

Public Document Pack

Council Forum

Thursday, 27th January, 2022

6.00 pm

Council Chamber, Blackburn Town Hall

[Link to webcast](#)

AGENDA

1. **Welcome and Apologies**
2. **Prayers by the Mayors Chaplain**
3. **Minutes Of The Previous Meeting**
Policy Council Dec 2021 5 - 7
4. **Declarations of Interest**
DECLARATIONS OF INTEREST FORM 8
5. **Mayoral Communications**
6. **Council Forum**
To consider any questions from members of the public under Procedure Rule 12.
7. **Motions**
To consider two Motions submitted under Procedure Rule 10 as follows:

MOTION 1

When an opposition party holds a quarter of the Council Member seats, then the Chairs of the, Place scrutiny committee and the People's scrutiny committee are to be held by the opposition party.

We believe this change to the Council's Constitution will give further confidence in the Council's scrutiny process.

Proposed by Councillor Paul Marrow
Seconded by Councillor John Slater

MOTION 2

Blackburn with Darwen Borough Council recognises the importance of ensuring that elections are fair and accessible for all voters.

Blackburn with Darwen Borough Council notes that the Elections Bill is set to bring in major changes to national elections, including the introduction of compulsory photographic ID to vote.

There is no evidence basis to justify the introduction of photographic ID. Out of over 40 million votes cast at the last General Election there were only a handful of incidents of confirmed voter impersonation.

This Council believes that the change will act as a barrier to people voting and increase inequality in the electoral process.

Council notes with concern that currently 3.5 million people in the UK do not have any form of photographic ID, in the form considered acceptable under these proposals – namely a passport or driving licence – both of which are costly to obtain.

Council notes that these changes are estimated to cost the taxpayer £180 million in administration and will create unnecessary bureaucracy to Councils.

Council believes that at a time when voter turnout is declining, we should be doing all we can to make it easier not harder for people to vote.

Blackburn with Darwen Borough Council does not wish to see people being turned away at the ballot box because of these changes and resolves to support the #HandsOffOurVote campaign by asking the Chief Executive to write to :

1. Rt Hon Michael Gove MP, Secretary of State for Levelling Up, Housing and Communities;
2. Both local MPs asking them to raise these concerns in Parliament.

Proposed by: Damian Talbot

Seconded by: Dave Smith

8.	Our New Deal for a Greater Lancashire Our New Deal	9 - 19
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12.	Questions from Members To consider any questions received from members under Procedure Rule 11.	
13.	Year Planner 2022/23	

Year Planner 2022-23 Final

81 - 84

To agree the Final version of the Year Planner for 2022/23, the draft of which was submitted to the Policy Council meeting in December.

Date Published: Wednesday, 19 January 2022
Denise Park, Chief Executive

POLICY COUNCIL **Thursday 2nd December 2021**

PRESENT – *The Mayor Councillor Derek Hardman, Councillors, Akhtar P, Baldwin, Bateson, Casey, Fazal, Floyd, Gee, Gunn, Harling, Humphrys, Hussain I, Hussain M, Hussain S, Irfan, Khan M, Khan Z, Khonat, Liddle, Mahmood, Marrow, McFall, McGurk, Oates, Patel Ab, Patel Alt, Rawat, Rigby, Riley, Russell, Salton, Sidat, Shorrocks, Slater Jacq, Slater Jo, Slater Ju, Slater N, Smith D, Smith J, Talbot, Taylor, Walker and Whittle.*

RESOLUTIONS

35 Welcome and Apologies

The Chief Executive read out the notice convening the meeting.

There then followed Prayers by the Mayor's Chaplain.

Apologies were received from Councillors Desai M, Desai S, Connor, Fielding, Brookfield, Akhtar, Jan-Virmani, and Browne.

36 Minutes Of The Previous Meeting held on 7th October 2021

Councillor Neil Slater made reference to Minute Number 32, stating that a 'red flag' planning application had not been submitted to Planning and Highways Committee, contrary to discussions at the October Council Forum.

Councillors Phil Riley and Dave Smith responded, with Councillor Smith advising that he had not been contacted about the planning application in question, and had a request been made the matter would have been submitted to the Planning and Highways Committee. Cllr Smith requested that Councillor Slater contact him about this matter after the meeting.

RESOLVED – That the Minutes of the meeting held on 7th October 2021 be agreed as a correct record

37 Declarations of Interest

No Declarations of Interest were received.

38 Civic Service Award

The Mayor presented former Councillor Colin Rigby OBE with the Civic Service Award.

The Mayor, Leader and Leader of the Conservative Group all paid tribute to the outstanding contribution made by Colin Rigby over his 30 years on the Council.

Colin responded and thanked Councillors and Officers for their support over the years.

The Leader and Councillor Vicky McGurk made reference to former Councillor Andy Kay, who had respectfully declined to accept the Civic Service Award, with both paying tribute to his significant contribution to the Council over 40 years plus service, and Councillor McGurk read out a message from Andy to the Council.

39 Delivering through the Covid-19 Pandemic and looking towards the future

Members received a report, a presentation by the Leader and Chief Executive and a video, which outlined the key national and local policy challenges and proposals, which reflected on the Council's performance over the year, and provided a look ahead to the next year, together with a request for endorsement of the City status bid for Blackburn, and which provided an update on plans for a Covid-19 memorial for the Borough.

The Leader made reference to the immense challenges faced by the Borough over the past two years and of the huge impact of Covid-19 on residents, businesses and partners. Councillor Khan thanked all for their response and resilience.

Key national policy drivers included the Levelling Up agenda, and the forthcoming White Paper, the Adult Social Care White Paper, County Deal programme and Climate Change.

The Chief Executive reported on the Council's performance in terms of Key Performance Indicators linked to the Council's eight strategic priorities and gave key details in terms of PEOPLE, PLACE, ECONOMY and COUNCIL.

