to try both workshop.

Theatre Tickets – 'A Place for All'

18. 40 residents from Red Hall will have the opportunity to enjoy a visit to the Hippodrome through a new programme named 'A Place for All' providing a chance for everyone to visit the Theatre. After discussing this initiative with the Red Hall Partnership Group, it became very apparent how difficult it is for the families living on Red Hall to access the Theatre with the main barrier being the actual cost of the tickets. This will create an opportunity for whole families to attend together and enjoy a full theatre experience.

Food for Thought

19. Food for Thought has run half day cooking sessions (from 15 March for eight weeks at the Community Centre. Making use of food that would be otherwise thrown away by the supermarkets. Funding for additional cooking and storage equipment that will be needed has come from Keepmoat and Healthy New Towns. As well as showing people how to cook cheap healthy meals it is hoped that this will help establish a Food for Thought group in Red Hall.

Fairer, Richer, Red Hall

20. The Red Hall Liaison Group that was established to coordinate activity between various agencies as part of the regeneration of Red Hall has reviewed its future role in light of the completion of the regeneration work in Red Hall and the end of the Healthy New Towns project. At a recent meeting it was agreed that in future the Group will operate as part of the Fairer, Richer Darlington initiative.

Autism Friendly Town

21. I have been working with the North East Autism Society to make Darlington an Autism Friendly Town. Following on from the work started By Cllr Sue Richmond and the Cornmill Centre, the concept of a Quiet Hour provided by town centre retailers has now been adopted by over 20 businesses in addition to those in the Cornmill Centre.
22. The bid to become an Autism Friendly Town was launched on 12 March at Crown Street Library. This coincided with the World Book day activities. Local Author Peter Barron gave a book reading to children, supported by his book illustrator Jonathon Raiseborough. Jonathon is a hugely talented artist. He is autistic and he is doing great work as an ambassador for the North East Autism Society and speaker for Autism Awareness.
23. In partnership with the North East Autism Society we will now look to provide autism training to key front line staff from both the council and partner organisations. I am chairing a working group to help coordinate the activity.
24. On 6 April the Town Clock and the Hippodrome were lit up in Gold to mark World Autism Day.

Councillor A Scott
Cabinet Member with Portfolio for Health and Partnerships

COUNCIL 25 APRIL 2019

OVERVIEW OF LEISURE AND LOCAL ENVIRONMENT PORTFOLIO

1. Since the last meeting of Council, the following are the main areas of work undertaken under the Leisure and Local Environment Portfolio.

Schemes of Work

2. Highway Maintenance Scheme due to start:-

Denmark Street and Wales St Back Lane – resurfacing

National Productivity Investment Fund (NPIF) Update

3. Yarm Road/McMullen Road roundabout – works are nearing completion with the final phase of surfacing programmed for completion in mid-May 2019.
4. Detailed design works are now complete on the proposed Lingfield Way/Yarm Road traffic signalled controlled junction and construction is programmed to start in May 2019. This scheme involves the widening of Lingfield Way to two lanes and the installation of a traffic signal control junction including pedestrian phases and the construction of a footway/cycleway on the east side of Lingfield Way.
5. Works are ongoing on the Highways England scheme to improve Morton Palms roundabout. This scheme involves the widening of the Yarm Road approach to form three lanes onto the A66 and the widening of the A67 approach onto the A66 to create an extended two lane approach to the roundabout. This scheme is programmed to be completed in May 2019. Two lanes of traffic will be maintained between Morton Palms and Morton Park roundabout whilst construction is ongoing. The junction will be resurfaced overnight as it will require the closure of the A66.
6. The new Symmetry Park road, linking Morton Way with Tornado Way, is currently under construction. This link road, which will open towards the end of July, runs parallel with the A66 and McMullen Road and will provide an alternative route to help traffic in the area.

A68 Darlington Farmers and Auction Mart Roundabout

7. A new roundabout is planned to provide access to the proposed relocation of the cattle market from the town centre to Humbleton Farm. Works on the roundabout are currently programmed to commence towards the end of April 2019.

Permit System to Manage and Coordinate Roadworks

8. Cabinet has approved the development of a Permit Scheme and the consultation on the proposed scheme to improve the management, coordination and operation of roadworks and to ensure the duties under the New Roads and Street Works Act 1991 (NRSWA) and the Traffic Management Act 2004 (TMA) are fulfilled.

9. The Initial timescales posed by the Secretary of State for Councils to transition to a Permit System by 31 March 2019 were challenged by Council's across the Country; as such a revised transition date of January 2020 was agreed by the Secretary of State.
10. The Council is working collaboratively with North East and Tees Valley Authorities to develop a common scheme for efficiency and consistency across the region. Cabinet will provide an update once this work has concluded.

