

Addendum

Council

Date: Wednesday 21 November 2018

Time: 4.00 pm

Venue: Upper Guildhall, High Street, Andover, Hampshire SP10 1NT

For further information or enquiries please contact:

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PUBLIC PARTICIPATION SCHEME

If members of the public wish to address the meeting they should notify the Legal and Democratic Service at the Council's Beech Hurst office by noon on the working day before the meeting.

Council

Wednesday 21 November 2018

Addendum

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**ADDENDUM TO COUNCIL
21 November 2018**

7.2 To adopt recommendations from the following:

7.2.2 Cabinet – 7 November 2018

7.2.2.1 Gambling Act 2005 – Statement of Licensing Principles (APPENDIX B)

Consideration was given to a report of the Corporate Portfolio Holder, which recommended a draft revised Statement of Licensing Principles for adoption.

The Council was required to publish a Statement of Licensing Principles (or policy) detailing its responsibilities under the Gambling Act 2005 every three years. Following consultation over the summer a draft revised Statement is recommended for adoption.

Having considered the options and for the reasons set out in the report, Cabinet agreed to the following:

Recommended:

- 1. That the revised Statement of Licensing Principles attached as an annex to the report be recommended for approval.**
- 2. That the Statement be effective for a three year period commencing 31 January 2019 subject to it being kept under review and the Council making such changes to it at such times as it considers appropriate.**

7.2.2.2 Asset Management Plan Update (APPENDIX C)

Consideration was given to a report of the Finance Portfolio Holder, which provided an update to the approved 2018/19 Asset Management Plan (AMP) and recommended the projects to be included in the 2019/20 budget. It also provided an update on the financing of AMP projects, including a forecast of the balance on the Asset Management Reserve at 31 March 2020.

Having considered the options and for the reasons set out in the report, Cabinet agreed to the following:

Recommended:

- 1. That the revised 2018/19 and original 2019/20 Asset Management Plan, as shown in annexes 1 and 2 to the report, be approved.**
- 2. That the Head of Finance, after consultation with the Finance Portfolio Holder and Head of Service responsible for any project, be authorised to amend the Asset Management Plan during the year, as discussed in paragraph 7.3 of the report.**

7.2.2.3 **Capital Programme Update – 2018/19 to 2020/21 (APPENDIX D)**

Consideration was given to a report of the Finance Portfolio Holder, which provided an update on the progress of the existing 2018/19 Capital Programme and included forecast changes to its timescale and total cost. Proposals were also put forward for new capital schemes recommended to be added to the Capital Programme over the period 2018/19 to 2020/21.

The total cost of bids recommended for inclusion in the Capital programme is £2.765M. After taking into account external funding, the net cost of these bids is £158,000. These bids would help to deliver the Council's key priorities and were recommended to be added to the Capital programme.

The report also provided an update on the existing approved Capital Programme.

Having considered the options and for the reasons set out in the report, Cabinet agreed to the following:

Recommended:

- 1. That the new capital schemes with a total cost of £2.765M as shown in Annex 1 to the report, be added to the 2018/19 to 2020/21 Capital Programme.**
- 2. That the revised estimates and financing for the 2018/19 to 2020/21 Capital Programme as shown in Annex 2 to the report, be approved.**

7.2.2.4 **Resources in Estates and Economic Development Service (APPENDIX E)**

Consideration was given to a report of the Finance Portfolio Holder, which set out the implications for resourcing of the Estates and Economic Development Service in response to the increasing statutory responsibilities in respect of management of Council land and buildings. The report also recommended that a mix of permanent and temporary additional posts were added to the establishment for the Service in order that the Council was adequately resourced to comply with these responsibilities.

Having considered the options and for the reasons set out in the report, Cabinet agreed to the following:

Recommended:

- 1. That the posts set out at paragraphs 6.1.4 and 6.1.5 in the report be added to the Estates and Economic Development establishment at a total cost of £164,150 p.a.**
- 2. That the sum of up to £89,865 p.a. be vired from the Investment Property Income budget to finance the cost of the permanent posts as set out in paragraph 8.2 of the report.**

- 3. That the sum of up to £138,950 be drawn from the Capacity Building Reserve to finance the cost of the temporary posts as set out in paragraph 8.5.**

Report to Cabinet – 7 November 2018

APPENDIX B

ITEM Gambling Act 2005 – Statement of Licensing Principles

Report of the Corporate Portfolio Holder

Recommended:

1. **That the revised Statement of Licensing Principles attached as an annex to this report be recommended for approval; and**
2. **That the Statement be effective for a three year period commencing 31 January 2019 subject to it being kept under review and the Council making such changes to it at such times as it considers appropriate.**

Recommendation to Council

SUMMARY:

- The Council must publish a Statement of Licensing Principles (or policy) detailing its responsibilities under the Gambling Act 2005 every three years.
- Following consultation over the summer a draft revised Statement is recommended for adoption.

1 Introduction

1.1 Section 349 of the Gambling Act 2005 requires the Council to publish a Statement of Principles (or Policy) setting out the matters to be taken into account by the Council when determining applications for licences and permits issued under the Act. The current Statement was published in January 2016 and the Act requires that the Council review the Statement every three years. Consequently a draft revised Statement, attached as Annex 1 to this report, is recommended for adoption following a consultation exercise commenced in June whereby the existing Statement was distributed to a number of organisations including those representing existing licence holders. In addition a copy was either supplied or made available to all members and also a number of officers within the Council. Consultees had until 3 September 2018 to respond and no comments were received.

2 Background

2.1 The Council assumed its responsibilities under the Gambling Act 2005 on 31 January 2007. The Act created a new system of licensing and regulation for commercial gambling in this country. Amongst other changes, it gave local authorities new and extended responsibilities for licensing premises for

gambling. In some cases, such as gaming machine arcades, those built upon existing responsibilities. But in other major areas, including betting and bingo, they transferred to local authorities responsibilities which previously lay with the local magistrates.

- 2.2 The Statement of Licensing Principles sets out the matters that will be taken into account when determining applications submitted under the Act. The Statement of Licensing Principles must be approved by full Council. This report brings the draft Statement to Cabinet for recommendation to Council. Once adopted, the Statement will be effective for three years but there is nothing to prevent the Council from reviewing the Statement during this period should this become necessary.

3 Corporate Objectives and Priorities

- 3.1 The adoption of a Statement of Licensing Principles is a statutory requirement which does not directly relate to the Council's corporate aims.

4 Consultations/Communications

- 4.1 As mentioned in paragraph 1.1 above, the Council is legally required to consult upon the Statement and the draft document was sent to a number of different organisations including trade organisations, solicitors, Hampshire Constabulary and Hampshire Fire and Rescue Service. All have been given equal opportunity to comment.

5 Revisions

- 5.1 Only one significant change has been made to the existing Statement published in January 2016 which is the addition of further information relating to the requirement for Local Risk Assessments (see paragraph 2.3 of Annex 1 attached)

6 Option Appraisal

- 6.1 The only alternative option available to the Council is to fail to approve and publish a Statement and in doing so the Council will have failed to comply with its statutory requirements and may be subject to legal challenge when determining licence applications.

7 Risk Management

- 7.1 An evaluation of the risks associated with the matters in this report indicate that further risk assessment is not needed because the changes/issues covered do not represent significant risks and have largely previously been considered by Councillors when the first Statement was adopted in 2006.

8 Resource Implications

- 8.1 There are no direct resource implications as a result of this report.

9 Legal Implications

9.1 The legal implications of failing to approve and adopt a Statement are as set out in paragraph 6.1 above.

10 Equality Issues

10.1 An Equalities Impact Assessment is not needed because the issues covered have previously been addressed when the initial Statement was recommended for adoption in 2006. The Gambling Act 2005 and its associated secondary legislation have been assessed by central government as being compliant with United Kingdom equalities and human rights legislation.

11 Other Issues

11.1 Community Safety – none specific.

11.2 Environmental Health Issues – none.

11.3 Sustainability and Addressing a Changing Climate – none.

11.4 Property Issues – none.

11.5 Wards/Communities Affected – none specific but potentially the whole Borough.

12 Conclusion and reasons for recommendation

12.1 The Council is legally required to consult upon its Statement of Licensing Principles and it is only right that all those likely to be affected by the Act are given the opportunity to comment. The nil level of responses received would indicate that there is general satisfaction with the proposed Statement. Should, after its adoption, the Council consider it appropriate to review the Statement, then the facility to do so is available.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
Gambling Act 2005 Statement of Licensing Principles January 2016			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	1	File Ref:	N/A
(Portfolio: Corporate) Councillor Flood			
Officer:	Michael White	Ext:	8013
Report to:	Cabinet	Date:	7 November 2018



GAMBLING ACT 2005

SECTION 349

STATEMENT OF LICENSING PRINCIPLES – JANUARY 20196

This Statement of Principles will remain in force from 31 January 20196 until 31 January 202249

All references to the Gambling Commission's Guidance for local authorities refer to the Guidance published in September 20152.

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PART A

1.0 Licensing Objectives

- 1.1 In exercising most of the functions under the Gambling Act 2005, the Licensing Authority must have regard to the licensing objectives as set out in Section 1 of the Act. The licensing objectives are:
- **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;**
 - **Ensuring that gambling is conducted in a fair and open way; and**
 - **Protecting children and other vulnerable persons from being harmed or exploited by gambling**
- 1.2 The Licensing Authority is aware that the Gambling Commission has stated that the requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling.
- 1.3 This Licensing Authority is aware that in accordance with Section 153 of the Act, in making its decisions about premises licences and temporary use notices it should aim to permit the use of the premises for gambling in so far as it thinks it:
- in accordance with any relevant code of practice issued by the Gambling Commission
 - in accordance with any guidance issued by the Gambling Commission
 - reasonably consistent with the licensing objectives and
 - in accordance with the Authority's statement of licensing policy

2.0 Introduction

- 2.1 The Borough surrounding the valley of the River Test is one of the largest in Hampshire, covering 245 square miles of predominantly rural land.

Half of Test Valley's 12317,000 inhabitants (2015 [Small Area Population Forecast3-census](#)) live in the urban areas including Andover and Romsey. The other half are scattered in the hamlets and villages which make up the Borough's 56 parishes.

Test Valley offers a mix of entertainment facilities for residents and visitors alike. It has a number of premises conducting gambling activities including betting offices, a bingo hall and approximately 360 premises and 46 members

Gambling Act 2005 – Statement of Principles

clubs licensed under the Licensing Act 2003 many of which will have gaming machines located on their premises. At the time of publication there are no casinos or tracks (racecourses) within the Test Valley Borough Council area.

The Council recognises that legal gambling in a fair and open way, with suitable protection for children and vulnerable persons, contributes to the growth of the local economy for Test Valley and offers an important role for employment within the borough.

2.2 A map of the Test Valley area is attached as Appendix A

2.3 Revisions to the Gambling Commission Licence Conditions and Codes of Practice ([LCCP](#)) mean that as from 6 April 2016 gambling operators ~~will~~ have to prepare Local Risk Assessments ([LRAs](#)). [The LRA should be kept on the individual premises and ready for inspection by any authorised officer. The LRA must be submitted with any new or variation application, otherwise the application has not been properly served. The LCCP also states that a LRA must be submitted when changes in the local environment or the premises warrant a risk assessment being conducted again. The Licensing Authority will expect the local risk assessment to consider as a minimum:](#)

- [• The location of services for children such as schools, playgrounds, leisure/community centres and other areas where children will gather;](#)
- [• The demographics of the area in relation to vulnerable groups;](#)
- [• Whether the premises is in an area subject to high levels of crime and/or disorder.](#)

[Local risk assessments should show how vulnerable people, including people with gambling dependencies are protected.](#)

To assist operators in the development of such risk assessments the Gambling Commission have encouraged local authorities to develop Local Area Profiles. Test Valley Borough Council has not yet developed a specific gambling related Local Area Profile. However, generic profiles are available and these may contain information which is of use to operators as they include demographics and a socio-economic profile. These profiles are available on the Test Valley Borough Council web site at www.testvalley.gov.uk/resident/communityandleisure/workingwithcommunities/mylocalarea/

3.0 Consultation on the Statement of Principles

3.1 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from “time to time” and any amended parts re-consulted upon. The statement must then be re-published.

3.2 The Licensing Authority consulted widely upon this statement before finalising and publishing. A list of those persons consulted is provided at Appendix B. It should be noted that unsolicited comments may have been received from other persons but all of these have not been listed.