Members were also advised of plans for a Covid-19 Memorial in the Borough and plans for engagement with the public.

As part of a national competition to mark the Queen's Platinum Jubilee in 2022, the Council intended to bid for City Status for Blackburn, and Members were advised of the process and plans for engagement, and of the benefits a successful bid would bring to the Borough as a whole.

The Corporate Plan would be refreshed, and following extensive engagement it was planned that this would be submitted to the Council in the summer of 2022.

Reference was made to the Climate Change Action Plan, and an update on this plan would be submitted to the next Executive Board meeting. Other key strategies included a renewal of the Health and Wellbeing Strategy and Communications and Engagement Strategy.

Members then debated the report, presentation and video.

RESOLVED – That Policy Council:

- Note the report

- Note the performance of the Council for the first six months of 2021/22 (1 April to 30 September 2021)
- Note the plans for engagement over the next six months
- Endorse the submission of the bid for City Status for Blackburn on December 8
- Note plans for a Covid-19 memorial for the Borough

40 Year Planner 2022/23

The draft Year Planner 2022/23 was submitted, ahead of submission of the final version to the Council Forum Meeting in January 2022 for approval.

RESOLVED – That the draft Year Planner 2022/23 be noted.

At this point of the meeting, the Leader, Councillor Mohammed Khan announced that he would not be standing for re-election in May 2022, and therefore after that time the Council would need to elect a new Leader.

Councillor Khan referred to some key recent achievements and also some of the challenges that he would be continuing to address over the next six months or so.

Councillors Phil Riley and John Slater paid tribute to Councillor Khan and observed that there would be more opportunities to pay full tribute to Councillor Khan's outstanding contribution.

In closing the meeting, the Mayor commented that hoped that everyone would have a happy Christmas and a fantastic 2022.

Signed at a meeting of the Council Forum on

On 27th January 2022

(being the ensuing meeting on the Council) by

MAYOR



REPORT OF:	LEADER
TO:	COUNCIL FORUM
ON:	27th JANUARY 2022

SUBJECT **Our New Deal for a Greater Lancashire**

1. PURPOSE OF THE REPORT

To provide Council Forum with an update on work undertaken towards development of strengthened joint working, a long term strategic plan and a County Deal for the Lancashire area and seek agreement to progress this work.

2. RECOMMENDATIONS

That Council Forum:

1. Support the outline "Our New Deal for a Greater Lancashire" at Appendix 1 as the initial draft basis for further discussion and development of a possible County Deal for the Lancashire area.
2. Agree the principles of governance as set out in Appendix 2 for any future deal.
3. Agree that the Leader of the Council continues to work with Lancashire Leaders in line with the principles agreed in recommendations 1 & 2 above, and note that any formal proposals will require approval by Full Council at the appropriate time.

3. BACKGROUND

The attached report is being considered by the Full Council of each of the fifteen local authorities in Lancashire, that is, the county council, two unitary authorities and each of the 12 district councils.

The intention is that this report sets out the general principles and high level priorities of a long term strategic plan and County Deal. As progress is made, more details about specific asks will be developed, and there will be opportunities for all of the partner authorities to contribute to and influence that, including identifying specific schemes and activities.

Full Council is asked to consider the report and the recommendations set out above.

Introduction

Lancashire has a rich heritage, it is a diverse county which has opportunities for all and is home to globally leading firms and nationally significant assets. Its thriving £34bn economy was growing rapidly prior to the pandemic with the 4th largest aerospace cluster in the world helping achieve significant productivity gains. With a population of 1.5m people, Lancashire's 54,000 businesses generate 749,000 jobs across a range of important and emerging sectors from manufacturing and hospitality to cyber, digital and low carbon. A place of amazing beauty, its natural assets support the economy and workforce as well as providing a thriving tourism destination for visitors and an opportunity to support net zero and cleaner energy ambitions.

Local government arrangements in Lancashire are complex with a county council, two unitary authorities and 12 district councils. However, over the last two years, the context of a global emergency response has created a platform to empower Leaders of all the 15 local authorities in Lancashire to strengthen relationships and partnerships with wider stakeholders. Whilst the pandemic has generated significant, bespoke impacts in Lancashire that have exacerbated longer-term underlying structural issues and inequalities, Leaders are using this foundation as a basis for recovery and to drive forward economic growth.

With a robust evidence base and utilising the strong local knowledge of elected representatives, Leaders are developing a vision and ambition for the future of Lancashire looking ahead to 2050 to recover, grow and decarbonise the economy, improving the place and the life opportunities of its people. Their plans to achieve this will not only realise opportunities for Lancashire and UK plc but in doing so, help address many of the structural deficits and level up across the county.

With the government's much-anticipated levelling up White Paper on the horizon, the time is right for Lancashire to move forward together with a collective voice to make the case for more powers and investment for all of Lancashire.

Leaders have identified that the work is now at a stage where it is important to secure the engagement and support of all members. This report is therefore being presented to all fifteen local authorities.

This report covers:

1. **Lancashire 2050**, which sets out the headline themes which could be included in a long term strategic plan and ambition for Greater Lancashire.
2. **Our New Deal for a Greater Lancashire**, which sets out an initial scope and is a first phase of work that could begin to frame a set of devolution asks as part of a County Deal.
3. **Governance**, which sets out information about the governance options to oversee the long-term plan and deliver the deal, and the principles agreed by Leaders for any governance arrangements.

It is important to note that the government's anticipated Levelling Up White Paper will influence to a large extent the shape and substance of a County Deal that Lancashire authorities will be able to pursue. The information, advice and proposals in this paper may therefore, need to change to reflect the white paper. This report and recommendations seek to position Lancashire so it is better placed to commence early County Deal discussions with Government.