Local Transport Plan 2019-2020

11. Cabinet received an annual update on highways and transport from a national, regional and local perspective. It included performance, public satisfaction and reports on delivery in 2018/19; information on the development and consultation for the Tees Valley and Darlington transport plans. Cabinet gave consideration to the 2019/20 programme of schemes and agreed to the release of £0.866m Integrated Transport Block and £1.689m Highway Maintenance Funding (£1.398m plus £0.291m incentive funding) to deliver the 2019/20 transport programme.
12. Transport for the North (TFN), England's first Sub-National Transport Body, has consulted on a 30-year Strategic Transport Plan which details key strategic priorities for Darlington and the Tees Valley and is due for publication early in 2019. Tees Valley Combined Authority (TVCA) is also developing a Statutory Local Transport Plan which will be consulted upon in spring/summer 2019. The Tees Valley Investment Plan was approved by TVCA Cabinet in January 2019 and identified £256.7m investment in transport over the next ten years and a £25m contribution has been committed by TVCA to lever national investment in the redevelopment programme relating to Darlington Station.
13. Cabinet agreed that the Pothole Fund monies (amount to be announced) awarded by the Department for Transport (DfT) be released.
14. Cabinet also agreed the release of £500k for maintenance of unclassified roads and £500k for bridge maintenance for each year, for both 2018/19 and 2019/20.
15. We also agreed to the submission of due diligence forms for the next tranche of TVCA Single Pot Sustainable Access to Employment funding for schemes on Allington Way and Victoria Road, and, if successful, that funding be released.
16. Cabinet also noted the delivery of transport schemes in 2018/19; current performance in relation to road safety, highway maintenance, network management and public satisfaction; and the timetable for consultation on the TVCA Strategic Transport Plan and the proposed framework for consultation on the Darlington Transport Plan.
17. I have delegated authority, along with the Director of Economic Growth, to agree bidding on external funding of £170k through the Rural Payments Agency for European Agriculture Fund for Rural Development to improve the route between the A66 and Middleton St George; and if successful, to release the funding.
18. These decisions will continue to assist the delivery of Darlington's Transport Strategy and delivery against the objectives set out in the Local Transport Plan to

maximise the opportunities to maintain the highway asset for the benefit of road users; address the deterioration in the unclassified road network and an increased bridge maintenance programme following a robust inspection regime of all structures; maximise potential for investment in Darlington and specifically supporting improved access to Darlington Station and sustainable travel to the Eastern Growth Zone; ensure that the Strategic Transport plans for the Tees Valley meet the economic aspirations of the Tees Valley Combined Authority and seek to maximise the benefits for Darlington residents, visitors and businesses; to enable local people, businesses and organisations to shape the Darlington Transport Plan; and to maximise the Council's opportunity to bid for external funds to deliver the Stockton and Darlington Railway walking and cycling route.

Bus Event

19. To celebrate the International Day of Happiness on 20 March, the Council and town centre businesses partnered with Arriva to provide a day of entertainment in the town centre. The event was to promote the vital role that Arriva plays in bringing customers into the town centre to access shops and services, and to thank bus passengers for their custom.
20. The event took place at Joseph Pease Place and there was free coffee and pizza on offer, as well as entertainment in the form of a roving street band, and prizes to be won which were donated by businesses in the town centre. Everyone that attended was given a goody bag with information on bus services, and promotions from town centre businesses. The Heart Radio Hit Squad was also out travelling on buses, giving out goody bags and prizes at random. A fun day was had by all that attended the event, and lots of donations were received for the King's Church Food Bank, which was the charity supported as part of the event.

Sports Development

Holiday Activity Project

21. This project was delivered by the Darlington Move More Team and the Martin Gray Football Academy targeting 40 pupils from Red Hall and Corporation Road School to offer them a holiday activity week with healthy food at the Dolphin Centre with a wide range of activities.
22. The main aims of the project were:
 - (a) Improving children's diet
 - (b) Increasing children's physical activity – children engaged more frequently in physical activity and children reported back they had enjoyed themselves
 - (c) Improving children's educational attainment and raising aspirations – children reported improvements in their education and learning
 - (d) Improving children's confidence and self-esteem
 - (e) Alleviating financial pressures and allowing our offer to be accessible to all, and most of all, the children have fun and enjoy the week
23. A town wide application has now been submitted to the Department for Education to roll this out to over 2000 pupils in Darlington for the summer of 2019.

Events Management

SG Petch 10k Launch – Saturday 2 March 2019

24. This year's 10k launch event held in Joseph Pease Place on 2 March also launched our new headline sponsor, SG Petch. This year marks the 32nd anniversary of the Darlington 10k which will take place on 11 August 2019. The event will also include the Family Fun Run and Junior 3k Race.

Chinese New Year Celebrations

25. On 2 February, residents in Darlington were invited to celebrate Chinese New Year and bring in the Year of the Pig in style with a traditional Lion Dance which was performed in Joseph Pease Place along with performances from St Mary's Cockerton CE Primary School.

Darlington Restaurant Week – 25 February to 3 March

26. The first ever Darlington Restaurant Week organised by the Council's Town Centre Partnership has been hailed a success, after diners made the most of the 'Two Courses for £10' offer and various competitions throughout the week. A total of 28 town centre restaurants and cafes signed up, with many of the establishments seeing significantly more diners than usual through their doors as a result of people taking advantage of the offer. Feedback from the restaurants involved has been very positive and the next restaurant week is already being planned for November 2019.