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- 3.3 The Gambling Act requires that the following parties are consulted by licensing authorities:
- The Chief Officer of Police for Hampshire;
 - One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the Test Valley area;
 - One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act.
- 3.4 The full list of comments made and the consideration by the Council can be obtained from the Licensing Section, Legal and Democratic Service, Test Valley Borough Council, Beech Hurst, Weyhill Road, Andover, Hampshire SP10 3AJ.
- 3.5 The policy was approved at a meeting of the Full Council on ~~21~~ November 201~~8~~⁵ and was published via our website on ~~3 January 2019~~^{24 December 2015}. Additional copies are available from the Licensing Section.
- 3.6 The Licensing Authority will also consult those persons listed in Appendix B and any other relevant persons as may be appropriate for any subsequent revision of the policy.
- 3.7 Any comments as regards this policy should be sent to:
- The Licensing Manager
Legal & Democratic Service
Beech Hurst
Weyhill Road
Andover SP10 3AJ
Tel: 01264 368013 Fax: 01264 368~~408005~~⁴⁰⁸⁰⁰⁵
Email: licensing@testvalley.gov.uk
- 3.8 It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

4.0 Declaration

- 4.1 In publishing this document, the Licensing Authority declares that it has had regard to the licensing objectives of the Act, the guidance issued by the Gambling Commission and any responses from those consulted on the policy statement.

5.0 Responsible authorities and interested parties

- 5.1 When dealing with applications for and reviews of premises licences, the Licensing Authority are obliged to consider representations from two categories of persons, referred to as “**responsible authorities**” and “**interested parties.**” (It should be noted that these are defined differently to those defined in the Licensing Act 2003). Representations made by persons other than responsible authorities or interested parties will be inadmissible.
- 5.2 “**Responsible authorities**” are public bodies that must be notified of applications by the applicant. They are as follows:
- the Licensing Authority in whose area the premises are wholly or partly situated;
 - the Gambling Commission;
 - the Chief Officer of Police;
 - the Fire and Rescue Authority;
 - the Local Planning Authority;
 - the Housing and Environmental Health Service of Test Valley Borough Council;
 - the Local Safeguarding Children Board;
 - HM Revenue and Customs; and
 - Any other person prescribed by the Secretary of State
- A full list and contact details of all the Responsible Authorities under the Act will be contained on the Council’s web-site (www.testvalley.gov.uk).
- 5.3 The Licensing Authority is required by the regulations to state the principles it will apply in exercising its powers under Section 157 (h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:
- The need for the body to be responsible for an area covering the whole of the licensing authority’s area; and
 - The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.
- 5.4 Whilst being aware of the suggestion in the Gambling Commission’s Guidance for local authorities, this authority has designated the Hampshire County Council Children’s Services as the body which is competent to advise the authority about the protection of children from harm.
- 5.5 “**Interested parties**” are persons who may make representations about licence applications or apply for a review of an existing licence. These parties are defined in the Act as follows:

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“A person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the Licensing Authority which issues the licence or to which the application is made, the person-

- lives sufficiently close to the premises to be likely to be affected by the authorised activities; or
- has business interests that might be affected by the authorised activities; or
- represents persons in either of those two groups referred to above.

- 5.6 Each case will be considered on its merits. This authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission’s Guidance for local authorities (~~specifically paragraphs 8.914 to 8.178 of the Guidance which states “if the authority does not wish to follow the Gambling Commission’s guidance in any respect it is advised to state this in its statement. Note though that decisions on premises licences and temporary use notices must be “in accordance” with Gambling Commission Guidance (Section 153).~~ It will also consider the Gambling Commission’s Guidance that “has business interests” should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.
- 5.7 The Gambling Commission has recommended that the Licensing Authority states that interested parties include trade associations, and trade unions, and residents’ and tenants’ associations (paragraph 8.167 of the Gambling Commission Guidance for local authorities). This authority will not however generally view these bodies as interested parties unless they have a member who can be classed as an interested person under the terms of the Act, i.e. lives sufficiently close to the premises to be likely affected by the activities being applied for.
- 5.8 Interested parties can be persons who are democratically elected such as councillors and MP’s. Where appropriate this will include county and parish/town councillors. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, parish councils likely to be affected will be considered to be interested parties.
- 5.9 If interested parties wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the Licensing Section at Test Valley Borough Council, Beech Hurst, Weyhill Road, Andover SP10 3AJ.
- 5.10 Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) ‘represents’ someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

6.0 Exchange of Information

- 6.1 Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.
- 6.2 The Licensing Authority will act in accordance with the provisions of the Act in its exchange of information which includes the provision that the Data Protection Act 1998 [and any subsequent legislation](#) will not be contravened. The 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.
- 6.3 Should any protocols be established as regards information exchange with other bodies then they will be made available on the Council's web-site www.testvalley.gov.uk/licensing.

7.0 Compliance and Enforcement

- 7.1 Licensing authorities are required by regulation under the Act to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.
- 7.2 This Licensing Authority's principles are that:
- It will be guided by the Gambling Commission's Guidance to Licensing Authorities and will endeavour to be:
- **Proportionate:** intervention only when necessary, remedies should be appropriate to the risk posed, and costs identified and minimised;
 - **Accountable:** decisions must be justified, and subject to public scrutiny;
 - **Consistent:** rules and standards must be joined up and implemented fairly;
 - **Transparent:** regulators should be open, and keep regulations simple and user friendly; and
 - **Targeted:** focused on the problem, and minimise side effects.
- 7.3 The Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

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- 7.4 This Licensing Authority will implement a risk-based inspection programme, based on:
- The licensing objectives
 - Relevant codes of practice
 - Guidance issued by the Gambling Commission, in particular at Part 36
 - The principles set out in this Statement of Licensing Policy
- 7.5 The main enforcement and compliance role for the Licensing Authority will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operator and personal licences it issues. It should also be noted 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.
- 7.6 The Licensing Authority will keep itself informed of developments as regards the work of the [Office for Product Safety and Standards](#)~~Better Regulation Executive~~ in its consideration of the regulatory functions of local authorities.
- 7.7 Having regard to the principle of transparency, the Licensing Authority enforcement/compliance protocols/written agreements will be available on request to the licensing section. Our risk methodology will also be available on request.
- 7.8 The Licensing Authority recognises that certain operators have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the authority a single named point of contact who should be a senior individual, and whom the authority will contact first should any compliance issues arise.

8.0 The Licensing Authority Functions

- 8.1 The Licensing Authority will:
- Be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*
 - Issue *Provisional Statements*
 - Regulate *members' clubs* and *miners' welfare institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
 - Issue *Club Machine Permits* to *Commercial Clubs*
 - Grant permits for the use of certain lower stake gaming machines at *unlicensed Family Entertainment Centres*
 - Receive notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of two or fewer gaming machines
 - Issue *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where more than two machines are required
 - Register *small society lotteries* below prescribed thresholds
 - Issue *Prize Gaming Permits*

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- Receive and Endorse *Temporary Use Notices*
- Receive *Occasional Use Notices*
- Provide information to the Gambling Commission regarding details of licences issued (see section above on ‘information exchange’)
- Maintain registers of the permits and licences that are issued under these functions

8.2 The Licensing Authority will not be involved in licensing remote gambling. This will fall to the Gambling Commission via Operator Licences.

8.3 Gambling activities may take one of three forms: gaming, betting or participating in a lottery. Gaming is defined as playing a game of chance for a prize. The Act defines two specific categories of gaming, namely casino gaming and equal chance gaming. Betting is defined as making or accepting a bet on one of three things: the outcome of a race, competition or other process; the likelihood of anything occurring or not occurring; whether anything is or is not true. Lotteries are where persons pay to participate in an arrangement under which prizes are allocated partly or wholly by chance. The National Lottery is not governed by the Gambling Act.

PART B – Premises Licences

9.0 General Principles

9.1 Premises licences will be subject to the requirements set out in the Act and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

9.2 The Licensing Authority will aim to permit the use of premises for gambling in so far as it thinks it:

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

9.3 The Licensing Authority appreciates that as per the Gambling Commission’s Guidance “moral objections to gambling are not a valid reason to reject applications for premises licences” (except as regards any “no casino” resolution – see section on Casinos below – page 17) and also that unmet demand is not a criterion for the Licensing Authority.

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Definition of “premises”

- 9.4 Premises is defined in the Act as including “any place”. Section 152 therefore prevents more than one Premises Licence applying to any place. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.
- 9.5 This Licensing Authority takes particular note of the Gambling Commission’s Guidance to Licensing Authorities which states that licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discreet part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:
- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
 - Entrances and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context, it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
 - Customers should be able to participate in the activity named on the premises licence.

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

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

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

Premises “ready for gambling”

- 9.6 The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future,

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consistent with the scale of building or alterations required before the premises are brought into use. If the construction of a premises is not yet complete, or if they need alteration, or if the applicants does not yet have a right to occupy them, than an application for a provisional statement should be made instead. In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:

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

Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence. More detailed examples of the circumstances in which such a licence may be granted can be found at paragraphs 7.5860 to 7.657 of the Guidance.

Location

- 9.7 The Licensing Authority 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. As per the Gambling Commission's guidance, this 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. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

Planning

- 9.8 The Gambling Commission Guidance to Licensing Authorities states:
7.5860 – In determining applications, the licensing authority should not take into consideration matters that are not related to gambling and the licensing objectives. ~~has a duty to take into consideration all relevant matters and not to take into consideration any irrelevant matters, i.e. those not related to gambling and the licensing objectives.~~ One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal..

This authority will not take into account irrelevant matters as per the above guidance. In addition this authority notes the following excerpt from the Guidance:

7.657 – When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have to comply with the necessary planning or building consents ... Those matters should be dealt with under relevant planning control, building and other regulations, and must not form part of the consideration for the premises licence. Section 210 of the Gambling Act 2005 prevents licensing authorities

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taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.

Duplication with other regulatory regimes

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

10.0 The Licensing Objectives

- 10.1 Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this Licensing Authority has considered the Gambling Commission's Guidance to local authorities and some comments are made below:

Preventing Gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;

- 10.2 This Licensing Authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime, this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This Licensing Authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed via the Gambling Act provisions.

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

- 10.3 This Licensing Authority has noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned

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with ensuring that gambling is conducted in a fair and open way, as this will be addressed via operating and personal licences. There is however, more of a role with regard to tracks which is explained in more detail in the “tracks” section below – page 18.

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

- 10.4 This Licensing Authority has noted that the Gambling Commission’s Guidance for local authorities states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The Licensing Authority will therefore consider, as suggested in the Gambling Commission’s Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas etc.
- 10.5 The Licensing Authority will also make itself aware of the Codes of Practice which the Gambling Commission issues as regards this licensing objective, in relation to specific premises such as casinos.
- 10.6 As regards the term “vulnerable persons” it is noted that the Gambling Commission is not seeking to offer a definition but states that “it will, for regulatory purposes, assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.” This Licensing Authority will consider this licensing objective on a case-by-case basis. Should a practical definition prove possible in future then this policy statement will be updated with it, by way of a revision.

11.0 Conditions on premises licences

- 11.1 The Licensing Authority will ensure that any conditions imposed are proportionate to the circumstances which they are seeking to address, and will ensure that any premises licence conditions are:
- relevant to the need to make the proposed building suitable as a gambling facility;
 - directly related to the premises and the type of licence applied for;
 - fairly and reasonably related to the scale and type of premises; and
 - reasonable in all other respects
- 11.2 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this Licensing Authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This Licensing Authority will also expect the licence applicant to offer his/her own suggestions as to ways in which the licensing objectives can be met effectively.

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11.3 The Licensing Authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include:

- supervision of entrances;
- segregation of gambling from non-gambling areas frequented by children;
- 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.

11.4 The Licensing Authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

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

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

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

11.6 It is noted that there are conditions which the Licensing Authority cannot attach to premises licence which are:

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

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Door Supervisors

- 11.7 The Gambling Commission advises in its Guidance for 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. It is noted though that ‘in-house’ door supervisors at casinos or bingo premises cannot be licensed by the Security Industry Authority (SIA). This licensing authority therefore will take into consideration relevant criminal convictions, cautions or formal reprimands, if any, and training requirements that meet SIA standards. This is in recognition of the nature of the work in terms of searching individuals, dealing with potentially aggressive persons, etc.
- 11.8 For premises other than casinos and bingo premises, operators and licensing authorities may decide that supervision of entrances/machines is appropriate for particular cases. In respect of betting offices, the authority will require door supervisors only if there is clear evidence from the trading history of the premises that the premises cannot be adequately supervised from the counter and that door supervision is both necessary and proportionate.

12.0 Adult Gaming Centres (AGC)

- 12.1 The 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 ensure, for example, that persons under the age of 18 do not have access to the premises.
- 12.2 The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives however, appropriate measures/licence conditions may cover issues such as:
- Proof of age schemes
 - CCTV
 - Supervision of entrances/machine areas
 - Physical separation of areas
 - Location of entry
 - Notices/signage
 - Specific opening hours
 - Self-exclusion schemes
 - Provision of information leaflets/helpline numbers for organisations such as GamCare.