Developing a Lancashire Plan

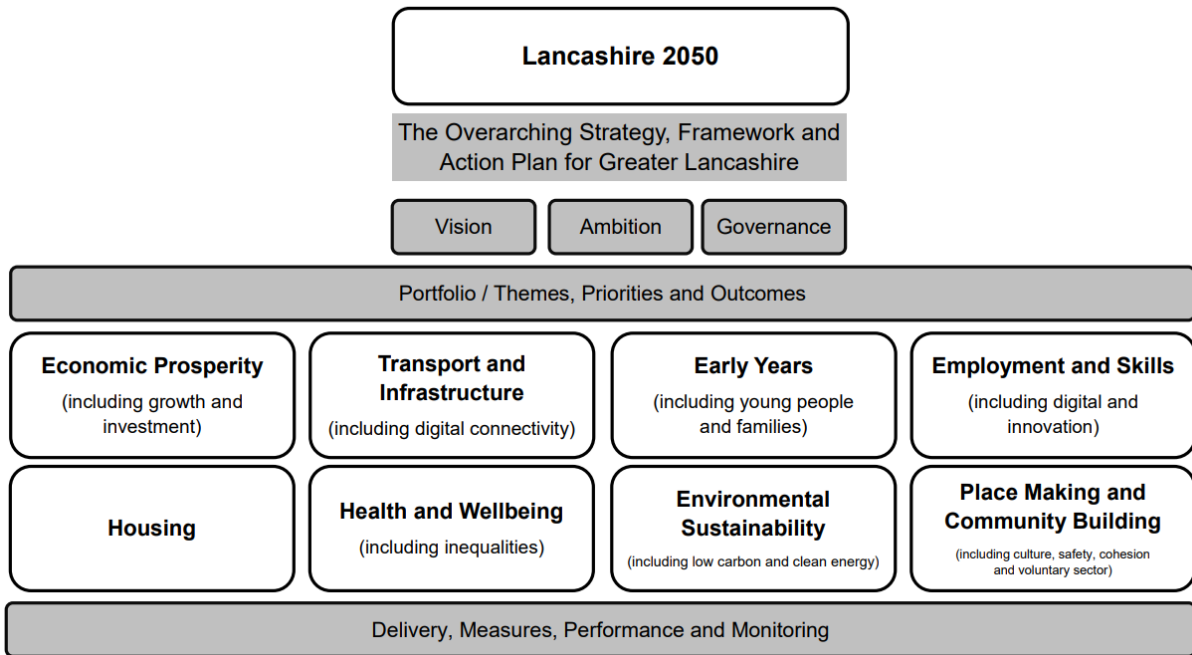
Significant work has taken place across Lancashire to gather evidence that will shape an overarching vision, strategy and plan for the whole of 'Greater Lancashire'. This work has helped inform the scale of ambition and the development of robust key priorities within the scope of what Our New Deal for a Greater Lancashire could look like, together with the governance principles described in this report.

Once fully developed and adopted, in tandem with a devolution deal, Lancashire's overarching strategic plan will be forward looking and take a long term view, setting the vision and ambition over a 20-30 year period. Approaching this strategic framework in this way will ensure that the scope of Lancashire's devolution proposals addresses both the immediate priorities and longer term ambitions.

Hence, an overarching strategic plan that looks to Lancashire in 2050, would need to describe a broader ambition beyond the immediate priorities framed by the four themes set out within the scope for Our New Deal for a Greater Lancashire [at Appendix 1]. Developing the strategy and priorities this way also ensures that policy areas overlap to tackle cross cutting opportunities such as skills, health and the environment, avoiding any unintentional policy silos. For example, tackling priorities that are currently included in the devolution scope around early years, housing quality, employment and skills, will also address some of the wider determinants of poor health as part of a longer term ambition for Lancashire, even though health priorities are yet to be agreed and fully set out working with our partners in the NHS through the Lancashire and South Cumbria integrated health and care system.

As a result, in addition to the four themes identified within Our New Deal for a Greater Lancashire, additional policy areas within the Lancashire 2050 strategic plan could include themes such as health (including inequalities, improvement and wellbeing) and community building (including crime and public safety), see Diagram 1 below. Work to shape and consult on Lancashire 2050 will continue in tandem with work on Our New Deal for a Greater Lancashire over the coming months and report through to Leaders and Councils and ultimately through any new governance arrangements adopted.