Darlington Hippodrome

27. Darlington Hippodrome and The Hullabaloo received the Selwyn Goldsmith Award for Universal Design at the Civic Trust Awards 2019 which were held at the Imperial War Museum in Manchester on 1 March 2019. The Award is presented to an exemplar project that demonstrates excellent universal design principles. The judges said: 'This development has resulted in high quality, successful regeneration which has overcome significant access obstacles in a well-loved building. This scheme has to be highly commended for outstanding creative design and the commitment to providing a high level of accessibility for all'.
28. The Hullabaloo has also won Best Family Venue 2019 at the Fantastic for Families Awards for its contribution to arts and culture for families during the last year. Voted for by a panel of expert judges from the creative sector, the Fantastic for Families Awards recognises the outstanding events that took place during 2018 and the exemplary family-friendly organisations and venues that welcomed families. Winners were announced at a ceremony in Liverpool on 11 February 2019.
29. The star of this year's pantomime has now been announced and Darlington is lucky to have secured Shirley Ballas, the chair of the judges' panel on Strictly Come Dancing and one of the recent team of celebrity climbers of Mount Kilimanjaro for Comic Relief. Further star cast is to be announced.
30. The Hippodrome was chosen as the venue on 22 March for this part of the region to host the launch of the new Heritage Lottery Fund (HLF) Strategic Framework.

The Theatre Director welcomed guests and showed a short film showcasing the Theatre and the contribution HLF made to its restoration.

31. A Place for Everyone is a Hippodrome campaign to raise funds for people on the edges of our community who might need support to access cultural experiences. Funding has been coming in from individuals, and corporate supporters, from Creative Darlington and the Council. A large donation of 13,000 dollars was made anonymously in the USA.

Visual Art

32. An exhibition of work from the Borough Art Collection is currently on display, the fifth exhibition drawn entirely (or in part) from work in the Borough Art collection since the gallery opened in May 2012. 'The Town's Collection – artwork drawn from your Borough Art Collection' ran until Thursday 21 March 2019 and attracted positive comments, for example: 'Thank you very much for such a talented and varied exhibition – what a legacy for Darlington people. Much appreciated.'
33. The 'Beyond Graduation' exhibition opened on 6 April 2019 and brings together work from graduates of the BA and MA Fine Art courses from Teesside University, from 2007 to 2018.
34. Creative Darlington offered budget support to an artist led proposal to develop a variety of printmaking activity working with communities and schools in Darlington and Darlington Library Service users, which has secured a grant offer from Arts Council England of approximately £15,000 to match the £3,000 budget offered by the Council. Adrian Moule delivered two printmaking sessions in the gallery at Crown Street Library in March to introduce the programme.
35. Creative Darlington participated in the selection process for the Dover Art Prize 2019, organised by County Durham Community Foundation, which awards funding to support artists' practice. The primary condition of the award is that any new practice is shared for the first time in Darlington Borough. Over 90 proposals were submitted for the Dover Art Prize 2019 and a winning artist has been selected. The winning artist (yet to be announced) plans to deliver a talk on their practice at Crown Street Library during Darlington Arts Festival 2019 and to share work in Darlington in 2021.
36. Creative Darlington worked with Lens Think to promote the 'Unseen Beautiful Darlington' call out for images in April 2019, which will be exhibited in the gallery at Crown Street Library in May 2019 as part of Local Heritage Month. The Unseen Beautiful invited people to take part in an Instagram campaign focusing on highlighting the beauty of Darlington. Those entering images will have the chance of having their photograph shown as part of a group exhibition in the gallery at Crown Street, as well as entry into a competition. The winner will be announced at the closing event on 29 May 2019 and will receive a day long photography workshop and the offer of an exhibition in the Town Hall exhibition space in Darlington.
37. The 'Places of Interest' exhibition of photographic prints, created by Year 1 photography students from Queen Elizabeth Sixth Form College, was on display at the Darlington Town Hall exhibition space from 25 February to 19 April 2019.

Creative Darlington – Outreach and Arts Development Activity

38. Creative Darlington has offered budget support of £5,000 to ODDMANOUT conditional to its success in securing additional funding for a programme which has two aspects; the first, 'Launch' is a series of creative workshops, meetings and discussions with a community focus; and the second, 'The Foundry' is a new theatre training programme for emerging talent across the region. ODDMANOUT's proposal has secured an offer of support of £15,000 from Arts Council England and the programme is expected to run into 2019/20, and will also be supported by Darlington Hippodrome.

Heritage Track Programme

39. Ten days of participatory activity has now been delivered by Locomotive Rhythm. A new song generated through the programme was also shared through a BBC Tees Introducing broadcast on 24 November 2018 and was available on BBC iPlayer Radio for up to thirty days thereafter. Films of activity are accessible online and the programme is expected to contribute to the annual countdown event, at the Head of Steam in September 2019, to the bi-centenary of the first railway passenger journey on the Stockton and Darlington railway on Locomotion No 1.

Head of Steam

Schools

40. 255 school children visited the Head of Steam in February.

Volunteers

41. Head of Steam staff attended a volunteering fair at the Dolphin Centre on 7 February and have recently received new volunteers via Step Forward Tees Valley (an organisation that supports people back into work). 22 volunteers provide assistance on a regular basis.

Dementia Café and Community Work

42. The Dementia Café continues to have regular attendees and work has been undertaken with Age UK at Beaumont Street (including Age UK's Veteran Support Group) selling knitted poppies previously on display to commemorate the North Eastern Railwaymen who were killed in WW1.