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

13.0 Licensed Family Entertainment Centres

- 13.1 The 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 ensure that persons under the age of 18 do not have access to the adult only gaming machine areas.
- 13.2 The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:
- CCTV
 - [Clear policies that outline the steps to be taken to protect children from harm](#)
 - Supervision of entrances/machine areas
 - Physical separation of areas
 - Location of entry
 - Notices/signage
 - Specific opening hours
 - Self-exclusion schemes
 - Provision of information leaflets/helpline numbers for organisations such as GamCare
 - Measures/training for staff on how to deal with suspected truant school children on the premises [and how to recognise the signs of potential child sexual exploitation](#)

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

- 13.3 The Licensing Authority will refer to any conditions applied by the Gambling Commission to operating licences covering the way in which the area containing the category C machines should be delineated. This Licensing Authority will also make itself aware of any mandatory or default conditions on these premises licences when published.

14.0 Casinos

No Casinos resolution

- 14.1 The 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 the Licensing Authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution.
- 14.2 This matter will be reviewed at three yearly intervals or sooner should the circumstances warrant a revision.

14.3 Any such decision will be made by the Full Council.

15.0 Bingo premises

15.1 This Licensing Authority notes that the Gambling Commission's Guidance states:

~~18.54 Licensing Authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the An operator of an existing bingo premises applies may choose to vary their licence to exclude a previously licensed area of that existing premises, from its ambit and then applies for a new premises licence, or multiple new premises licences, with the aim of creating separate premises in that area for that or those excluded areas, essentially providing multiple licensed premises within a single building or site. Before issuing additional bingo premises licences, licensing authorities need to consider whether bingo can be played at each of those new premises.~~

~~18.76 Children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed. Social Responsibility (SR) code 3.2.5(3) states that 'licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises' in order to prevent underage gambling.~~

~~This authority also notes that from 13 July 2011 a holder of a bingo premises licence may make available for use a number of category B3 gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises.~~

16.0 Betting premises

16.1 **Betting machines** – The Licensing Authority will, in accordance with the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. This authority will consider limiting the number of machines only where there is clear evidence that such machines have been or are likely to be used in breach of the licensing objectives.

17.0 Tracks

- 17.1 Tracks are sites (including horse racecourses and dog tracks) where races or other sporting events take place. Betting is a major gambling activity on tracks, both in the form of pool betting (often known as the “totalisator” or “tote”), and also general betting, often known as “fixed-odds” betting.
- 17.2 The Licensing Authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. The Licensing Authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
- 17.3 The Licensing Authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.
- 17.4 This Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:
- Proof of age schemes
 - CCTV
 - Supervision of entrances / machine areas
 - Physical separation of areas
 - Location of entry
 - Notices / signage
 - Specific opening hours
 - Self-exclusion schemes
 - Provision of information leaflets / helpline numbers for organisations such as GamCare

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

Gaming machines

- 17.5 The Licensing Authority will consider the location of gaming machines at tracks, and applicants for track premises licences will need to demonstrate that, where the applicant holds a pool betting operating licence and is going to use his entitlement to four gaming machines, these machines are located in areas from which children are excluded. Children and young persons are not prohibited from playing category D gaming machines on a track.

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Betting machines

- 17.6 The Licensing Authority will take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

Condition on rules being displayed

- 17.7 It is a mandatory condition of premises licences that clear and accessible information about the terms on which a bet may be placed must be displayed at betting premises, including tracks. This licensing authority will not concern itself with the terms or rules of betting (apart from the requirement to display them), as this is a consideration of the Gambling Commission in respect of the licensing of betting operators.

Applications and plans

- 17.8 The Gambling Act (s151) requires applicants to submit plans of the premises with their application, in order to ensure that the Licensing Authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity. (See Guidance to Licensing Authorities, paragraph 20.4328).

Plans for tracks do not need to be in a particular scale, but should be drawn to a scale and should be sufficiently detailed to include the information required by regulations. (See Guidance to Licensing Authorities, paragraph 20.4429).

~~Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises (see Guidance to Licensing Authorities, paragraph 20.31).~~

~~In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary of the premises do not need to be defined. (See Guidance to Licensing Authorities, paragraph 20.32).~~

This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place. ~~For racecourses in particular, any betting areas must be indicated on the plan.~~ (See Guidance to Licensing Authorities, paragraph 20.4633).

18.0 Travelling Fairs

- 18.1 It will fall to The Licensing Authority to decide whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- 18.2 The Licensing Authority will also consider whether the applicant falls within the statutory definition of a travelling fair.
- 18.3 It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

19.0 Provisional Statements

- 19.1 Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.
- 19.2 S204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she: expects to be constructed; expects to be altered; or expects to acquire a right to occupy. The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal. In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.
- 19.3 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless: they concern matters which could not have been addressed at

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the provisional statement stage or; they reflect a change in the applicant's circumstances.

- 19.4 In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:
- Which could not have been raised by objectors at the provisional statement stage;
 - Which in the authority's opinion reflect a change in the operator's circumstances; or
 - Where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

20.0 Reviews of premises licences

- 20.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities, however, it is for the Licensing Authority to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is relevant to the matters listed below, as well as consideration as to whether the request is frivolous, vexatious, will certainly not cause the authority to wish alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review:
- In accordance with any relevant code of practice issued by the Gambling Commission;
 - In accordance with any relevant guidance issued by the Gambling Commission;
 - Reasonably consistent with the licensing objectives; and
 - In accordance with the Licensing Authority's statement of principles.
- 20.2 The Licensing Authority can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason which it thinks is appropriate.
- 20.3 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 seven days after the application was received by the licensing authority, who will publish notice of the application within seven 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.
- 20.4 The purpose of a review will be to determine whether the Licensing Authority should take any action in relation to a licence. If action is justified, the Licensing Authority will have the following options:
- Revoke the licence;

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- Suspend the licence for a period not exceeding three months;
- Exclude a default condition imposed by the Secretary of State, or remove or amend such an exclusion; and
- Add, remove or amend a licence condition imposed by the Licensing Authority.

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.

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

Part C – Permits/Temporary & Occasional Use Notices

21.0 Unlicensed Family Entertainment Centre Gaming Machine Permits

- 21.1 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).
- 21.2 The Gambling Act 2005 states that a Licensing Authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Gambling Commission under Part 24. The Gambling Commission's Guidance for local authorities also states that in its three year licensing policy statement, "a licensing authority may include a statement of principles ... for permits..., licensing authorities may wishant to give weight to matters relating to child protection of children from being harmed or by gambling and to ensure that staff supervision adequately reflects the level of risk to this groupissues." (24.86)
- 21.3 As suggested by theThe Guidance also states: "...An application for a permit may be granted only if the Licensing Authority requires a plan of the premises to be submitted with any application for this type of permit.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".

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- 21.4 The Licensing Authority cannot attach conditions to this type of permit.
- 21.5 The Licensing Authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations, [including the risk of child sexual exploitation](#). The efficiency of such policies and procedures will each be considered on their merits, however, they may include the following:
- appropriate measures / training for staff as regards suspected truant school children on the premises,
 - measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises.
- 21.6 The Licensing Authority will also expect that
- applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
 - that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and
 - that staff are trained to have a full understanding of the maximum stakes and prizes.

22.0 (Alcohol) Licensed premises gaming machine permits

- 22.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the Licensing Authority. The Licensing Authority can remove the automatic authorisation in respect of any particular premises if:
- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
 - gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with)
 - the premises are mainly used for gaming; or
 - an offence under the Gambling Act has been committed on the premises
- 22.2 If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the Licensing Authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission, and “*such matters as they think relevant.*”

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- 22.3 The 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 authority that there will be sufficient measures to ensure that persons under the age of 18 do not have access to the adult only gaming machines. Measures which will satisfy the authority may include:
- The adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by persons under the age of 18;
 - Notices and signage; and
 - Provision of information leaflets/helpline numbers for organisations such as GamCare.
- 22.4 The Licensing Authority recognises that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.
- 22.5 The Licensing Authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.
- 22.6 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.
- [22.7 Whilst not directly related to the provision of gaming machines, alcohol licensed premises should also be aware of the Gambling Commission Code of Practice for equal chance gaming in such premises.](#)

23.0 Prize Gaming Permits

- 23.1 In making its decision on an application for this permit the Licensing Authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.
- 23.2 The applicant should set out the types of gaming that he or she is intending to offer and should be able to demonstrate:
- that they understand the limits to stakes and prizes that are set out in Regulations; and
 - that the gaming offered is within the law
- 23.3 It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the Licensing Authority cannot attach conditions. The conditions in the Act are:

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

24.0 Club Gaming and Club Machines Permits

- 24.1 Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Gaming Machines Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in regulations. A Club Machine Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).
- 24.2 Members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. These regulations cover bridge and whist clubs which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of the Royal British Legion and clubs with political affiliations.
- 24.3 The Licensing Authority may only refuse an application on the grounds that:
- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
 - (b) the applicant's premises are used wholly or mainly by children and/or young persons;
 - (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
 - (d) a permit held by the applicant has been cancelled in the previous ten years; or
 - (e) an objection has been lodged by the Commission or the police
- 24.4 There is a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Gambling Commission or the police, and the grounds upon which an authority can refuse a permit are reduced and the grounds on which an application under the process may be refused are:

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

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

[24.6 Whilst not directly related to the provision of gaming machines, members clubs should also be aware of the gambling Commission Code of Practice for equal chance gaming in alcohol licensed premises.](#)

25.0 Temporary Use Notices

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

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

25.3 The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI number 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities for equal chance gaming, where the gaming is intended to produce a single overall winner. There can, however, be more than one competition with a single winner held at the individual event covered by a specific temporary use notice. The facilities may not be provided in circumstances where any person participating in the gaming does so by means of a gaming machine. Equal chance gaming is gaming which does not involve playing or staking against a bank and gives equally favourable chances to all participants; it includes dominoes, cribbage, poker and bingo.

25.4 There are a number of statutory limits as regards Temporary Use Notices. The meaning of “premises” in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to Licensing Authorities. As with “premises” the definition of “a set of premises” will be a question of fact in the particular circumstances of each notice that is given. In the Act “premises” is defined as including “any place”. In considering whether a place falls within the definition of a “set of premises” the Licensing Authority will look at, amongst other things, the ownership/occupation and control of the premises.

- 25.5 This Licensing Authority will consider objecting to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.

26.0 Occasional Use Notices

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

Part D – Other Information

27.0 Rights of appeal and judicial review

- 27.1 The Licensing Authority is aware that its decisions may be subject to an appeal in accordance with the provisions of the Act and judicial review. It also recognises that failure to give reasons for a decision may compel a person to appeal. The Licensing Authority will:

- give clear and comprehensive reasons for a rejection of an application where there is a requirement in the Act to do so; and
- wherever practicable, as best practice, give clear and comprehensive reasons for all decisions connected to its functions under the Act, regardless of whether there is a requirement under the Act to do so.

- 27.2 An appeal has to be commenced by the giving of a notice of appeal by the appellant to the local magistrates' court within a period of 21 days beginning with the day on which the appellant was notified by the Licensing Authority of the decision to be appealed against.

- 27.3 Any person who wishes to pursue an appeal is strongly advised to seek independent professional legal advice from a legal advisor who specialises in the law on gambling.

28.0 Other matters

- 28.1 In order to ensure that applicants and persons who make representations have the necessary information to be able to do so, the information below will be

Gambling Act 2005 – Statement of Principles

available on the Council's web site (www.testvalley.gov.uk/licensing) or by contacting the Licensing Section at Test Valley Borough Council:

- Register of premises licences issued by The Licensing Authority
- Fees
- Guidance on how to make an application
- List of responsible authorities and contact details
- Application forms, where appropriate
- Making representations
- Applying for a review of a licence

29.0 The Licensing Authority Delegations

Matter to be dealt with	Full Council	Sub-Committee of Licensing Committee	Officers
Formal approval of the Licensing Authority statement of Three year licensing policy	X		
Policy not to permit casinos	X		
Application for premises licence		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a premises licence		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of a premises licence		Where representations have been received from the Commission or responsible authority	Where no representations received from the Commission or responsible authority
Application for a provisional statement transfer		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Review of a premises licence		X	
Application for club gaming/ club machine permits		Where objections have been made (and not withdrawn)	Where no objections made/ 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	

APPENDIX A – Map of Test Valley Area



APPENDIX B – List of those consulted

NB The list below reflects the consultation undertaken in 2015. A final list will be included following closure of the 2018 consultation period.