Diagram 1 Lancashire Plan Scope Illustration

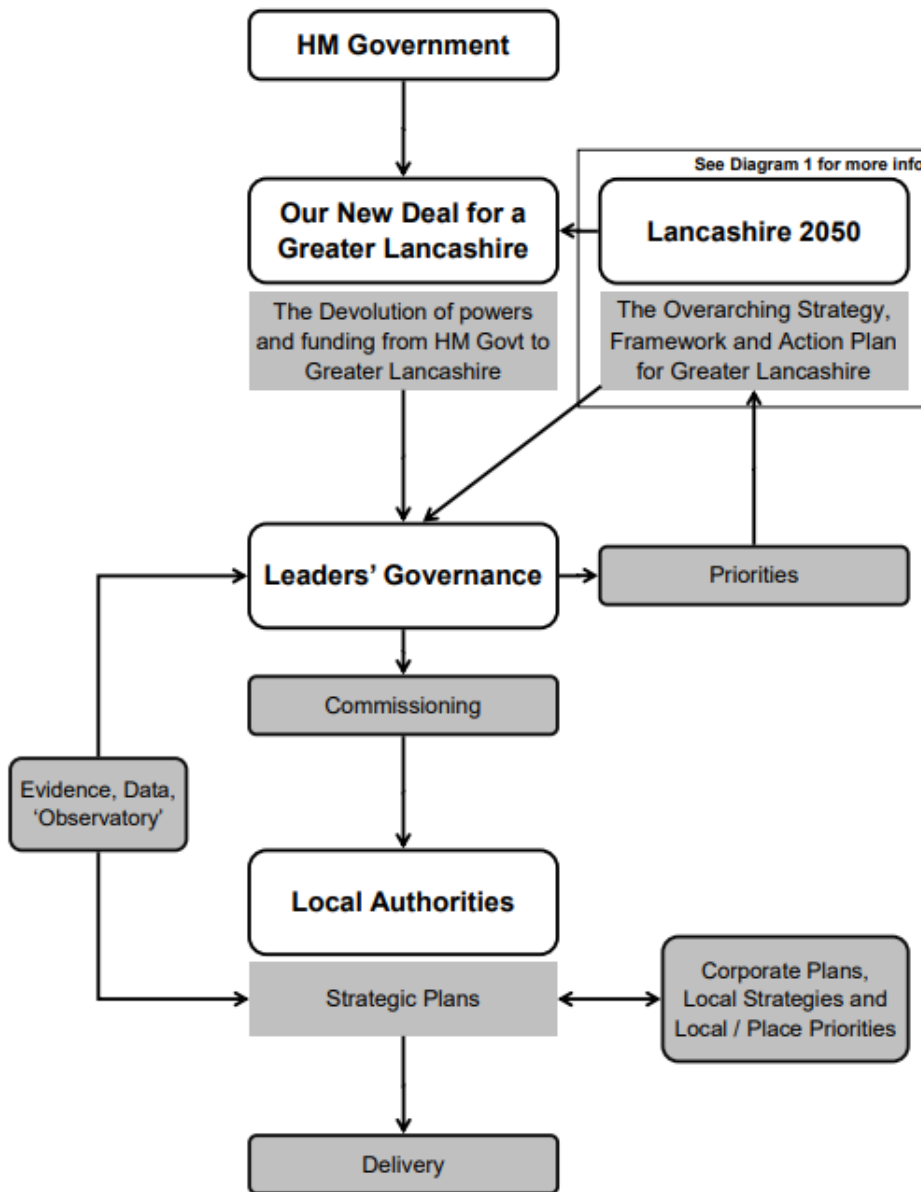


Our New Deal for a Greater Lancashire (Appendix 1)

With a long term strategic plan in place, our ask of government through a county deal, would be for the devolved powers, flexibilities and funding to accelerate the delivery of the immediate priorities set out in the plan, see Diagram 2 below. Based on the experience of other areas which have secured devolution deals, our ask could be in the order of say £5bn investment into the wider Lancashire area to address local needs and priorities as determined by and in Lancashire over the next 5-10 years. This would be across four core themes of:

- Economic growth and investment
- Transport, connectivity and infrastructure
- Early years, education, adult skills and employment
- Environment, climate change and housing quality

Diagram 2 Our New Deal for a Greater Lancashire Illustration



Next Steps

In order for Lancashire to move forward with a strong collective voice, the engagement and support of all councils will be extremely important. This will give Leaders a mandate to collectively move forward on the issues set out in this report, and to engage with government to develop and deliver a great deal for Lancashire, for presentation back to each Full Council in Lancashire to consider and decide.

Purpose

This document sets out an initial scope and is a first phase of work that could begin to frame a set of devolution asks as part of Our New Deal for a Greater Lancashire – through which potential powers and responsibilities would be devolved to Lancashire from Government – in order to support delivery of Lancashire's overarching strategic plan (Lancashire 2050). The initial scope of the deal is focused on the key priorities agreed by Leaders, having considered the available evidence, on four key themes which require devolution from Government:

- economic growth and investment
- transport, connectivity, and infrastructure
- early years, education, adult skills, and employment; and
- environment, climate change and housing quality.

Within each theme, initial funding asks have been identified varying from single figures to suggested multi-year settlements over a range of time periods. **The total indicative value of the request of Government for these initial proposals is in the order of £5.6billion over a seven year period.**

Theme 1 - Economic Growth and Investment

Overview

The scale and importance of the Lancashire economy cannot be overstated, being the second largest in the North West behind only Greater Manchester. A thriving Lancashire remains one of the pre-requisites to a successful economy in the North of England. It is a location which can continue to build on existing clusters of excellence, whilst embracing the opportunity offered by new and emerging technologies and challenges such as cyber, low carbon and clean energy.

The focus of our work will be to ensure that proposals are aligned to supporting fast and sustainable economic recovery and onwards to long-term growth. It will focus on protecting existing employment and economic activity, whilst also driving up productivity, accelerating the commercialisation of low carbon technologies and seeking out new opportunities through stimulating innovation and developing collaborative partnerships. Climate action and mitigation will be key in relation to reducing energy emissions from housing and driving up technological skills. The future role of our towns will also be key and the part they play as places to live, work, study and innovate, consume, and visit. In doing so, this will help to reverse the major impacts of the pandemic on the Lancashire economy, its employers, its workforce and address the wider determinants of health across the communities in which they live.

Strategic objective:

To strengthen, grow and diversify our economy to extend the existing pockets of UK leading productivity across Lancashire as a whole and maximise the value of our people, land, and business assets. We will deliver growth through investment and manufacturing/innovation accelerators in town centres and local economies, unlocking

strategic sites and focusing on jobs, skills, low carbon, health innovations, clean energy, and renewables, maximising our assets and strengths in manufacturing, cyber, digital, and the visitor economy.

The total annual indicative value of the request of Government for the Economic Development and Investment theme is in the order of £200million per annum.

Theme 2 - Transport, Connectivity and Infrastructure

Overview

Lancashire's economic geography is complex and spatially polycentric. Connectivity - both physical and digital - is unequally distributed and under-provided. This is holding back Lancashire's full potential and that of the North as a whole. There are compelling reasons to want to improve both East-West and digital connectivity in Lancashire to tackle some of the worst climate, health and socioeconomic outcomes; provide employers with a larger pool of workers to draw from, enabling the development of more highly specialised sectors, increasing productivity through agglomeration; and integrating Lancashire's divided economy into one.