Exhibitions

43. On 9 March, a new exhibition opened at the museum. 'A Year in the Making' showcases images of the local area by local photographer, Peter Giroux.

Events

44. During February half-term the museum held Animal Stories and Block Parties LEGO sessions for visitors.

Libraries

Darlington BookFest

45. Crown Street Library hosted Darlington BookFest from 4 to 9 March; the first book festival for children and families from Darlington Library.
46. In the lead up to the week-long festival, the library commissioned three different artists to work alongside school pupils to paint three individual book benches on themes influenced by public consultation. The benches, inspired by Julia Donaldson, Roald Dahl and traditional fairy tales were unveiled at the launch of BookFest by the Mayor.
47. Throughout the week the festival was attended by over 740 participants (and their families) across 23 public events, and in addition a further eight events were held as part of the schools programme. Events included author and illustrator talks, storytelling, performances, cupcake decorating, sewing workshops, gaming and stop animation, Lego parties, and a family friendly 60s rock gig.
48. During the week, eight different school classes attended our schools events with Author Peter Barron and Illustrators Jonathan Raiseborough and Garry Parsons.

Environmental Services

Tees Valley Waste Management Strategy

49. Members will be aware that approval was given to enter into consultation on the Joint Waste Management Strategy (JWMS). Following an eight-week consultation period which closed on 3 December 2018, Cabinet has approved the adoption of the JWMS for Tees Valley covering the period 2020 to 2035.
50. The Council is working with the Tees Valley Authorities to develop an outline business case for the options on the future of waste treatment/disposal post 2025 when the existing contractual arrangements come to an end.
51. The Council is working within its own premises to reduce single use plastics and will look at further opportunities to reduce waste and increase recycling.

Garden Waste Collection Service

52. The charged Garden Waste Collection Service commenced in April 2019. To date, 3,000 people have signed up for the service.

Grounds Maintenance

53. As the new growing season approaches, Officers are attempting to increase the provision of floral displays throughout the town. In particular, additional planting will be seen around the town centre, increasing the aesthetic appeal of the town centre, ensuring visitors and users have a good experience when shopping in Darlington.
54. Improvements to wildflower areas are also planned with additional areas being installed along the A68 (A1 to Faverdale). Bulbs have also been planted on Victoria Road and Feethams roundabout to provide further floral displays

throughout spring and early summer.

Winter Maintenance

55. The winter maintenance period comes to an end at the close of April this year and due to the reasonably mild winter, no significant issues have been experienced.

Northumbria in Bloom

56. In 2018, the town centre received a Silver Gilt in the 'Best Town Centre' category and Darlington will again be entering Northumbria in Bloom in this category. In addition to the town centre, we are also entering Eastbourne Park and Head of Steam in the 'Specials' category, as this category includes various other elements in the judging process, such as: heritage, partnership working, education etc., all elements that both Eastbourne Park and Head of Steam have examples of in abundance.

Councillor Nick Wallis
Cabinet Member with Leisure and Local Environment Portfolio

COUNCIL
25 APRIL 2019

CABINET URGENT DECISIONS

Responsible Cabinet Member – Councillor Stephen Harker

Responsible Director – Paul Wildsmith, Managing Director

SUMMARY REPORT

Purpose of the Report

1. To report the urgent decisions made by Cabinet to which the procedure for calling-in could not be applied, as contained in this Council's Constitution.

NOTE – The topics of the reports outlined below are not to be the subject of debate by Council. However, Councillors may ask technical or factual questions to the relevant Director as to the reason(s) for urgency.

Recommendation

2. That the urgent decisions taken be noted.

Reasons

3. To comply with this Council's Constitution.

Paul Wildsmith
Managing Director

Background Papers

Report to Cabinet entitled 'Durham Tees Valley Airport' submitted on 5 February 2019.

Paul Dalton: Extension 5805

S17 Crime and Disorder	The contents of this report has been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its areas. It is not considered that the contents of this report have any such effect.
Health and Well Being	Any impact in relation to Health and Well Being are referred to in the individual reports submitted to Cabinet.
Carbon Impact	Any impact in relation to Carbon Impact is referred to in the individual reports submitted to Cabinet.
Diversity	Any impact in relation to Diversity is referred to in the individual reports submitted to Cabinet.
Wards Affected	Any impact in relation to Wards Affected are referred to in the individual reports submitted to Cabinet.
Groups Affected	Any impact in relation to Groups Affected are referred to in the individual reports submitted to Cabinet.
Budget and Policy Framework	This report does not recommend a change to the Council's budget or policy framework.
Key Decision	This is a non-Executive decision.
Urgent Decision	This is not an urgent decision.
One Darlington: Perfectly Placed	Any impact in relation to One Darlington: Perfectly Placed are referred to in the individual reports submitted to Cabinet.
Efficiency	Any impact in relation to Efficiency is referred to in the individual reports submitted to Cabinet.
Impact on Looked After Children and Care Leavers	Any impact in relation to Looked After Children and Care Leavers is referred to in the individual reports submitted to Cabinet.