- Andover Town Council
- Romsey Town Council
- Test Valley Borough Council – all Services
- Hampshire Fire and Rescue Service
- British Holiday & Home Parks Association
- BALPPA
- BACTA
- Hampshire Constabulary
- Betting Shop Services Limited
- Business in Sport & Leisure
- Association of British Bookmakers
- British Beer and Pubs Association
- The Bingo Association
- Talbot Walker LLP
- Horsey Lightly Fynn
- Rank Group Gaming Division
- Coral Racing Limited
- Ladbrokes Betting and Gaming Limited
- Gemaso Limited

- 2.2 The Council is responsible for the ongoing maintenance and replacement of a wide range of operational assets with an estimated value of £67M. In order to make the AMP more manageable, it is split into three categories. The categories are:
- Land and Buildings
 - Vehicles and Plant
 - IT infrastructure
- 2.3 Condition surveys are carried out on all land and buildings on a rolling five year cycle. The results of the surveys are used to allocate each building into a priority category for works to be undertaken. This, combined with a review of how long the Council expects to retain individual properties, informs the development of the land and buildings' element of the AMP.
- 2.4 All vehicles and plant are regularly serviced by the Council's internal vehicle workshop. The effectiveness of all vehicles is monitored as part of the servicing programme. Among other things, this includes identifying where vehicles' workloads are different to that expected which may alter the timing of their replacement and identifying vehicles with higher / lower than expected servicing costs. Service users also keep the number of vehicles / items of plant required to deliver services under regular review.
- 2.5 The IT Service has a register of all hardware and major software systems used by the Council with profiles of their expected useful lives. From this it is possible to plan when IT infrastructure will need to be replaced. For hardware this tends to be between once every three to five years whereas software packages tend to last longer.

3 Corporate Objectives and Priorities

- 3.1 In order to deliver the key priorities identified in the Corporate Plan it is essential that the Council's underlying asset base is sufficiently maintained to be fit for purpose.
- 3.2 The Council has a significant land and property holding generating income that is a key part of the Council's revenue budget. Maintaining and improving this income stream will be a significant factor in the Council's financial strategy in the future and this has a clear link to the maintenance of the land and property assets themselves.

4 Consultations/Communications

- 4.1 Relevant Heads of Service have been consulted with regard to the investment required to maintain those assets for which they are responsible.

5 2018/19 AMP update

Land and Buildings

- 5.1 Expenditure to the end of October shows works to the value of £1.178M have been committed or completed against an original budget for the year of £2.604M.

- 5.2 Three projects at Beech Hurst, the Guildhall and St Mary's Churchyard are now expected to take place in 2019/20. These are identified in annex 1a and cross-referenced in annex 2a.
- 5.3 There have been some changes to project budgets in the year, with some projects identified as no longer required, some savings made on completed projects and some increases required. These are shown in Annex 1a.
- 5.4 One new project at Andover Bus Station has been added to the programme at a net additional cost of £47,000.
- 5.5 The sum of £25,000 has been transferred from the budget for the Guildhall to the IT AMP budget to be used to cover an expected increase in costs for the meeting room communications equipment. This is shown in annex 1a and cross referenced in annex 1c.
- 5.6 The budget for revetment works at Romsey War Memorial Park, shown in Green Spaces, has been increased by £40,000. This has been transferred from the Flood Alleviation Scheme budget in the Capital Programme and is funded by the New Homes Bonus.
- 5.7 Taking into account these adjustments, the AMP requirement for the year is now expected to be £233,000 less than originally estimated at £2.371M as shown in Annex 1a.
- 5.8 A breakdown of expenditure on playgrounds is shown in Annex 3a.

Vehicles and Plant

- 5.9 The total requirement for 2018/19 was originally set at £1.221M against which actual spend and commitments (net of plug in grants and part exchange income) at the end of October are £537,000.
- 5.10 A breakdown of the costs related to the 2018/19 AMP are shown in Annex 1b.
- 5.11 There is a live tender in process for fifteen of the items (*) for a value of £358,500. It is expected that some of these items will be delivered before the end of March, but not all as the lead times vary. It is too early at this stage to determine which will need to be carried forward to 2019/20.
- 5.12 A tender is currently being prepared for a further fifteen items (**) with a value of £144,300. It is anticipated that these items should be delivered before the end of the financial year.
- 5.13 A mower (***) with a budget of £63,000 is now no longer required. Five additional items, totalling the same value which were originally planned to be purchased in 2019/20 are requested to be brought into 2018/19 as they fit with the current tenders that are being prepared.

IT Infrastructure

- 5.14 Completed and committed expenditure for the year to October is £153,000 against an original estimate of £289,000.

- 5.15 There are some changes to the proposed project budgets. The tape library upgrade was completed as part of the ArcServe project, and a number of other projects have been completed under budget. An additional £25,000 has been added to the meeting room communications equipment budget as detailed in paragraph 5.5.
- 5.16 Taking into account the changes above, the requirement for 2018/19 is now estimated to be £282,000.
- 5.17 A breakdown of the costs related to the 2018/19 AMP are shown in Annex 1c.

6 2019/20 AMP programme

Land and Buildings

- 6.1 The land and buildings' element of the AMP is managed across two Services; Estates & Economic Development and Community & Leisure.
- 6.2 Due to the availability of funding for the AMP at this time, the programme of works has been split into two lists:
- Essential works which are recommended to be included in the 2019/20 budget
 - Reserve works which cannot be included in the programme at this time, as there is insufficient funding available
- 6.3 The total amount of essential works in 2019/20 is £1.825M (including £438,600 brought forward from 2017/18 and 2018/19) and is recommended to be fully funded.
- 6.4 It is recommended that the works for the Playgrounds at a total cost of £260,000 be funded from the New Homes Bonus as these are projects that will benefit the community.
- 6.5 The total amount of reserve works is £300,800. These will be reconsidered for inclusion in the AMP in May 2019 when the 2018/19 Revenue and AMP outturn reports are produced and further funding options may be available.
- 6.6 A summary of the items included in the AMP for 2019/20 is shown in Annex 2a.
- 6.7 A breakdown of the proposed expenditure on playgrounds is shown in Annex 3b.

Vehicles and Plant

- 6.8 The recommended budget for replacement of vehicles and plant in 2019/20 is £877,000. A summary of the items included in the AMP for 2019/20 is shown in Annex 2b.

IT Infrastructure

- 6.9 The IT AMP requirement for 2019/20 is £264,000. A breakdown of the costs is shown in Annex 2c.

7 Options

- 7.1 There are many possible ways of prioritising the individual assets that require maintenance and the extent to which work is carried out.
- 7.2 The amounts included in the annexes and recommended for inclusion in the AMP are based on the professional advice of officers from the Services concerned in the operation and management of the Council's assets.
- 7.3 If, during the year, it becomes apparent that items need to be added to the AMP as a result of unexpected deterioration of an asset or for operational expediency it is recommended that the Head of Finance, after consultation with the Finance Portfolio Holder and the Head of Service responsible for the item, be authorised to procure such works as are necessary from the AMP reserve (see paragraph 9.5) to the extent that the reserve has funds available. It may also be the case that there are good reasons for approved projects to be temporarily deferred and Heads of Service should also have the capacity to postpone items where they consider it appropriate. Any such approvals will be agreed with the Finance Portfolio Holder and reported to Cabinet as part of the following AMP update.

8 Risk Management

- 8.1 A risk assessment has been completed in accordance with the Council's Risk management process and has identified the following significant (Red or Amber) residual risks that cannot be fully minimised by existing or planned controls or additional procedures. These are shown in the risk assessment.
- 8.2 There is a risk that the projects included in the AMP will not be delivered as scheduled leading to assets falling into disrepair. This will be monitored by regular progress reviews of the AMP by responsible officers and update reports to Cabinet.
- 8.3 There is a risk that there will be insufficient funds available to meet AMP requirements. The current level of the AMP reserve is just sufficient to fund the programme included in this report; however, there continues to be the need to seek sustainable funding for the AMP.
- 8.4 There is a risk of claims resulting from loss or injury caused by / contributed to as a result of poorly maintained Council owned property. This will be monitored by regular progress reviews of the AMP by responsible officers and update reports to Cabinet.

9 Resource Implications

- 9.1 The projected costs of the AMP in 2018/19 and 2019/20 are discussed in sections five and six above and are shown in more detail in annexes 1 and 2. All these costs will be met from a specific reserve created to fund asset management costs.

Financing the AMP

- 9.2 It is not practical to build a base budget for AMP costs against individual services due to the highly changeable requirement from year to year. The Council's approach to funding the AMP is to hold an earmarked reserve that is allocated each year to budgets where expenditure is to be incurred.
- 9.3 The AMP is mainly funded in two ways.
- An annual contribution from the revenue budget. This contribution is currently £1.217M per annum.
 - Where the Council has a revenue variance at the end of the year an element of this can be used to top-up the reserve. However, this option cannot be relied upon as a sustainable source of funding.
- 9.4 There is additional pressure on the AMP reserve in 2018/19 and 2019/20, and the Medium Term Financial Strategy 2018/19 – 2020/21 (reported to Cabinet on 15 November 2017) recommended an additional contribution to the reserve of £900,000 in each of these years.
- 9.5 At 31 March 2018 the Council's AMP reserve balance stood at £1.847M. The forecast movement in the reserve up to 31 March 2019 is shown in the table below.

	£'000
Asset Management Reserves at 31st March 2018	1,847
Transfer from revenue budget – 2018/19	2,117
Transfer from revenue budget – 2019/20	2,117
Contribution from New Homes Bonus	636
External contributions towards works funded from AMP	122
Sale of vehicles replaced as part of 2017/18 AMP	18
Land and Buildings Requirement 2018/19 – annex 1a	(2,371)
Vehicle and Plant Requirement 2018/19 – annex 1b	(1,221)
IT Infrastructure Requirement 2018/19 – annex 1c	(282)
Land and Buildings Essential Requirement 2019/20 – annex 2a	(1,825)
Vehicle and Plant Requirement 2019/20 – annex 2b	(877)
IT Infrastructure Requirement 2019/20 – annex 2c	(264)
Asset Management Reserves at 31st March 2020	17

- 9.6 The proposed AMP items comprise both revenue and capital expenditure. Expenditure is classified as capital when the total cost is over £10,000 and it is for the purchase of a new asset, materially lengthens the useful life of an existing asset or adds value to the asset being modified. All other expenditure on the routine maintenance and repair of assets will be treated as revenue expenditure. Once approved, the costs of the AMP will be kept in the Asset Management Reserve and drawn down as and when required.

10 Legal Implications

- 10.1 Those tenants occupying Council owned properties for which the Council is responsible for maintenance could, in the event of their property falling into disrepair, take action against the Council as their landlord. This is covered in the risk assessment (paragraph 8.4).

11 Equality Issues

- 11.1 An EQIA screening has been completed in accordance with the Council's EQIA methodology and no potential for unlawful discrimination or negative impact has been identified, therefore a full EQIA has not been carried out.

12 Other Issues

- 12.1 There are no other issues.

13 Conclusion and reasons for recommendation

- 13.1 All Council land, vehicle and IT assets have been reviewed to ensure that those included on the draft programme are the most appropriate at this time.
- 13.2 For this reason it is recommended that the items shown in annex 1 are included in the revised AMP for 2018/19 and the items shown in annex 2 are included in the AMP for 2019/20.
- 13.3 Asset management needs to have flexibility due to the difficulty of knowing exactly when an item will need repair or replacement. In order to ensure that operational efficiency is not impaired it is recommended that controlled safeguards are built in to the financing of the AMP to ensure that unforeseen works can be undertaken without undue delay.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	3	File Ref:	N/A
(Portfolio: Finance) Councillor Giddings			
Officer:	Jenni Carter	Ext:	8236
Report to:	Cabinet	Date:	7 November 2018

LAND & BUILDINGS
ASSET MANAGEMENT REQUIREMENT 2018/19

ANNEX 1a

<u>Property Name</u>	<u>2018/19 Budget</u>	<u>Budget Changes</u>	<u>Actual spend to Date</u>	<u>Carry Forward to 2019/20</u>	<u>Budget Remaining</u>
	£	£	£	£	£
<u>Estates & Economic Development</u>					
Andover Bus Station	55,000	27,797	11,290		71,507
Beech Hurst	588,601	(498)	234,638	(198,214)	155,251
Broadwater Road Public Conveniences & Offices	17,000	(6,271)	8,729		2,000
Charlton Sports Centre	7,000				7,000
Crosfield Hall	7,952	81	3,135		4,898
Fleming Avenue	16,516	(8,889)	7,627		0
Former Magistrates Court, Romsey	1,000				1,000
Guildhall	132,093	(23,620)	6,480	(6,393)	95,600
Investment Properties	48,706		58,655		(9,949)
Longmeadow Hall	1,500		1,500		0
The Lights	54,775		6,180		48,595
Portway Depot	77,000	38,101	15,214		99,887
Romsey Heritage Centre and Tourist Info Cen	60,000		3,250		56,750
St Mary's Churchyard	60,597		2,175	(10,000)	48,422
Town Mill House	2,600	(834)	1,766		0
Walworth Enterprise Centre	342,568	(27,462)	245,314		69,792
Portway Business Park	25,000	(25,000)			0
Valley Park Community Centre	15,000		13,539		1,461
Various sites - surveys	54,830	(3,290)	20,137		31,403
Total Estates & Economic Development	1,567,738	(29,885)	639,629	(214,607)	683,617
<u>Community & Leisure</u>					
Beech Hurst	10,000	(8,475)	1,525		0
Cemeteries / Memorials	35,608		12,221		23,387
Green Spaces	538,529	35,207	194,116		379,620
The Lights	19,000	(1,500)			17,500
Playgrounds	334,000	1,500	287,151		48,349
Sports Facilities	99,247	(15,000)	43,661		40,586
Total Community & Leisure	1,036,384	11,732	538,674	0	509,442
Total Land & Buildings Requirement for 2018/19	2,604,122	(18,153)	1,178,303	(214,607)	1,193,059