Strategically positioned between the rural areas of Cumbria and Pennines and the major cities of Leeds, Manchester, and Liverpool, Lancashire's best transport connectivity runs North-South, but most people live East-West in a central corridor stretching from Pendle and the Yorkshire borders to Blackpool and the coastal economies. Improving links East-West across the county allows residents to access the major North-South connections more easily maximising opportunities such as high speed rail (HS2). The focus for these links will include bus, renewables-powered electric heavy and light rail, and active travel (walking and cycling).

Lancashire is 80% rural and does not have one major settlement which everywhere looks towards. Rather it has groupings of small cities, large towns and freestanding medium-sized towns within urban areas. Those urban areas are better served by digital connectivity. Improved digital connectivity will support the people, businesses, rural and coastal economies and associated natural environment to achieve their significant economic potential, help level up health and wider inequalities and achieve demanding environmental ambitions.

Furthermore, aligning investment in transport and digital infrastructure and utilities with investment in major development and strategic priorities will unlock the economic potential of Lancashire. The high-speed digital cable into Blackpool; the Pennine Industrial District connected by the M65 Manufacturing Corridor; and strategic road and rail connections including cross borders to the major cities of Leeds, Manchester, and Liverpool, will maximise potential across Lancashire and the north as a whole.

Strategic objective:

To level up transport infrastructure along the east-west growth corridor and connect people, business, jobs, education, and investment through improved transport supported by active travel, bus, cycling and walking and full fibre broadband unlocking major development and employment investment

The total annual indicative value of the request of Government for the Transport, Connectivity and Infrastructure theme is in the order of £150million per annum.

Theme 3 - Early Years, Education, Adult Skills and Employment Workstream

Overview

Skills investment is arguably one of the most important priorities for the country (and county) to level up – creating places attractive to higher productivity businesses and increasing social mobility and improving life chances, health outcomes and opportunity for all Lancashire's 1.5million residents.

Through skilling up the population, Lancashire aims to build a talent pipeline aligned with the needs of the economy, enhancing productivity, tackling climate change and, by connecting the workforce to good quality jobs, open up opportunities for career progression, higher wages and improved standards of living. This theme will cover an increased focus on preparing children in the early years of life (0-5) for school readiness as well as focusing on upskilling and improving outcomes for young people and adults (post 16) and those in their working years. This will include working with businesses to improve skills utilisation, job quality, wages, and recruitment.

Most places in Lancashire have a very low skills base with 23% of residents with either no qualifications or NVQ1 qualifications and there is a major skills deficit at NVQ Level 4 when compared with the North West and UK averages.

Strategic objective:

To increase focus on preparing children in the early years of life (0-5) for school readiness and to 'level up' the skills of the working age population, by ensuring that Lancashire residents are able to effectively access high quality skills provision and compete for employment opportunities which enables them to secure a higher quality of life and maximise the existing and emerging strengths in Lancashire's economy including climate change, clean energy, cyber, digital and data.

The total annual indicative value of the request of Government for the Early Years, Education, Adult Skills and Employment theme is in the order of £260million per annum.

Theme 4 – Environment, Climate Change, and Housing Quality

Overview

Tackling climate change and reducing our greenhouse gas emissions is one of the biggest challenges facing our society and significant action is needed across Lancashire to achieve government targets set to reach net zero by 2050. Working together will improve the resilience of Lancashire to the impacts of climate change, such as flooding, on communities, businesses and the wider economy. There is a need for locally led, place-based approach to energy solutions such as decarbonising heating systems, improving energy efficiency and local renewable electricity generation to meet current and future growth needs. Much of Lancashire's housing stock falls severely below standards and is energy inefficient – domestic gas is the second biggest contributor to emissions in Lancashire, after transport. Beyond the environmental and health benefits of reducing emissions, there are significant economic opportunities locally and nationally in the transition to low carbon energy technologies with growth in new high-value industries and more productive, higher paid jobs.

Very poor housing quality is a prominent feature of many of Lancashire's urban centres with some areas having significant volumes of stock over 120 years old and others having very low volumes of houses built to more modern quality standards over the last 20 years. Poor quality and condition including cold, damp and energy inefficient housing, contributes to high CO2 emissions and fuel poverty. This poor-quality housing – typically older, private sector rented

stock – plays a crucial role in driving some of the worst health outcomes in England and plays a key role in constraining efforts to regenerate the county’s most deprived places. Existing powers are not effective in delivering strategic change and reversing cycles of decline. Intervention in these areas of chronic housing failure will create a platform for better social outcomes, supporting regeneration and economic growth. Benefits include the creation of new jobs, skills and training in construction as well as tackling climate change through installation of cooling and heating systems and mitigating future risks from increased flooding. Improving the quality of housing stock will help to provide residents with attractive, spacious, appropriately heated homes with affordable bills, which are better adapted for life long living. In turn, this will contribute to the strength of the workforce and health of the population as a whole. Devolution presents an opportunity to bring forward new powers and resource that can tackle the challenges and create more balanced, better-quality housing that can stabilise and transform lives in the areas of greatest opportunity in Lancashire.

Strategic Objective:

To level up green action and investment in Lancashire to achieve our pathway to net zero carbon emissions, protecting our natural environment and neighbourhoods, investing in carbon reduction measures and transforming housing quality. This will include a specific focus on developing a skilled workforce and business supply chain, delivering large programmes to drive improvements in the energy efficiency and quality of homes.

The total annual indicative value of the request of Government for the Environment, Climate Change, and Housing theme is in the order of £200million per annum.

Appendix 2

Governance

The governance structures for delivering the strategic plan priorities and accelerating that delivery through a County Deal would need to be designed with two aims in mind:

- to create the best arrangements to deliver the priorities within the strategic plan and the Deal itself
- to ensure decisions are made democratically and with all partners having an equal voice.