MAIN REPORT

Information and Analysis

4. Contained within this Council's Constitution is a procedure for Scrutiny Committees to call-in decisions of Cabinet. This call-in procedure does not apply where the decision being taken by Cabinet or an Officer is urgent.
5. A decision will be urgent if any delay, which is likely to be caused by the call-in process, would seriously prejudice the Council's or the public interest.
6. The Constitution states that decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency

and, given below, are details of such decisions taken since the Ordinary Meeting of Council held on 31 January 2019:

C114	Durham Tees Valley Airport	To agree to waive the Council's rights of first refusal (pre-emption rights) relating to the proposed transfer of the shares by Peel Holdings Limited, in order to ensure that the acquisition of the shareholding of Peel Holdings Limited in Durham Tees Valley Airport Limited by the Tees Valley Combined Authority can proceed prior to the 22 February 2019.
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Outcome of Consultation

7. No formal consultation was undertaken in the preparation of this report.

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COUNCIL
25 APRIL 2019

OVERVIEW OF ADULTS AND HOUSING SCRUTINY COMMITTEE

1. Since the last meeting of the Council, the following are the main areas of work the Adults and Housing Scrutiny Committee has undertaken.

Community Equipment Service

2. We have received an update on the Community Equipment Service which is available to residents of Darlington and is provided by Medequip. The current contract which was awarded to Medequip with effect from 1 April 2015 for a five-year period, is to be extended for a year during which time the contract will be reviewed. This review will utilise focus groups and available data and will seek to review of the range of equipment that is available.
3. As the current contract is commissioned across five partner organisations, it has been difficult to get Darlington specific data in relation to performance, however this is something which will be available in the future.
4. We were informed that no formal complaints had been recorded about the service since 1 April 2018, and were pleased to note the introduction of an issues log by the Council's Occupational Therapy Team which will be reviewed and any issues will be raised directly with Medequip on a quarterly basis.

Darlington Preventing Homelessness Strategy 2019-2024

5. We received the draft Preventing Homelessness and Rough Sleeping Strategy 2019-2024 which is now out for public consultation.
6. The main aim of the strategy is the prevention of homelessness and rough sleeping, and five key objectives support the strategy. An Action Plan is in place which sets out the key actions to deliver the objectives.
7. A new partnership group will be established to oversee the delivery of the strategy. This will consist of statutory and voluntary agencies that deliver a wide range of services, some of which are related to wider needs beyond the specific issue of homelessness.
8. We were informed of a six per cent increase in the number of people who were approaching the Council for assistance, which is much lower than the increase that was expected following the introduction of the Homeless Reduction Act. This is in part due to the Council and its partner's preventative approach to dealing with homelessness.
9. We raised concern regarding begging in Darlington and the processes in place to address this. The Council's Housing Options Service, which consists of multi-agency officers, undertake checks on anyone who is found to be begging to identify those that are genuinely homeless and find solutions to address this. We were

reminded of the 'Have a heart, give smart' campaign which aims to educate and raise awareness that giving money to those who beg is not the best way to help them.

Review of Customer Engagement

10. We welcomed representatives from the Tenants Panel to this Scrutiny Committee to receive an update on the review of customer engagement in housing services and the recommendations identified by the review.
11. The review has identified the need to change the method of communication with tenants. The survey found that 72 per cent of tenants have access to the internet, which supports a shift towards a digital means of communications. Engagement via Facebook, Twitter and WhatsApp groups have been tested and well received and will encourage younger tenants to engage.
12. A Tenants Forum is to be established, consolidating a number of existing Tenant Panels and the scale of digital communications will be increased. Members were pleased to note that the existing Readers Panel, responsible for reviewing Housing Connect and other documents produced by the Council, was a success.
13. We were pleased to note the high level of engagement by tenants within their local community and this engagement at a local level will be further tested through a programme of events in local communities.

Performance Indicators

14. We have received information on the Quarter 3 performance against those key performance indicators for 2018/19 which are within the remit of our Scrutiny Committee.
15. In relation to both Adult Social Care and Housing Services, Officers were satisfied with the Quarter 3 performance across their areas.
16. Particular reference was made to the Performance Indicator HBS025, Number of days spent in Bed and Breakfast, which is showing an increase as a result of the introduction of the Homeless Reduction Act and is reflected as a national trend.

Work Programme

17. We continue to give consideration to the Work Programme for this Committee and have agreed the schedule of reports to be submitted to future meetings.

Councillor Marjory Knowles
Chair of Adults and Housing Scrutiny Committee

**COUNCIL
25 APRIL 2019**

OVERVIEW OF CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE

1. Since the last meeting of the Council, the following are the main areas of work the Children and Young People Scrutiny Committee has undertaken.

Work Programme

2. We continue to give consideration to the Work Programme for this Committee and taking into account the ambitious programme of change across the Council and the key role of Scrutiny in ensuring that the programme is able to deliver the service improvements and the budget savings necessary.
3. Following discussion and questions raised at the meeting with the Head of Planning Development, Management and Environmental Health in relation to private residential children's homes, Members agreed to include in the work programme for 2019/20 an item to monitor the number of private children's homes in the Borough.
4. With regard to the Review Group on Childhood Obesity it was acknowledged that the work on dental health care had been completed and that Members will progress childhood obesity and mental health links by monitoring the effectiveness of the Childhood Healthy Weight Plan and the item to remain on the work programme.