VEHICLES & PLANT - ASSET MANAGEMENT REQUIREMENT 2018/19

<u>Unit</u>	<u>Type of Asset</u>		<u>2018/19</u> <u>Budget</u>	<u>Budget</u> <u>Changes</u>	<u>Actual spend</u> <u>to Date</u>	<u>On order</u>	<u>Part</u> <u>exchange /</u> <u>plug in grant</u>	<u>Budget</u> <u>Remaining</u>
			£	£	£	£	£	£
Grounds Maintenance	Tipper	*	27,000					27,000
Dog Warden	Van		15,000					15,000
Street Cleansing	Van	*	18,000					18,000
Grounds Maintenance	Van	*	18,000					18,000
Grounds Maintenance	Tipper	*	27,000					27,000
Street Cleansing	Tipper	*	27,000					27,000
Street Cleansing	Tipper	*	27,000					27,000
Street Cleansing	Tipper	*	25,000					25,000
Grounds Maintenance	Tipper	*	27,000					27,000
Grounds Maintenance	Tipper	*	27,000					27,000
Building Maintenance	Van	*	22,000					22,000
Building Maintenance	Van	*	24,000					24,000
Building Maintenance	Van	*	14,500					14,500
Building Maintenance	Van	*	22,000					22,000
Building Maintenance	Van	*	25,000					25,000
Grounds Maintenance	Mower	***	63,000	(63,000)				0
Grounds Maintenance	Flail Mower	***		15,000				15,000
Grounds Maintenance	Cylinder Mower	***		5,300				5,300
Grounds Maintenance	Rotary Mower	***		18,000				18,000
Grounds Maintenance	Flail Mower	***		13,000				13,000
Grounds Maintenance	Trailer	***		11,700				11,700
Street Cleansing	Sweeper		126,000	2,890		128,890		0
Grounds Maintenance	Mower	**	28,000					28,000
Grounds Maintenance	Mower	**	20,000					20,000
Grounds Maintenance	Mower	**	4,300					4,300
Waste Collection	Refuse Collection Vehicle		158,411	3,377	161,788			0
Waste Collection	Refuse Collection Vehicle		158,411	3,377	161,788			0
Building Maintenance	Van		13,000	(4,911)				8,089
Grounds Maintenance	Tipper	*	28,000					28,000
Grounds Maintenance	Mower	**	15,500					15,500
Grounds Maintenance	Trailer	**	3,800					3,800
Grounds Maintenance	Trailer	**	3,500					3,500
Grounds Maintenance	Trailer	**	3,800					3,800
Grounds Maintenance	Trailer	**	3,800					3,800
Grounds Maintenance	Mower	**	4,100					4,100
Grounds Maintenance	Mower	**	3,800					3,800
Grounds Maintenance	Mower	**	7,000					7,000
Grounds Maintenance	Mower	**	3,200					3,200
Grounds Maintenance	Trailer	**	4,000					4,000
Grounds Maintenance	Mower	**	9,500					9,500
Grounds Maintenance	Mower	**	30,000					30,000
Vehicle Workshop	Specialist Equipment		5,500					5,500
Waste Collection	Van		15,300	(657)	18,584		(3,940)	0
Building Maintenance	Van		15,300	(657)	18,584		(3,940)	0
Building Maintenance	Van		15,300	(657)	18,584		(3,940)	0
Street Cleansing	Van		15,300	(657)	18,584		(3,940)	0
Vehicle Workshop	Van		15,300	(657)	18,584		(3,940)	0
Grounds Maintenance	Trailer		2,500	(1,450)	1,550		(500)	0
Vehicle Workshop	Vehicle Maintenance		100,000		10,297			89,703
Total Vehicles & Plant Requirement 2018/19			1,221,122	0	428,341	128,890	(20,201)	684,092

IT INFRASTRUCTURE - ASSET MANAGEMENT REQUIREMENT 2018/19

<u>Description</u>	<u>2018/19 Budget</u>	<u>Budget Changes</u>	<u>Actual spend to Date</u>	<u>Budget Remaining</u>
	£	£	£	£
Laptops, PC, Wyse ,etc...	61,383		39,565	21,818
Operating Software	10,000			10,000
Backup Hardware/Technology	15,000			15,000
Tape Library Upgrade	12,000	(12,000)		0
Capita Upgrade	16,000	(325)	15,675	0
Information at Work Upgrade	14,900	(26)	14,874	0
Finance system upgrade	13,100	750	13,850	0
Uninterrupted Power Supply	15,000	(5,002)	9,998	0
ArcServe replacement	25,645	(5,817)	19,828	0
Citrix upgrade	44,000		32,538	11,462
ShoreTel upgrade	17,000	(9,944)	7,056	0
Meeting Room Comms Equipment	45,000	25,000		70,000
Total IT Infrastructure requirement 2018/19	289,028	(7,364)	153,384	128,280

LAND & BUILDINGS
ASSET MANAGEMENT REQUIREMENT 2019/20

ANNEX 2a

Essential Works' List

<u>Property Name</u>	<u>Estimated Cost</u> £	<u>Brought Forward from 2017/18</u> £	<u>Brought Forward from 2018/19</u> £	<u>2019/20 Budget</u> £
<u>Estates & Economic Development</u>				
18 Market Place	25,000			25,000
Beech Hurst	375,000		198,214	573,214
Broadwater Road	8,000			8,000
Guildhall	110,000		6,393	116,393
The Lights	30,000	224,000		254,000
Portway Depot	70,000			70,000
St Mary's Churchyard	0		10,000	10,000
Various sites - surveys	70,000			70,000
Walworth Enterprise Centre	20,000			20,000
Total Estates & Economic Development	708,000	224,000	214,607	1,146,607
<u>Community & Leisure</u>				
Green Spaces	264,000			264,000
The Lights	20,000			20,000
Playgrounds	260,000			260,000
Sports Facilities	134,700			134,700
Total Community & Leisure	678,700	0	0	678,700
Total Land & Buildings Essential Requirement for 2019/20	1,386,700	224,000	214,607	1,825,307

LAND & BUILDINGS
ASSET MANAGEMENT REQUIREMENT 2019/20

ANNEX 2a

Reserve Works' List

<u>Property Name</u>	<u>Estimated</u> <u>Cost</u> £
<u>Estates & Economic Development</u>	
Hunts Farm	10,000
Portway Depot	150,000
Total Estates & Economic Development	160,000
<u>Community & Leisure</u>	
Cemeteries / Memorials	20,000
Green Spaces	82,000
Sports Facilities	38,800
Total Community & Leisure	140,800
Total Land & Buildings Reserve Requirement for 2019/20	300,800

VEHICLES & PLANT - ASSET MANAGEMENT REQUIREMENT 2019/20

<u>Unit</u>	<u>Type of Asset</u>	<u>2019/20 Budget</u>
		£
Grounds Maintenance	Chipper	10,000
Grounds Maintenance	Tractor	13,500
Grounds Maintenance	Tipper	27,000
Grounds Maintenance	Tipper	27,000
Grounds Maintenance	Tipper	27,000
Grounds Maintenance	Tipper	27,000
Grounds Maintenance	Tipper	27,000
Grounds Maintenance	Tipper	27,000
Grounds Maintenance	Tipper	27,000
Pest Control	Van	13,000
Pest Control	Van	13,000
Grounds Maintenance	Van	23,000
Grounds Maintenance	Van	23,000
Grounds Maintenance	Tipper	27,000
Grounds Maintenance	Tipper	27,000
Grounds Maintenance	Specialist Equipment	2,500
Street Cleansing	Sweeper	131,000
Grounds Maintenance	Rotary Mower	5,000
Grounds Maintenance	Rotary Mower	5,000
Grounds Maintenance	Excavator	19,000
Grounds Maintenance	Cylinder Mower	3,600
Vehicle Workshop	Van	13,000
Street Cleansing	Van	13,500
Grounds Maintenance	Rotary Mower	5,900
Grounds Maintenance	Rotary Mower	5,900
Grounds Maintenance	Rotary Mower	5,900
Grounds Maintenance	Rotary Mower	16,000
Waste Collection	Truck	67,000
Waste Collection	Van	38,000
Portway Depot	Specialist Equipment	10,000
Grounds Maintenance	Specialist Equipment	3,500
Street Cleansing	Trailer	6,364
Grounds Maintenance	Trailer	3,500
Street Cleansing	Trailer	2,500
Grounds Maintenance	Trailer	3,200
Grounds Maintenance	Trailer	3,500
Building Maintenance	Washer	15,000
Grounds Maintenance	Rotary Mower	4,700
Vehicle Workshop	Specialist Equipment	5,003
Vehicle Workshop	Specialist Equipment	50,000
Vehicle Workshop	Vehicle Maintenance	100,000
Total Vehicles & Plant Requirement 2019/20		877,067

IT INFRASTRUCTURE - ASSET MANAGEMENT REQUIREMENT 2019/20

<u>Description</u>	<u>2019/20</u> <u>Budget</u>
	£
Laptops, PC, Wyse ,etc...	100,000
SAN Upgrade	90,000
Cabling / Networking	6,000
Sophos Upgrade	15,000
IDOX Upgrade	15,000
Other migrations	15,000
C Series Bottomline Upgrade	15,000
CCTV	8,000
Total IT Infrastructure requirement 2019/20	264,000

Playgrounds - Asset Management and Capital Programme 18/19

<u>Asset Management</u>		2018/19 Budget
		£
Playgrounds (North)	Colenzo Drive - safety surface improvements	20,000
Playgrounds (North)	Highlands Road - part refurbishment	30,000
Playgrounds (North)	Anton Lakes - surface replacement	10,000
Playgrounds (North)	Winton Chase - full refurbishment	40,000
Playgrounds (North)	Sand and bark for Charlton Lakes, Anton Lakes, Quicksilver Way	15,000
Playgrounds (North)	Pilgrims Way (Phoenix Park) replace rotten sleeper walls around MUGA and pla	20,000
Playgrounds (North)	Duncan Court/ADMIRALS WAY EXTENSION	51,500
Playgrounds (North)	Artists Way, Lowry Court & Hogarth Court	70,000
Playgrounds (South)	Wicklow Drive Slide unit, replace swing and renew safety surface	27,000
Playgrounds (South)	Hunts Farm - skate ramp repaint	2,000
Playgrounds (South)	Botley Rd - New slide unit and safety surfacing	15,000
Playgrounds (South)	Bark supplies - south	10,000
Playgrounds (South)	Woodley - equipment paint and surface improvements	20,000
Playgrounds (South)	Romsey Sports Centre - safety surface improvements	5,000
Total per Asset Management Plan		<u>335,500</u>
 <u>Capital Programme</u>		
Playgrounds (North)	MUGA / Play Areas Picket Twenty	259,000
Playgrounds (South)	Upgrade War Memorial Park Play area	9,300 £50,700 spent in 17/18
Playgrounds (South)	Play areas - Jubilee Park, Rownhams	70,000
Total per Capital Programme		<u>338,300</u>

Playgrounds - Asset Management and Capital Programme 19/20

<u>Asset Management</u>	2019/20 Budget £
Playgrounds (North) Refurbishment of Watermills Park play area including surfacing and fencing and gates	60,000
Playgrounds (North) Phoenix Park - Remove banking and rotten sleeper wall. Part fencing replacement	20,000
Playgrounds (North) Dennings Mead - general refurb of small play area	40,000
Playgrounds (North) Vigo rec easy gates replacement	5,000
Playgrounds (South) Hornbeam Close - full refurbishment including equipment, surfacing and fencing	90,000
Playgrounds (South) Withy Close - surfacing and gates	30,000
Playgrounds (South) Replacement access and maintenance gates	15,000
Total per Asset Management Plan	<u>260,000</u>
 <u>Capital Programme</u>	
Playgrounds (North) Play Areas Picket Twenty	130,000
Total per Capital Programme	<u>130,000</u>

Report to Cabinet – 7 November 2018

APPENDIX D

ITEM **Capital Programme Update – 2018/19 to 2020/21**

Report of the Finance Portfolio Holder

Recommended:

- 1. That the new capital schemes with a total cost of £2.765M as shown in Annex 1, be added to the 2018/19 to 2020/21 Capital Programme.**
- 2. That the revised estimates and financing for the 2018/19 to 2020/21 Capital Programme as shown in Annex 2, be approved.**

Recommendation to Council

SUMMARY:

- This report provides an update on the progress of the existing 2018/19 Capital Programme and includes forecast changes to its timescale and total cost.
- It also puts forward proposals for new capital schemes recommended to be added to the Capital Programme over the period 2018/19 to 2020/21.
- The total cost of bids recommended for inclusion in the Capital Programme is £2.765M. After taking into account external funding, the net cost of these bids is £158,000.
- The net cost of the capital bids is recommended to be funded from the Capital Receipts Reserve and Earmarked Reserves.