To this end, Leaders have agreed a set of core principles which should be applied in the establishment of any governance arrangements for joint working and delivering a County Deal. The principles set out below will form the basis of a negotiation with Government including the implications of any white paper:

- Lancashire authorities do not collectively support a Mayoral Combined Authority or local government reform
- Each authority would be represented on the decision making body by their Leader
- Each authority's current services, including statutory functions and discretionary services would not be included in any county deal arrangement without the express agreement of that authority
- The voting principle is one council, one vote, with a two thirds majority required for any proposal
- Each council will have a veto if any proposal is in their area, if their money is required or if they can reasonably demonstrate that it is reasonably likely to have a material impact on their area unless there are special circumstances to proceed (e.g. policy, legal, public safety reasons).
- Individual councils will have the right to leave the Deal and the decision making body arrangements
- It would initially be chaired by Lancashire County Council which will also act as the accountable body (under some governance models an Accountable Body may not be necessary)

Initial discussions with Leaders have started to consider a range of possible options for more formal joint working and to govern the delivery of a devolution framework and a county deal. A number of options are being explored, including joint committees, statutory boards, non-statutory boards, a local authority owned company and other informal working arrangements. This may also be largely dependent on the contents of the White Paper and any specifications it makes for the governance of County Deals.

Whatever the arrangements identified as best suited to the Lancashire area, each individual Local Authority's Full Council would need to give approval to its participation

As the governance arrangements are developed further, a number of important issues will need to be addressed, such as managing possible conflicts of interest, providing indemnities to members against liabilities, borrowing and funding arrangements and the detail of meeting processes. Each governance model option may require different solutions to these kinds of issues. A representative working group of officers including several Monitoring Officers has already begun work on these issues.

Resources

As progress is made, consideration will need to be given by Leaders and councils to support and resource options to manage and deliver any agreed plan and Deal. Local Authorities will need consider a fair way for each partner authority to contribute. It is also the intention to seek capacity funding from Government as part of the negotiation process for a new Deal.

**REPORT OF: EXECUTIVE MEMBER FOR
ENVIRONMENT**

TO: COUNCIL FORUM

ON: 27 January 2022

GAMBLING ACT 2005 STATEMENT OF LICENSING POLICY – 2022-25

1. PURPOSE OF THE REPORT

1.1 To seek adoption of the Statement of Policy.

2. RECOMMENDATIONS

2.1 That the Council approves the revised Statement of Licensing Policy for the Gambling Act 2005.

3. BACKGROUND

3.1 The Council is required to publish a Statement of Licensing Policy under the Gambling Act 2005 (the Act). This is a statement of principles that the Licensing Authority must consider when determining applications for premises licences for gambling establishments and sets out the approach which will be taken when dealing with permissions the Council grants and enforces thereafter.

3.2 It also identifies how the Authority will seek to promote the licensing objectives under the Act, namely:-

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

3.3 The policy must be reviewed every three years; the last policy was published in January 2019.

4. RATIONALE

4.1 The Statement of Policy document is based on a template issued by the Local Government Association. The aim of this is to promote a nationwide, consistent approach on Gambling policy.

4.2 The Statement of Policy is a comprehensive document which defines the principles in exercising:

- The powers to designate a body which is competent to advise the Licensing Authority about the protection of children from harm.
- The powers to determine whether a person is an interested person in relation to a premises licence, or an application for or in respect of a premises licence.
- The functions with respect to the exchange of information between the Licensing Authority and the Gambling Commission and other persons listed in schedule 6 to the Act, for example Police and HMRC.
- The principles to be applied by the Licensing 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.

4.3 The Public Protection Service has consulted at a national and local level with businesses and organisations affected by the policy. The consultation lasted from 3 November to 12 December 2021. The residents of the Borough have been consulted via the Council's website and through resident associations.

4.4 The current Statement of Policy was agreed in 2019. The proposed changes for 2022 are very limited as Government is currently carrying out a review of the Gambling Act 2005. Once the outcome of this review is published a further, more in-depth review of our policy may be required.

In light of this no major changes have been made to the policy.

The key changes (other than updating contact details, titles of legislation, links/references to new guidance and figures) include:

- References to the updated Gambling Commission Guidance to Licensing Authorities amended in line with the new guidance;
- Information now included in relation to considerations and proximity to sensitive premises;
- Number of gambling related premises licensed / permitted in Blackburn with Darwen;
- Updated information on consulting with Public Health

4.5 The proposed policy was taken to Licensing Committee on 15 November 2021. No proposals or comments were made by the Committee for alteration of the updated policy.

One response has been received from Public Health in relation to a paragraph from the previous consultation which is no longer relevant and the policy has been amended accordingly.

4.6 There are no risks associated with publication of the Statement of Policy for the Gambling Act.

4.7 The statement of policy explains how the Council will exercise its functions to protect residents and visitors from the potential harms from gambling whilst allowing responsible businesses to operate.

5. POLICY IMPLICATIONS

5.1 Please see comments in the body of the report. The Council's Constitution requires the Licensing Policy Statement to be approved by Full Council as part of the policy framework.

6. FINANCIAL IMPLICATIONS

6.1 The financial costs incurred by the consultation and the publication of the revised document will be borne by the fees levied for gambling premises.

7. LEGAL IMPLICATIONS

7.1 The Council is required to publish a Statement of Licensing Policy under the Gambling Act 2005. The statement must be reviewed every 3 years. Blackburn with Darwen Borough Council last published a Statement of Licensing Policy under the Gambling Act 2005 in 2019 therefore there is a theoretical risk of legal challenge if the reviewed and amended document attached to this report is not approved.

8. RESOURCE IMPLICATIONS

8.1 Existing staff in the public protection service will undertake the associated work in revising and implementing the Statement of Gambling Policy.