Quarter 3 Performance Indicators 2018/19

5. Members examined performance against key performance indicators for Quarter 3 (October to December 2018).
6. Areas that were performing well were contacts completed within 24 working hours at 98.1 per cent, 97.3 per cent of Initial Child Protection Conferences (ICPC) had been held within 15 working days from the Strategy meeting held/Section 47 being initiated, 100 per cent Child Protection reviews had been completed within the required timescales, 100 per cent of children with a Child Protection Plan and 100 per cent of Children Looked After had an allocated social worker, 99.2 per cent of Looked After Reviews had been completed within timescale, 89.6 per cent of statutory visits to Looked After Children had been completed in timescale, 93.8 per cent who had a review health assessment due had received their assessment within the required timescale and 19.3 per cent of Care Leavers were not in employment, education or training (NEET).
7. Areas where there was a need for continued improvement included the timeliness of assessments which was slightly below the target of 90 per cent, 94.2 per cent statutory child protection visits had been completed within 15 working days with 77.8 completed within 10 working days, which was slightly behind Quarters 1 and 2, missing from home interviews had been offered within 72 hours in 91.3 per cent

of the cases and the rate of Looked After Children was 111.6 per 10,000 population which was above statistical regional and national benchmarks.

8. We noted in particular the increase in Section 47 enquiries and increase in the number of Looked After Children and the Assistant Director of Children's Services advised Members of the rationale for this increase, inclusive of regional and national changes in legislation and gave assurance of the continual monitoring of the situation.

Update Regarding 'Staying Put' Arrangements for Young People Previously in Foster Care Placements

9. We continue to receive information regarding the cost of funding to age 21 for young people in previous foster care placements in line with our legal obligation to provide 'Staying Put' arrangements.
10. As of 21 January 2019 there were 10 'Staying Put' arrangements in place and the cost of internal provision ranged from £160 to £350 per week dependent upon age and individual circumstances. The cost of Independent Fostering Agency (IFA) provision agreed as part of the Tees Valley Framework was £340 per week.
11. The projected expenditure for the period 1 April 2018 to 31 March 2019 for 'Staying Put' including in house and IFA arrangements was £151,525.47.
12. We also received an update on the monitoring and evaluation of 'Staying Put' arrangements via regular support meetings following the young person reaching the age of 18 years; the benefits of 'Staying Put' for young people and the Service; and the priorities for 2019/20 to promote the importance of 'Staying Put'.

Adoption Tees Valley Bi-Annual Summary Report 2018

13. Vicky Davidson-Boyd, Service Manager, Adoption Tees Valley, presented to Members the Adoption Tees Valley Bi Annual Summary Report 1 May 2018 to 30 September 2018 and outlined the work that had been undertaken across the Tees Valley between 1 May 2018 and 30 September 2018.
14. The submitted report reviewed the adoption activity, as defined by the Adoption Leadership Scorecard (ALB) measures for the first 5 months of operation; outlined the key aim of the Regional Adoption Agency (RAA) on the impact of timeliness of children waiting for adoption and on the time that adopters wait for a match; detailed the support offered for adopted children and their families and adopters; and highlighted the future challenges faced by the RAA.
15. We were particularly interested to know about the working relationship between Darlington and Teesside which the Service Manager advised us was good; and how Members could scrutinise timeliness; support available for children into early adulthood, especially if they decide to seek their birth parents; and adoption within the black and minority ethnic community.
16. The Head of Transformation and Performance advised us that adoption performance data was currently reported and the Tees Valley data will also feed into this authority's reporting mechanism in future.

Meetings

17. Since the last meeting of Council, I have attended a meeting of the Standard Advisory Council on Religious Education.

Councillor Chris Taylor
Chair of Children and Young People Scrutiny Committee

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COUNCIL
25 APRIL 2019

OVERVIEW OF EFFICIENCY AND RESOURCES SCRUTINY COMMITTEE

1. Since the last meeting of the Council, the following are the main areas of work the Efficiency and Resources Scrutiny Committee has undertaken.

Performance Indicators Quarter 3 2018/19

2. We have received an update on performance at quarter 3 against those key performance indicators under the remit of our Scrutiny Committee. The indicators are reported to our Committee, all on a quarterly basis.
3. We were particularly pleased to note the year on year improvement in sickness absence within the Authority which is 0.75 days per full time equivalent better than 2017/18. This is in part due to the proactive work being undertaken by HR Officers, in conjunction with service managers, to target areas of concern and ensure that all long-term absences are managed appropriately and that reviews are taking place for short-term absences. It is also thought the wellbeing programme that has been running for the last couple of years has had a positive impact on the sickness absence figures particularly in regard to stress and mental health.
4. Three indicators are showing performance better than at this time last year and they are in relation to reportable accidents/ill health, number of complaints upheld by the Information Commissioner's Office and staff turnover.
5. In relation to staff turnover, it is pleasing to report the low staff turnover position of 5.2 per cent at quarter 3. Generally a level below ten per cent is considered healthy and shows an engaged workforce.
6. We discussed in more detail the indicator in relation to contracted spend as a percentage of total non-salary spend which is not on track at the end of quarter 3 to achieve the year-end target as the contracts register may not be capturing all the contracted spend under £10,000 and because of differences with the suppliers listed on the contracts register and the details appearing on the Council's financial system, Agresso. We were assured that work was being undertaken to address these issues and that, in particular, the Corporate Procurement Team was doing on-going work with Officers to raise awareness of the need to update the contracts register with details of sub £10,000 spend.