1 Introduction

- 1.1 The progress of the Capital Programme is reported to Councillors each year in June, November and February.
- 1.2 The last update was presented on 27 June 2018 and gave details of the overall expenditure and financing of the Capital Programme for 2017/18 to 2019/20.
- 1.3 This report provides an update on the Capital Programme approved at that meeting together with proposals for new projects to be added to the programme. It also examines how the costs of the proposed new programme will be financed.

2 New Capital Bids

- 2.1 All Services were invited to submit bids for new projects to be added to the Capital Programme. A summary of the bids together with a brief explanation of the expected outcomes from each project is shown in Annex 1.

- 2.2 All bids for new capital schemes are considered with regard to their relative merits in continuing the Council’s priorities, legislative requirements, sustainability and a number of other factors including the level of financing available.
- 2.3 All bids that were submitted are recommended to be included in the Capital Programme.

3 Proposed Capital Programme 2018/19 to 2020/21

The 2018/19 to 2019/20 Capital Programme approved in June (17/18 outturn) had a total cost of £32.8M. There have been some changes since that time and these are summarised below.

	£'000
Approved Budget for 2018/19 to 2019/20	32,848.3
Changes to Asset Management Plan Requirement	1,677.9
Community Asset Fund 19/20 to 20/21	500.0
Community Asset Fund – o/s	(58.7)
Land – Sherfield English	357.0
Land Purchase	767.0
Romsey Flood Alleviation Scheme contribution	(15.0)
Andover Trade Park	(59.4)
Savings on Investment property purchases	(15.3)
Investment properties	403.0
Project Enterprise – Schemes to be identified to 2020/21	6,000.0
Disabled Facilities Grants/Loans	(100.0)
Renovations & Minor Works Grants	(50.0)
Sub-total – movements in the existing Capital Programme	42,254.8
Cost of new bids for inclusion in programme. See Annex 1	2,765.0
Updated Estimate for 2018/19 to 2019/20	45,019.8

- 3.1 An Asset Management Plan (AMP) update report is also on the agenda for this meeting. That report provides an update on the current year’s programme and recommended projects for 2018/19. The capital element of the report’s recommendations is built in to the figures above.

Community and Leisure Projects

- 3.2 Following a review of the outstanding claims in the Community Asset Fund budget, several claims have been removed due to exceeding the time limit imposed. Claimants can re-apply for grants.
- 3.3 The budget for 2019/20 to 2020/21 for the Community Asset Fund has been added to the programme – this is funded from the New Homes Bonus reserve.

Estates, Economic Development & Transport Projects

- 3.4 A purchase of land at Sherfield English was approved by Council to provide a Site of Natural Green Space (SANG) and thereby mitigate the use of the New Forest. (Council 7 August 2018. Minute 105)
- 3.5 The purchase of land was approved by Council (27 June 2018. Minute 111).
- 3.6 The cost of the works for the Flood Alleviation Scheme has increased by £520,000. 95% of this additional cost will be financed by the Environment Agency and Hampshire County Council. Test Valley Borough Council has been asked to increase its contribution by £25,000 to enable the scheme to be fully funded. £40,000 has been transferred to the Asset Management Plan to cover complementary revetment works, which has resulted in a net saving of £15,000 in the Capital programme.

Project Enterprise Projects

- 3.7 Savings of £59,400 were made on the purchase of Andover Trade Park.
- 3.8 Savings of £15,300 were made on Investment properties 9 and 10. (Project Enterprise Outturn report to Cabinet 16 May 2018 refers)
- 3.9 Two additional properties were added to the 2018/19 programme at a cost of £213,000 and £208,000 - these were approved by member panel on the 2 May and 11 May. Council approved the replenishment of the budget on the 27 June (minute 108.1). Subsequently, the first purchase has completed with a saving of £18,000 on the approved budget. The second is yet to complete.

HEH

- 3.10 There has been a reduction in the applications for Disabled Facilities Grants and Loans in the current year, therefore the budget has been reduced by £100,000.
- 3.11 There have also been fewer applications for Renovations and Minor Works Grants and therefore this budget has also been reduced by 50% to £50,000.

Slippage in the Existing Capital Programme

- 3.12 The proposed development of Ganger Farm, Sports and Recreation ground was added to the Capital Projects Schedule following agreement from Council on 25 February 2017. The building of the pavilion is due to commence this year but payment will not be made until the building reaches the damp proof course. It is presumed that this will happen in the 2019/20 financial year.

- 3.13 The delay in approving the final design for East Anton Public Art resulted in a delay to the fabrication which has subsequently commenced. This will take approximately five months, following which the foundations will be laid and installation will begin in May. Therefore, the cost will now be seen in 2019/20.
- 3.14 The design process for Adanac Park Public Art is now under way. This has to then be agreed, and following approval, planning permission will be sought. It is hoped that installation will begin in April/May next year.
- 3.15 Again, Town Mill River Improvements have been put on hold as they are now part of a larger area project.(see below)
- 3.16 The design work for the scheme for Town Mill Access and Environmental Enhancement has a cost in this year but the remaining budget of £122,300 has now been rescheduled for 2019/20.
- 3.17 As no schemes have come forward from registered providers, the budget of £300,000 in affordable housing has been moved into 2020/21.

4 New Capital Bids

- 4.1 The total cost of new bids recommended to be added to the Capital Programme is £2,765,000. After taking into account external funding the net cost of bids for consideration is £158,000.
- 4.2 Annex 1 shows a summary of all capital bids together with an explanation of the project and its key deliverables.
- 4.3 Annex 2 shows a summary of capital projects by Service. The bids recommended to be added to the Capital Programme are included in this Annex.

5 Financing the Capital Programme

- 5.1 It is recommended that the new capital bids are financed from external funding, the Capital Receipts Reserve, and the New Homes Bonus Reserve (NHB).

Resource Implications

- 5.2 The level of capital spending is entirely dependent on the resources that are available to finance the programme. The ability to add new schemes to the programme is influenced by forecasts of future resources. However, once a scheme is in the programme it is assumed that it will be completed and financed irrespective of whether or not resource forecasts are entirely accurate.
- 5.3 The maximum use of grants and contributions from external bodies and other internal reserves has been taken into account in the proposed financing of the Capital Programme. The total of this funding over the life of the recommended Capital Programme is estimated at £29M, leaving a shortfall of £3.5M. Currently the sale of two investment properties in the current budget cycle has been approved giving an estimated capital receipt of £12M.

- 5.4 The level of capital resources as at outturn for the capital programme is compared to those for the current programme in the following table:-

	Outturn 2017/18	November 2018
Capital Programme	£'000	£'000
Balance Capital Receipts Reserve (CRR) as at 1 April 2018	10,972.5	10,972.5
Total Capital Expenditure 2018/19 – 2020/21	(32,848.3)	(45,019.8)
Total Capital Financing 2018/19 – 2020/21	22,236.6	30,586.9
Forecast Deficit on CRR at 31 March 2021	360.8	(3,460.4)
Capital Receipt for sale of properties (2 x subject to completion)		12,000.0
Capital Receipts Reserve Forecast as at 31 March 2021	360.8	8,539.6

- 5.5 The table shows that the forecast Capital Receipts Reserve is expected to move from a surplus of £361,000 to a surplus of £8.5M over the life of the existing programme.

6 Revenue Consequences of the Capital Programme

- 6.1 The ongoing revenue impact of the capital bids will be built into Service estimates for 2019/20 and will be included in the next budget update in January 2019.

7 Corporate Objectives and Priorities

- 7.1 The capital programme enables capital investment to support the Council's priorities and to maintain its assets so that services may continue uninterrupted in the future.

8 Risk Analysis

- 8.1 The schemes laid out in the proposed capital programme for the coming years are reliant on future capital receipts – the timing and extent of which are by no means certain. This risk is mitigated by cautious valuations of receipt values and through cash flow management to ensure schemes are not delayed for financial reasons.
- 8.2 Each individual project will have specific risks attached to it. These will be identified by the responsible officer at the start of each project.

- 8.3 The Capital Programme presented for approval takes into account all known future capital receipts.

9 Equality Issues

- 9.1 An EQIA screening has been completed in accordance with the Council's EQIA methodology and no potential for unlawful discrimination or negative impact has been identified, therefore a full EQIA has not been carried out.

10 Consultations

- 10.1 Ward members, Heads of Service and project managers were consulted in the update of the 2018/19 to 2020/21 Capital Programme.

11 Conclusion and reasons for recommendations

- 11.1 This report identifies new capital bids with a total cost of £2.765M (net cost of £158,000 allowing for funding from external sources). These bids will help to deliver the Council's key priorities and are recommended to be added to the Capital Programme.

The report also provides an update on the existing approved Capital Programme.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	2	File Ref:	N/A
(Portfolio: Finance) Councillor Peter Giddings			
Officer:	Laura Berntsen	Ext:	8204
Report to:	Cabinet	Date:	7 November 2018

Summary of New Capital Bids November 2018

Project	Brief Description	Why Necessary & Business Case (if appropriate)	Total Cost £	Net Cost £
Picket Twenty –Play area	<p>The Council has undertaken delivery of all new play provision in the Picket Twenty housing development as set out by the S106 agreement. To date two play areas, 1 MUGA and 1 outdoor gym have been delivered, and planning consent is pending for the 3rd play area located on the Urban Park.</p> <p>Phase 4 of the development is now reaching completion where the further play area is located.</p>	<p>Play provision is an integral part of the leisure provision on this housing development. These schemes will provide equipped activity from 1 – 90 years of age.</p> <p>This project will be funded from S106 contributions.</p>	130,000	0
Picket Twenty – All Weather Grass Pitch (AGP) and changes to pavilion	Construction of a new all weather grass pitch to be located at the Urban Park at Picket Twenty together with changes to the sports pavilion.	Contributions were secured from the extension of the Picket Twenty development to construct a new AGP and add a first floor to the sports pavilion. The changes to the pavilion will create a multi-functional space for indoor fitness classes/sport. There is also the potential for the space to include a gym. The need for the AGP is demonstrated in the Council Sport and Recreation Strategy and Playing Pitch Strategy.	1,400,000	0

		<p>The need for both facilities was supported by Sport England through this planning application. A further S106 allocation has been collected from the Picket Piece development.</p> <p>2019/20 will see the work to prepare and submit the planning application for the project. Delivery is expected in 2020/21.</p> <p>This project will be funded from S106/CIL contributions.</p>		
Sherfield English SANG	Development of land at Sherfield English purchased as Suitable Accessible Natural Green Space (SANG)	<p>33 acres of land have been purchased by the Council using money collected from developments in the south of the borough, to offset any impact from recreation in the Solent SPA and New Forest SAC (Extremely important wildlife sites). Full Council approved the purchase and completion took place on 10 September 2018.</p> <p>The land will be set out and then marketed to encourage local residents and people from Romsey to make visits for informal recreation/dog walking as opposed to going to either of the protected places.</p> <p>This project can be funded from S106 receipts</p>	182,000	0

Boundary treatment for Land purchase	The Council is working to purchase up to 30 acres of land. As part of the terms of the sale the council will be required to secure the boundary of the site with new fencing and landscaping.	As part of the terms of the sale of the land the Council will be required by the current owner to fence what will be the new boundary. It is proposed to plant a hedge and trees along the new boundary connecting to existing hedgerows to the east. The length of the boundary is just less than 500 metres with the hedge required to be planted over approximately 3 metres. This project can be funded with New Homes Bonus	58,000	58,000
Romsey Fitness Trail	The capital funding will deliver 4 gym stations and promote a 10k trail in and around Romsey. This is part of a larger project to deliver 7 gym stations at key locations. One of the stations is to be funded by Romsey Extra Parish Council and two have already been installed by TVBC at Mercer Way and the Memorial Park.	The project will enable and encourage Romsey residents to exercise freely at no cost. In terms of location, there will be a sufficient number of gym stations so that no one will have to travel far to access the equipment. The trail will be suitable for walker and runners of any age and level of ability. The fitness equipment is aimed at those aged 14yrs <i>plus</i> . Research has shown that exercising outdoors brings more health benefits than the equivalent amount of physical effort expended in a gym. Enabling people to stay physically and mentally active reduces demand on over-stretched health and social care services. Funding will be from a Sport England contribution.	45,000	0
Disabled Facilities Grants	Grants to provide essential housing modifications to enable people to remain in their homes.	This budget is necessary to ensure that the Council fulfils the legislative requirement to provide people with financial assistance for making necessary adaptations to their property. Government funding is confirmed to cover this.	750,000	0