9. EQUALITY IMPLICATIONS

9.1 An initial Equality Impact Assessment has been completed. No negative impacts are anticipated.

10. CONSULTATIONS

10.1 Details of consultation are included in paragraph 4.3.

Chief Officer/Member

Contact Officer: Denise Andrews, Business Compliance and Licensing
Manager
Niky Barrett, Principal Licensing Officer

Date: 13 December 2021
Background Papers: None

GAMBLING POLICY 2022

POLICY STATEMENT
Under Section 349 of the Gambling Act 2005

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*This Statement of Licensing Principles was approved by Blackburn with Darwen Borough Council on DATE TO BE INSERTED.
All references to the Guidance refer to the Gambling Commission's Guidance to Licensing Authorities, published April 2021 and updated in May 2021.*

Introduction

This statement of Policy in relation to the Gambling functions that this Authority regulates sets out the approach that will be taken when dealing with permissions its grants and enforces thereafter.

It also identifies how the Authority will seek to promote the licensing objectives under the Act, namely:-

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

Partnerships are important to us and with this in mind we will be working closely with the Gambling Commission, the Police and the other responsible authorities named within the Act. We will also provide guidance and support, where possible, to the trade, residents and businesses.

All decisions that are made in relation to gambling will be made having taken into account the three objectives and each application will be dealt with on its merits.

This policy will come into effect on the 31st January 2022 and will be reviewed no later than the 31st January 2025.

In carrying out its gambling functions this Authority will have regard to its Policy and the Guidance issued by the Gambling Commission.

PART A

1. The Licensing Objectives

1.1. In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

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

1.2. It should be noted that the Gambling Commission has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”.

1.3. This licensing authority is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should 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 Gambling Commission
- Reasonably consistent with the licensing objectives and
- in accordance with the authority’s statement of licensing policy

2. Introduction

2.1 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they proposed 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 be then re-published.

2.2 The Authority consulted widely upon this Policy from 5 November until 12 December 2021.

2.3 The Gambling Act requires that the following parties are consulted by Licensing Authorities:

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

2.4 The full list of comments made and the consideration by the Council of those comments is available by request to The Principal Licensing Officer, licensingteam@blackburn.gov.uk.

2.5 Should you have any comments as regards this policy statement please send them via e-mail or letter to the following contact:

The Principal Licensing Officer, Public Protection Service, Blackburn with Darwen Council, White Dove Office, Davyfield Road Depot, Davyfield Road Blackburn BB21LX.

2.6 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.

2.7 Blackburn with Darwen Council is situated in the County of Lancashire. The Borough covers an area of approximately 13,700 hectares and contains a population of approximately 148,900 in 2018 people in 57,400 households within two compact towns and a number of small villages in the surrounding rural and moorland areas. The towns of Blackburn and Darwen are 4 miles apart, but the growth of both towns has resulted in an almost continuous urban conurbation along the A666. The vast majority of the population use the borough's shopping, leisure, employment and educational facilities.

2.8 In Autumn 2021 the number of licensed gambling premises is:

Premises type	Number of licences
Adult Gaming Centres	4
Bingo	2
Betting Shop	16
Track Betting	1

3. Declaration

3.1. In producing the final statement, this licensing authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the Guidance to Licensing Authorities issued by the Gambling Commission, and any responses from those consulted on the statement.

4. Responsible Authorities

4.1. The licensing authority is required by 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.

4.2. In accordance with the suggestion in the Gambling Commission's Guidance to Licensing Authorities, this authority designates the Local Safeguarding Children Board for this purpose.

The contact details of all the Responsible Authorities under the Gambling Act 2005 are available via the Council's website at: <https://www.blackburn.gov.uk/licences-and->

Licensing authority
The Gambling Commission
Police
Fire
Planning
Health and Safety
Child Protection
H M Revenues and Customs
Safeguarding Adults

5. Interested parties

5.1. Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

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

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

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

5.2.1. Each case will be decided upon 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 to Licensing Authorities at 8.12 to 8.17. 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.

5.2.2. Interested parties can be persons who are democratically elected such as councillors and MPs. No specific evidence of being asked to represent an interested person will be required as long as the councillor/MP represents the ward likely to be affected. Likewise, parish councils likely to be affected will be considered to be interested parties. Other than these however, 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.

If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the licensing department LicensingTeam@blackburn.gov.uk

6. 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 the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

S.350 of the Act allows licensing authorities to exchange information with other persons or bodies for use in the exercise of functions under the Act. Those persons or bodies are listed in Schedule 6(1) as:

a constable or police force
an enforcement officer
a licensing authority
HMRC
the First Tier Tribunal
the Secretary of State
Scottish Ministers.

6.2. The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the General Data Protection Regulation (GDPR) will not be contravened. It will also act in accordance with the freedom of information requirements. The licensing authority will also have regard to any Guidance issued by the Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005 and will adopt the principles of better regulation.

Should any protocols be established as regards information exchange with other bodies then they will be made available.

7. Enforcement

7.1. Licensing authorities are required by regulation under the Gambling Act 2005 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: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem, and minimise side effects.

7.3. As per the Gambling Commission's Guidance to Licensing Authorities this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

7.4. This licensing authority has adopted and implemented a risk-based inspection

programme, based on;

- The licensing objectives
 - Relevant codes of practice
 - Guidance issued by the Gambling Commission, in particular at Part 36
 - The principles set out in this statement of licensing policy
- 7.5. The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 is to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission is the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines are not dealt with by the licensing authority but should be notified to the Gambling Commission.
- 7.6. This licensing authority also keeps itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.
- 7.7. Bearing in mind the principle of transparency, this licensing authority's enforcement/compliance protocols/written agreements are available upon request to the licensing department LicensingTeam@blackburn.gov.uk. Our risk methodology is also available upon request.
- 7.8. The Council will take account of the Gambling Commissions guidance document issued in \April 2021 (or any subsequent amendments) [Test purchasing \(England and Wales only\) and age verification toolkit - Gambling Commission](#) 'when considering making test purchases at gambling premises. The Council will also follow its own policies and procedures regarding the use of underage test purchasers.
- 7.9. Where there is a Primary Authority scheme in place, the Council will seek guidance from the Primary Authority before taking any enforcement action.