Work Programme

7. We have looked at our work programme and given consideration to some items which we would like to carry forward into the next Municipal Year. One area which we are keen to add to the work programme is in relation to the monitoring of the project position statement and capital programme.

Councillor Ian Haszeldine
Chair Efficiency and Resources Scrutiny Committee

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COUNCIL
25 APRIL 2019

OVERVIEW OF HEALTH AND PARTNERSHIPS SCRUTINY COMMITTEE

1. Since the last meeting of the Council, the following are the main areas of work the Health and Partnerships Scrutiny Committee has undertaken.

Work Programme 2018/19

2. We have given consideration to the Work Programme for this Committee and possible review topics. The work programme is a rolling work programme and items can be added as necessary.
3. Members discussed potential areas to add to the Work Programme including GP Access to appointments (to be part of a wider review of primary care) and Substance use/misuse.

Additional Funding for Councils to Alleviate Winter Pressures

4. We were advised that additional funding of £501,172 has been allocated to the Council to spend on adult social care services to help alleviate winter pressures on the NHS.
5. Conditions set by the Secretary of State for Health and Social Care specified that spending should be agreed with the NHS and be focused on Reduced Delayed Transfers of Care, helping to reduce extended lengths of stay in hospital, weekend discharge arrangements and speeding up the process of assessing and agreeing what social care is needed for patients in hospital.
6. We were advised of the schemes within adult social care services which were allocated funding and that spending for these schemes had been adjusted in response to demand.
7. We were pleased to note the positive impact of the funding to date and that for December 2018 Darlington, when compared to all Single Tier and County Councils in England, ranked five on the overall rate of delayed beds.

Performance Indicators Quarter 3 2018/19

8. We received an update on performance against key performance indicators for 2018/19 at Quarter 3.
9. Members noted that of the nine key Public Health indicators reported to Scrutiny this quarter, the majority demonstrated stable or improving trends in keeping with local and national rates. Of the two Cultural indicators reported, one was showing performance better than at the same quarter the previous year, whilst one was showing performance that was worse.

Integrated Care Systems

10. Nicola Bailey, Chief Officer, Darlington CCG, provided an update on the current position of the Integrated Care Systems (ICS), informing Members that the North East and North Cumbria are participating in the aspirant ICS programme to become an ICS. This programme involves an assurance process to become a shadow ICS and requires a demonstration of partnership working.
11. We queried the progress in respect of the work on clinical pathways and strategies and it was confirmed that a draft clinical strategy has been developed and includes a range of business cases. A full programme of public engagement and formal consultation will progress following the elections. Members requested that the programme be brought to the next meeting.

Update on Stroke Rehabilitation Service Review

12. We welcomed a presentation from Katie McLeod, Head of Commissioning and Strategy, NHS Darlington CCG, updating us on the work undertaken to date on the Stroke Rehabilitation Service Review.
13. We were advised that Phase One of the Review had been completed and common themes identified by the first period of engagement included communication challenges at various points in the patient pathway, emotional wellbeing and support, inconsistency of community rehabilitation provision and a need for longer period of therapy following discharge from a hospital setting.
14. Phase Two of the Review is due to commence following the elections in May. The Stroke Association will lead on the work to engage with those within the local community identified as at risk of a stroke, to seek their views on initial proposals. Feedback on the findings from the engagement, and proposed next steps will be shared at the next meeting of this Scrutiny Committee.
15. I advised the Members that I had met with members of the Stroke Club at Age UK as part of the review who identified a number of issues regarding the service provided to those that had suffered from a stroke much of which is referred to in the previous paragraph. Councillor Heslop and I met with Darlington Stroke Recovery Service which is provided by the Stroke Association. This visit echoed some of the issues raised by members of the Stroke Club and stressed the importance of peer support and emotional support for those people that had suffered a life changing event.
16. Members of the Health and Partnerships Scrutiny Committee have for some time had concerns about stroke rehabilitation in the community. We are pleased that the CCG is undertaking this review and by listening to the views of stroke sufferers and their carers will develop a rehabilitation pathway which will result in better outcomes for patients.

Darlington Partnership Update

17. We received an update on the progress of Darlington Partnership which continues to champion the sustainable community strategy One Darlington: Perfectly Placed. The Partnership has ensured that the projects it has established have continued to deliver effectively.

18. We welcomed hearing that the Partnership has agreed a charter, 'Fairer, Richer, Darlington' which aims to narrow the gap between those families who are struggling financially and the rest and has three simultaneous work-streams to improve residents' wellbeing over the short, medium and long term.
19. The excellent Darlington Cares initiative which provides a means for Darlington's businesses to support the local community, predominantly through employer supported volunteering, has developed a number of new projects and now has a membership of 30 local employers.
20. The Great Parks Auction, in which Darlington Cares member companies bid thousands of hours of volunteering, has been a great success with 921 volunteers donating 3,376 hours of time, way in excess of the hours bid. This initiative was shortlisted as a finalist in the Community Engagement Award category of the Keep Britain Tidy Network Awards on 6 February 2019 and Darlington was a runner up.
21. During 2018 over 11,000 hours of volunteering were delivered by Darlington Cares members, including support to over 4000 children with their reading via the Busy Readers and over 600 bags of litter collected.
22. The Festival of Ingenuity will be held on 12 and 13 July and there will be a marquee on the town square showcasing Darlington's ingenious businesses, a family run area on the Feetham's Podium level and live music at the riverside park.
23. The Best of Darlington Awards ceremony is scheduled for 14 June and Members were reminded to submit any nominations for the Awards.
24. Following the success of the previous Volunteer Fairs, a further Fair was held on 7 February. The Fair was sponsored by the County Durham Community Foundation with over 60 voluntary sector organisations participating.