Disabled Facilities Loans	Loans to provide essential housing modifications to enable people to remain in their homes.	This budget is necessary to ensure that the Council fulfils the legislative requirement to provide people with financial assistance for making necessary adaptations to their property. Government funding is confirmed to cover this.	100,000	0
Housing Renewal Grants	To provide targeted financial help, in the form of grant and loan assistance, to residents living in private sector housing.	This budget helps to ensure that the Council fulfils its commitments within the Housing Strategy by providing people with financial assistance for making necessary repairs, improvements and adaptations to their property. This budget is split between grants and loans.	100,000	100,000

Total of New Capital Bids: £2,765,000

Financed by:

Government Grants	£ 850,000
S106 funding	£ 1,712,000
External Funding	£ 45,000
Earmarked Reserves	£ 58,000
Capital Receipts Reserve	£ 100,000
	<u>£2,765,000</u>

CAPITAL PROGRAMME AND FINANCING**Approved Projects****Outturn 2017/18****November**

	2018/19	2019/20	Total	2018/19	2019/20	2020/21	Total
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
CAPITAL EXPENDITURE							
Asset Management Projects	2,601.0	222.0	2,823.0	2,542.7	1,958.2	0.0	4,500.9
Community & Leisure	15,321.2	861.8	16,183.0	14,689.5	2,199.8	1,300.0	18,189.3
Estates, Economic Development & Transport	836.3	0.0	836.3	1,823.0	122.3	0.0	1,945.3
Project Enterprise	6,478.0	0.0	6,478.0	6,746.3	60.0	0.0	6,806.3
Housing & Environmental Health	950.0	0.0	950.0	800.0	950.0	0.0	1,750.0
IT	108.0	0.0	108.0	108.0	0.0	0.0	108.0
Affordable Housing	1,110.0	1,110.0	2,220.0	810.0	1,110.0	300.0	2,220.0
Total	27,404.5	2,193.8	29,598.3	27,519.5	6,400.3	1,600.0	35,519.8
CAPITAL FINANCING							
Capital Grants	850.0	0.0	850.0	850.0	850.0	0.0	1,700.0
Capital Receipts	50.0	50.0	100.0	593.3	50.0	50.0	693.3
PWLB Loan	5,900.0	0.0	5,900.0	5,900.0	0.0	0.0	5,900.0
Capital Contributions	12,981.4	2,155.2	15,136.6	13,361.4	5,675.9	2,756.3	21,793.6
Total	19,781.4	2,205.2	21,986.6	20,704.7	6,575.9	2,806.3	30,086.9
Contribution (to) / from balances	7,623.1	(11.4)	7,611.7	6,814.8	(175.6)	(1,206.3)	5,432.9
Total Financing	27,404.5	2,193.8	29,598.3	27,519.5	6,400.3	1,600.0	35,519.8

CAPITAL PROGRAMME AND FINANCING**Schemes yet to be identified**

	Outturn 2017/18			November			
	2018/19 £'000	2019/20 £'000	Total £'000	2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £'000
CAPITAL EXPENDITURE							
Community & Leisure	250.0		250.0		250.0	250.0	500.0
Project Enterprise	3,000.0		3,000.0	3,000.0	3,000.0	3,000.0	9,000.0
Total	3,250.0	0.0	3,250.0	3,000.0	3,250.0	3,250.0	9,500.0
CAPITAL FINANCING							
Capital Contributions	250.0		250.0		250.0	250.0	500.0
Total	250.0	0.0	250.0	0.0	250.0	250.0	500.0
Contribution (to) / from balances	3,000.0		3,000.0	3,000.0	3,000.0	3,000.0	9,000.0
Total Financing	3,250.0	0.0	3,250.0	3,000.0	3,250.0	3,250.0	9,500.0

ASSET MANAGEMENT PROJECTS
CAPITAL PROGRAMME

ANNEX 2

Ref	Scheme	Outturn 2017/18			November			Total £000
		2018/19 £'000	2019/20 £'000	Total £'000	2018/19 £'000	2019/20 £'000	2020/21 £'000	
1	Land and Property Projects	1,396.2	222.0	1,618.2	1,275.1	1,112.2		2,387.3
2	Vehicle and Plant Projects	1,062.3		1,062.3	1,078.2	711.0		1,789.2
3	IT Equipment Projects	142.5		142.5	189.4	135.0		324.4
Total AMP Capital Programme		2,601.0	222.0	2,823.0	2,542.7	1,958.2	0.0	4,500.9

COMMUNITY & LEISURE
CAPITAL PROGRAMME

ANNEX 2

Ref	Scheme	Outturn 2017/18				November			
		2017/18	2018/19	2019/20	Total	2018/19	2019/20	2020/21	Total
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£000
1	Community Asset Fund - New projects 2018/19				0.0	250.0			250.0
1A	Community Asset Fund - O/s projects		277.1		277.1	218.4			218.4
2	MUGA/Play Areas Picket Twenty		259.0		259.0	259.0			259.0
3	Ganger Farm - Sports & Recreation		640.0		640.0		640.0		640.0
4	East Anton Public Art		53.0		53.0		53.0		53.0
5	Saxon Fields Car Park		63.0		63.0	63.0			63.0
6	Charlton Lakes Footpath		2.0		2.0	2.0			2.0
7	RSC Skate Park		174.0		174.0	174.0			174.0
8	Knightwood Skate Park		154.0		154.0	154.0			154.0
9	Andover War Memorial		22.1		22.1	22.1			22.1
10	Town Mill River Improvements		70.0		70.0		70.0		70.0
11	Upgrade War Memorial Park Play area		9.3		9.3	9.3			9.3
12	Leisure Contract		13,242.1	742.0	13,984.1	13,242.1	742.0		13,984.1
13	Fitness Equipment - Valley Park		20.0		20.0	20.0			20.0
14	Footpath link - Knightwood Leisure centre		58.2		58.2	58.2			58.2
15	Play Areas - Jubilee Park, Nursling		70.0		70.0	70.0			70.0
16	Fishlake Meadows		147.4	119.8	267.2	147.4	119.8		267.2
17	Public Art - Adanac Park		60.0		60.0		60.0		60.0
18	Fitness Trail - Romsey						45.0		45.0
19	Boundary fencing & hedging - land purchase						58.0		58.0
21	Picket Twenty - Pavilion/pitch changes						100.0	1,300.0	1,400.0
22	Picket Twenty - Phase 4 play area						130.0		130.0
23	SANG - Sherfield English						182.0		182.0
Total Approved Projects		0.0	15,321.2	861.8	16,183.0	14,689.5	2,199.8	1,300.0	18,189.3
Community Asset Fund Projects - yet to be identified			250.0		250.0		250.0	250.0	500.0
Total C&L Capital Programme		0.0	15,571.2	861.8	16,433.0	14,689.5	2,449.8	1,550.0	18,689.3

ESTATES, ECONOMIC DEVELOPMENT & TRANSPORT SERVICE
CAPITAL PROGRAMME

Ref	Scheme	Outturn 2017/18			November			
		2018/19 £'000	2019/20 £'000	Total £000	2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £000
1	Hampshire Community Bank	250.0		250.0	250.0			250.0
2	Town Mill Access & Environmental Enhancement	132.3		132.3	10.0	122.3		132.3
3	Romsey Flood Alleviation Scheme	250.0		250.0	235.0			235.0
4	Generator - Business Continuity	40.0		40.0	40.0			40.0
5	Footpath link - Smannell to Augusta	164.0		164.0	164.0			164.0
6	Land Sherfield English				357.0			357.0
7	Land purchase				767.0			767.0
Total Estates Capital Programme		836.3	0.0	836.3	1,823.0	122.3	0.0	1,945.3

**PROJECT ENTERPRISE
CAPITAL PROGRAMME**

Ref	Scheme	Outturn 2017/18			November			
		2018/19 £'000	2019/20 £'000	Total £000	2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £000
1	Walworth Business Park Investment	164.7		164.7	164.7			164.7
2	Walworth Business Park Investment 2	5,641.4		5,641.4	5,641.4			5,641.4
3	Andover Trade Park	185.9		185.9	126.5			126.5
4	Investment property 9	213		213.0	204.3			204.3
5	Investment property 10	213		213.0	206.4			206.4
6	Solar Panels Ganger Farm Pavilion	60		60.0		60.0		60.0
7	Investment Property 11				195.0			195.0
8	Investment Property 12				208.0			208.0
Total Approved Projects		6,478.0	0.0	6,478.0	6,746.3	60.0	0.0	6,806.3
Purchase of Investment properties - yet to be identified		3,000.0		3,000.0	3,000.0	3,000.0	3,000.0	9,000.0
Total Estates Capital Programme		9,478.0	0.0	9,478.0	9,746.3	3,060.0	3,000.0	15,806.3

HOUSING & ENVIRONMENTAL HEALTH SERVICE
CAPITAL PROGRAMME

Ref	Scheme	Outturn 2017/18			November			
		2018/19 £'000	2019/20 £'000	Total £000	2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £000
1	Renovations and Minor Works Grants	100.0		100.0	50.0	100.0		150.0
2	Disabled Facilities Grants/Loans	850.0		850.0	750.0	850.0		1,600.0
Total H & EH Capital Programme		950.0	0.0	950.0	800.0	950.0	0.0	1,750.0

INFORMATION TECHNOLOGY SERVICE
CAPITAL PROGRAMME

Ref	Scheme	Outturn 2017/18			November			
		2018/19 £'000	2019/20 £'000	Total £000	2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £000
1	Sharepoint Server	12.0		12.0	12.0			12.0
2	CCTV for commercial vehicles	96.0		96.0	96.0			96.0
Total IT Capital Programme		108.0	0.0	108.0	108.0	0.0	0.0	108.0

AFFORDABLE HOUSING
CAPITAL PROGRAMME

Ref	Scheme	Outturn 2017/18			November			
		2018/19 £'000	2019/20 £'000	Total £000	2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £000
	<u>Testway Covenant</u>							
1	Nightingale Lodge	810.0	810.0	1,620.0	810.0	810.0		1,620.0
2	Registered providers	300.0	300.0	600.0		300.0	300.0	600.0
Total Affordable Housing Capital Programme		1,110.0	1,110.0	2,220.0	810.0	1,110.0	300.0	2,220.0

SUMMARY OF SLIPPAGE IN THE CAPITAL PROGRAMME

<u>Service</u>	<u>Project</u>	Amount £'000	Amount £'000		
Community & Leisure	Ganger Farm - Sports & Recreation	640.0			
	East Anton Public Art	53.0			
	Public Art - Adanac Park	60.0			
			<hr/>	753.0	
Estates, Economic Development & Transport	Town Mill Access & Environmental Enhancement	122.3			
			<hr/>	122.3	
Affordable Housing	Registered providers	300.0			
		<hr/>	<hr/>	300.0	
Slippage identified in November report				<hr/>	1,175.3

Report to Cabinet – 7 November 2018

APPENDIX E

ITEM Resources in Estates and Economic Development Service

Report of the Finance Portfolio Holder

Recommended:

1. **That the posts set out at paragraphs 6.1.4 and 6.1.5 be added to the Estates and Economic Development establishment at a total cost of £164,150 p.a.**
2. **That the sum of up to £89,865 p.a. be vired from the Investment Property Income budget to finance the cost of the permanent posts as set out in paragraph 8.2.**
3. **That the sum of up to £138,950 be drawn from the Capacity Building Reserve to finance the cost of the temporary posts as set out in paragraph 8.5.**

Recommendation to Council

SUMMARY:

- This report sets out the implications for resourcing of the Estates and Economic Development Service in response to the increasing statutory responsibilities in respect of management of Council land and buildings.
- The report recommends that a mix of permanent and temporary additional posts are added to the establishment for the Service in order that the Council is adequately resourced to comply with these responsibilities.

1 Introduction

1.1 This report seeks to increase the level of staffing resources in the Estates and Economic Development Service. This is as a consequence of the following factors:

- Increase in the number of properties that the Council is responsible for managing and maintaining.
- Increasingly complex methods of construction of buildings and the mechanical and electrical services that are installed into them.
- Ever more demanding responsibilities arising from the requirements of statutory compliance frameworks relating to these buildings.
- The need to deal with evolving and new legislation which is constantly being reviewed and introduced by both government and professional bodies which parties need to adhere to.