End of Life Care for People with Dementia Review Group

25. We noted the progress made to date by the Dementia Review group, established by this Committee and the Adults and Housing Scrutiny Committee to examine end of life care for people with dementia.
26. Members of the review group have undertaken visits and made contact with a number of organisations, seeking assurance that patients were receiving the best care at the end of their life.
27. Whilst good progress has been made, we acknowledged the need for further work including additional contact with organisations such as Alzheimer's Society and Independent Care Homes and a further meeting of the Review Group to discuss the policy in place at Darlington Memorial Hospital regarding end of life care for those living with dementia with Dr Nicholson, Consultant on End of Life Care, and a representative from the County Durham and Darlington NHS Foundation Trust.

Councillor Wendy Newall
Chair of the Health and Partnerships Scrutiny Committee

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COUNCIL
25 APRIL 2019

OVERVIEW OF PLACE SCRUTINY COMMITTEE

1. Since the last meeting of the Council, the following are the main areas of work the Place Scrutiny Committee has undertaken.

Strategic Sites Development Programme Darlington Town Centre

2. We welcomed Councillor McEwan to the meeting to update us on the Strategic Sites Development Programme Darlington Town Centre, which had been considered by Cabinet at its meeting on 8 January 2019.
3. We also received a PowerPoint presentation detailing the current position and ongoing challenges faced by Darlington town centre retailers. Members were pleased to note that Darlington's economy had grown consistently for three years and that Darlington was rated the third highest retail town in the North East behind Newcastle and the Metro Centre.
4. The objectives to improve the economic wellbeing and vitality of Darlington town centre were outlined and Members welcomed the proposal to invest in our heritage assets, including the Indoor Victorian Market. Refurbishment and redevelopment plans for the Indoor Victorian Market are due to be published for a period of consultation with Members and the public.
5. The Council will be submitting a bid to the Future High Streets Fund to support the objectives to improve Darlington town centre and we have requested an update on the outcome of the bid application.

Central Library Proposals

6. Scrutiny welcomed a presentation from the Assistant Director, Community Services, on the Central Library proposals. Following the decision to keep the main library at Crown Street, and the investment of £2 million in improvements and repairs, a conversation to seek the views of residents has been undertaken and is set to conclude on 15 March 2019.
7. Members were informed of the feedback received to date from both the website and various conversation events, which indicated the need for a refurbishment that is sympathetic to the heritage of the Grade II listed building, identified the need for some level of refreshment and the expansion of the services of the library including greater activities and events. The feedback from the conversation will be collated along with feedback from previous consultations, to inform the future Library Plan.

Community Safety

8. We also received from a presentation from the Assistant Director, Community Services, on Community Safety in Darlington, detailing the concerns and response of the Council to community safety in Darlington and providing us with an overview

of the structure of the Community Services section within the Council and the Community Safety priorities for 2019/20.

9. This Scrutiny Committee agreed to receive an update on the successes of Community Safety at a future meeting.

Performance Indicators Quarter 3 – 2018/19

10. Scrutiny Committee received an update on performance against key performance indicators for 2018/19 which are within the remit of our Scrutiny Committee and the Officers present gave an overview of the current position in respect of their individual areas.
11. Members noted that for the 21 indicators which are reported either quarterly or six monthly at Quarter 3 for which there was information available, 15 have targets and 13 of these indicators are on target to achieve their year-end target and two are not. Six indicators do not have targets however, one is showing performance which is better than the same period last year and four have either no previous data to compare with or no data has been submitted for this quarter, whilst one indicator is showing performance which is worse than the same period last year.
12. We did discuss the indicator in relation to new homes delivered against the five-year supply which was showing an increase from the same period last year. National figures have been published for the Housing Delivery Test, which had been proposed as a possible additional indicator for this Scrutiny Committee, and is a percentage measurement of the number of net homes delivered the number of homes delivered against the number of homes required. For the period of 2015 to 2018 the required number of homes for Darlington was 572 and Members were pleased to note that Darlington had delivered 1043, a delivery test measure of 182 per cent.

Work Programme

13. We have given consideration to the Work Programme for this Committee for the Municipal Year 2018/19 and possible review topics and have agreed to hold a special meeting to give consideration to the updated Local Plan, and to include the Economic Strategy, Housing Strategy and Car Parking Strategy in the discussions.
14. We received an update in respect of the current position of Broadband Infrastructure delivery in Darlington and Members voiced their concerns in respect of the delay to this work and of the future of the broadband infrastructure in Darlington, including rural areas. Members agreed that as this is a key priority for the town, Broadband Infrastructure delivery in Darlington will remain on the work plan for this Scrutiny Committee.

Councillor Bob Carson
Chair of Place Scrutiny Committee