2 Background

- 2.1 The Council has a long history of owning and managing operational and investment property and the Estates Service is responsible for the management and maintenance of these properties.
- 2.2 There is also a small building maintenance team that undertakes some works with other works being outsourced to contractors depending on skills and capacity.
- 2.3 Over recent years the Council has seen an increase in the number of properties for which it undertakes this management function. Some of this increase is attributable to the Council's Project Enterprise programme, some is attributable to the Council gaining new community facilities (such as community centres, sports pavilions and changing rooms) arising from very successful negotiations for additional facilities (funded by Developers) as part of new developments.
- 2.4 In addition to a growing property portfolio, advances in building technology affecting both the structure and fabric of buildings and the mechanical and electrical installations within buildings has made the management, maintenance and alteration of buildings much more complex. This increases the level of technical knowledge and the resource that is required beyond what was necessary in the past.
- 2.5 Health & Safety and statutory compliance requirements have also become more demanding in recent years. Statutory compliance refers to regular routine procedures and testing required by regulations to ensure that building elements are in a safe state. One example is the provision of a Fire Risk Assessment and routine/regular testing to ensure the construction, management and use of a building provide satisfactory fire prevention and detections systems and means of escape. Another example is the need for a Legionella Risk Assessment and routine testing to ensure the construction, management and use of a building provide satisfactory protection against potentially fatal legionella.
- 2.6 The growth in compliance requirements results from the increasing complexity of buildings and a significant increase in related legislation, guidelines and best practice in the aftermath of the Grenfell Tower fire.
- 2.7 The impact of all these factors means that the Estates Service needs to increase its level of resource to be able to keep pace with these requirements. The need to invest increased levels of resource in statutory compliance and Health & Safety management has affected all organisations and businesses involved in the property and construction industry.
- 2.8 Interim arrangements have been put in place to temporarily manage these demands whilst the request in this report for additional resources is being considered. These include the recent employment of a Building Services Engineer and a Contracts Manager on an interim agency basis and the use of a Health & Safety consultant on a weekly or fortnightly basis.

- 2.9 Previously work of this nature was covered by different members of the Estates & Economic Development team but as this workload has increased it has eroded the ability of these staff to focus on their primary work areas to the point where this is no longer sustainable. The provision of additional resource within the Service will enable these staff to re-focus on their core work areas to maintain satisfactory service delivery across the board.
- 2.10 The Estates and Economic Development Service is now in a position to understand the exact nature of the additional resources required both to address the current statutory requirements on a day to day basis and to address a backlog of work that has accrued.
- 2.11 This report therefore recommends a mix of permanent and temporary posts.

3 Corporate Objectives and Priorities

- 3.1 The Council's property assets form an important part of the Council's investment portfolio and the management and maintenance of these properties is an important factor in maximising the return derived from these properties.
- 3.2 The Council has been very successful in sharing its operational properties with other partners, deriving a rental income and sharing building overheads with them. Again the management and maintenance of these buildings is important to ensure that they remain an attractive proposition to partner organisations wishing to co-locate with the Council.

4 Consultations/Communications

- 4.1 The Council management team have been consulted along with the relevant Portfolio holders.

5 Options

- 5.1 Because of the statutory nature of some of the issues contained in this report, the option of doing nothing and maintaining the existing staffing levels without any additional support (external or internal) is not considered to be a viable option and for this reason is not suggested here. Further details of maintaining the existing staffing levels are available in the risk management section of this report below.
- 5.2 **Option 1 – Increase the staffing levels in the Estates and Economic Development Service**
- 5.3 **Option 2 – Continue to meet these requirements via external consultants/contractors and temporary support**

6 Option Appraisal

- 6.1 **Option 1 – Increase the staffing levels in the Estates and Economic Development Service**

- 6.1.1 This option involves recruiting staff to new permanent roles, where currently the Estates Service has no in-house technical knowledge or experience. These new roles would complement, not replace, existing posts and enable existing posts to re-focus on their own areas of competence.
- 6.1.2 The increase in staffing recommended in this report would provide the skills, knowledge and expertise to identify, define, commission and monitor the work to be undertaken, not to undertake the work itself. For example any work required to design replacement heating installations would still need to be undertaken by a specialist consultant or contractor.
- 6.1.3 Due to the volume of work facing the Estates Service and the specialist nature of different tasks, it will always be necessary to employ external consultants and contractors for construction/engineering projects and term maintenance work. Such appointments will only be effective if the Council has in-house staff with relevant technical knowledge and experience to identify the need for, appoint, specify and manage these consultants and contractors.
- 6.1.4 The additional **permanent** roles recommended to be added to the Estates and Economic Development Service establishment are as follows:

(a) **BUILDING SERVICES ENGINEER** (Grade 10) (1FTE)

This postholder will be responsible for:

- Managing 'Building Services' within the Council's buildings and on Council land, including the specification, procurement and maintenance of HVAC (Heating, Ventilation and Air Conditioning) systems, electrical, gas and water installations, and fire and intrusion alarms.
- Undertaking a rolling programme of planned preventative maintenance reports for building services installations at all of the Council's properties and prioritising necessary maintenance work.
- Compiling a detailed inventory of all M&E (Mechanical and Electrical) plant and installations through inspection of all the Council's properties and arranging routine cyclical inspections of buildings services installations to ensure all M&E installations are compliant with regulations and compliance certification is kept up to date.
- Project managing the procurement of M&E plant and systems from inception, through feasibility, design, tender documentation, contract administration, financial management to final account and signing off defects.
- Providing professional and technical advice on all matters relating to the design and maintenance of the Council's building services installations, including emergency repairs and energy efficiency schemes.

(b) **HEALTH & SAFETY Officer (MAINTENANCE AND CONSTRUCTION)**
(Grade 8) (1 FTE)

This postholder will be responsible for:

- Developing, co-ordinating and implementing Construction Health and Safety strategies, policies and guidance in line with current best practice and legislation.
- Assisting Estates & Economic Development staff with risk assessments, method statements, site monitoring and inspection records relating to maintenance and construction projects carried out by in-house staff and external contractors.
- Undertaking site inspections and safety audits. Monitoring work undertaken by Council staff and external contractors to ensure all work is undertaken safely, including the completion of accident report forms and RIDDOR reporting, as necessary.
- Inspecting buildings and sites for which the Council is responsible on a quarterly basis to ensure health and safety risks are properly managed.
- Assisting managers in the Service with the provision of appropriate staff training and informing managers and staff of changes to relevant health and safety guidance and legislation. Delivering in-house training on Health & Safety issues including regular Toolbox talks for the Building Maintenance Team.
- Undertaking specialist inspections, providing certification in accordance with relevant training (e.g. scaffold inspections, harness inspections) and undertaking accident investigations.

6.1.5 The additional **temporary** roles recommended to be added to the Estates and Economic Development Service establishment are as follows:

(a) **TEMPORARY CONTRACTS MANAGER** (Grade 8) (1FTE) (22 months)

This postholder will be responsible for:

- Packaging minor construction and building maintenance works to be undertaken by a single contractor. Tendering the work in accordance with Council's Contract Standing Orders, awarding the contract and monitoring through to completion in accordance with the specification, on time and within budget.
- Managing larger individual construction/building maintenance contracts up to a value of £100,000, from preparation of the specification through

to completion, in conjunction with the Council's Procurement Officer. Working with other members of the Estates team on construction/building maintenance projects with a value over £100,000.

- Reviewing action points arising from compliance reports (fire risk assessments, legionella risk assessments, etc.) and obtaining specialist advice from external consultants as necessary to determine scope of works needed to achieve compliance.
- Ensuring that the Council complies with the requirements of the Construction (Design & Management) Regulations 2015 relating to construction/building maintenance procurement.
- Undertaking surveys of buildings for Health & Safety compliance and reporting of reactive maintenance requirements.

(b) **TEMPORARY ASSISTANT BUILDING SERVICES ENGINEER** (Grade 7) (1FTE) (22 months)

This postholder will be responsible for:

- Support in the Management of 'Building Services' within the Council's buildings and on Council land, including the specification, procurement and maintenance of HVAC (Heating, Ventilation and Air Conditioning) systems, electrical, gas and water installations, and fire and intrusion alarms.
- Support in the delivery of a rolling programme of planned preventative maintenance reports for building services installations at all of the Council's properties and prioritising necessary maintenance work.
- Working to assist in the compiling of a detailed inventory of all M&E (Mechanical and Electrical) plant and installations through inspection of all the Council's properties and arranging routine cyclical inspections of buildings services installations to ensure all M&E installations are compliant with regulations and compliance certification is kept up to date.
- Undertake the lower value project managing the procurement of M&E plant and systems from inception, through feasibility, design, tender documentation, contract administration, and financial management to final account and signing off defects.
- Seek and providing professional and technical advice on all matters relating to the design and maintenance of the Council's building services installations, including emergency repairs and energy efficiency.

6.1.6 The complexity of some of the issues that the post holders would be dealing with also means that continuity would be an advantage. Retention of staff in a

market where demand for these particular skills is high will always be a challenge. However on balance, less turnover of staff is anticipated with staff directly employed by the Council compared to relying on agency staff/consultants. Therefore Option one is the recommended option.

6.2 Option 2 – Continue to meet these requirements via external contractors and temporary support

6.2.1 As a short term measure and to enable the Council to achieve compliance as soon as possible, the necessary technical knowledge and experience has been brought in on an interim basis using agency and consultancy staff.

6.2.2 The advantage of this option is the speed with which staff can be engaged.

6.2.3 However the costs of this option mean that it is cost prohibitive as a long term solution. The current cost of the temporary arrangements for one full time Building Services Manager and one full time Contracts Manager is equivalent to £143,808 per annum for two FTEs.

Contrast this with the equivalent cost of Option One above with a cost of £89,865 for the same two 2 FTE.

As this option does not provide value for money it is not recommended.

7 Risk Management

7.1 There are significant risks if statutory compliance and technical competence is not achieved. These are the risk of adverse publicity, the risk of litigation, poor operational or investment performance of the Council's property assets and unnecessarily high expenditure.

7.2 Adverse publicity will occur where breaches of regulations are published by the media or (for Health & Safety issues) by HSE who now adopt a policy of "naming and shaming". Poor standards of building maintenance (e.g. on community assets) will reflect badly on the Council's image and professionalism.

7.3 Litigation may result from failure of buildings or mechanical and electrical installations to function properly and such action may be instigated by third parties or by regulatory bodies. Sentencing guidelines for Health & Safety breaches now take account of the potential consequences of such failures, not just the actual harm that results. This may take the form of fines against the Council or custodial sentences for senior managers.

7.4 Poor operational or investment performance may result if the Council's properties are not correctly specified, delivered and maintained. This may compromise the delivery of the Council's services, or reduce net investment income.

7.5 Increased expenditure will result from properties that are poorly specified, where guarantees or warranties are not in place or invalidated or where the specification of construction or maintenance is inadequate. These increased

costs will result from the need for more intensive maintenance, from the need to undertake premature renewal or replacement, from higher running costs or from the need to provide alternative temporary accommodation.

- 7.6 Additional permanent and temporary professional staff should look to mitigate the risk listed above.

8 Resource Implications

- 8.1 The report recommends a mix of permanent and temporary posts in order to address the resources needed in the long and short term.

- 8.2 The costs of the **permanent** posts recommended for adding to the Estates and Economic Development Service establishment is as follows:

Post Title	Grade	FTE	Cost p.a. (inc on cost) £
BUILDING SERVICES ENGINEER	10	1	50,690
HEALTH & SAFETY MANAGER (MAINTENANCE AND CONSTRUCTION)	8	1	39,175
Total			89,865

- 8.3 The cost of £89,865 p.a. can be met from existing resources by viring the necessary salary budget from the Investment Property Income budget.

- 8.4 The costs of the **temporary** posts for a 22 month period recommended for adding to the Estates and Economic Service establishment is as follows:

Post Title	Grade	FTE	Cost p.a. (inc on cost) £
TEMPORARY CONTRACTS MANAGER	8	1	39,175
ASSISTANT BUILDING SERVICES ENGINEER	7	1	35,110
Total			74,285

- 8.5 These costs can be financed by drawing £74,285 from the Capacity Building Reserve in 2019/20 and a further £64,665 in 2020/21 to cover the proposed 22 month contracts. The total recommended draw from reserves is therefore £138,950.

9 Legal Implications

9.1 There are no immediate legal implications if the legislation and regulations are adhered to and the necessary compliance work is undertaken. However if the Council does not undertake these necessary works to comply then the Council could be in breach of the relevant legislation and regulations which could bring about legal implication for the Council.

10 Equality Issues An EQIA screening has been completed with the Councils methodology and no potential for lawful discrimination and/or low level or minor negative impact have been identified, therefore a full EQIA has not been carried out.

11 Conclusion and reasons for recommendation

It is recommended that these permanent and temporary posts be approved as set out in the recommendation above.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	Nil	File Ref:	N/A
(Portfolio: Finance) Councillor Giddings			
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Report to:	Cabinet	Date:	7 November 2018