Further information, including an index of all Primary Authority arrangements can be found at:

<https://primary-authority.beis.gov.uk/par>

8. Licensing authority functions

- 8.1. Licensing authorities are required under the Act to:
- Be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*
 - Issue *Provisional Statements*
 - Regulate *members' clubs* and *miners' welfare institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
 - Issue *Club Machine Permits* to *Commercial Clubs*
 - Grant permits for the use of certain lower stake gaming machines at *unlicensed Family Entertainment Centres*
 - Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for 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 there are more than two machines

- Register *small society lotteries* below prescribed thresholds
- Issue *Prize Gaming Permits*
- Receive and Endorse *Temporary Use Notices*
- Receive *Occasional Use Notices*
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')
- Maintain registers of the permits and licences that are issued under these functions

It should be noted that licensing authorities are not be involved in licensing remote gambling at all, which is regulated by the Gambling Commission via operating licences.

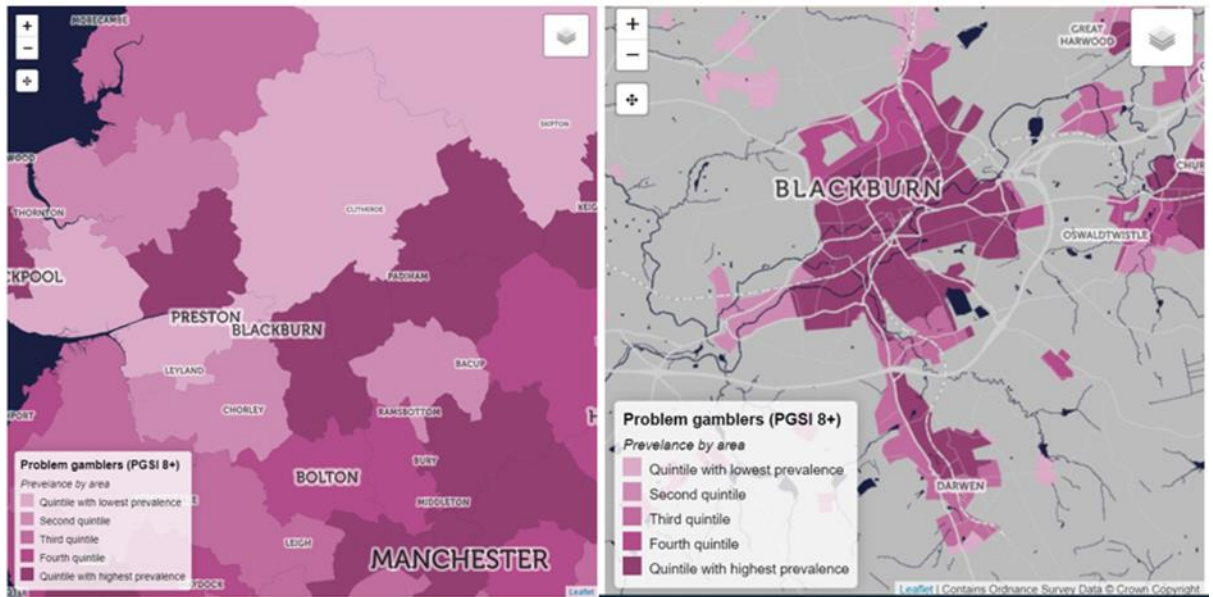
9. Public Health and Gambling

- 9.1. The Licensing Authority agrees with the Gambling Commission's position that gambling- related harm should be considered as a public health issue.
- 9.2. Gambling is a legitimate leisure activity enjoyed by many and the majority of those who gamble appear to do so with enjoyment, and without exhibiting any signs of problematic behaviour. There are however significant numbers of people who do experience significant harm as result of their gambling.
- 9.3. Blackburn with Darwen Borough Council Public Health Service have provided the following information about Gambling Harm

The data suggests there could be between **918** problematic gamblers aged 16+ using the Gambling Commission methodology and **1,982** problematic gamblers aged 18+ using the Northern Cities methodology who live in Blackburn or Darwen. These estimated figures have been calculated in two different ways by Leeds Beckett university (Northern cities, aged 18+ = prevalence rate of 1.8%) and by the Gambling Commission (national aged 16+ = prevalence rate of 0.8%). The different rates could be due to a higher concentration of problematic gambling in the more deprived northern towns (Leeds method), as opposed to a national rate including the more affluent areas, with less problematic gambling (Gambling Commission method).

This prevalence may now be higher after the pandemic and three lockdowns, furlough and redundancies.

New data from [Gamble Aware](#) shows problematic gambling prevalence at LA and ward level with Blackburn with Darwen Borough Council being in the quintile with the highest prevalence of problematic gambling:



9.4. For these problem gamblers, harm can include higher levels of physical and mental illness, debt problems, relationship breakdown and, in some cases, criminality and suicide. It can also be associated with substance misuse.

9.5. There can also be considerable negative effects experienced by the wider group of people around a gambler. The health and wellbeing of partners, children, and friends can all be negatively affected.

9.6. Therefore the Licensing Authority considers that Public Health teams, whilst not a responsible authority under the Act, can still assist the Licensing Authority to address gambling-related harms in its area. The licensing authority will consult the Director of Public Health on all premises licence applications and will advise the Director of Public Health to consider the use of the Gambling Commission’s toolkit for public health and safeguarding: <https://www.gamblingcommission.gov.uk/for-licensing-authorities/Licensingauthority-toolkit/Public-health-and-Safeguarding-toolkit.aspx>

9.7. The licensing authority would therefore like to engage with the local Public Health team in the future development of this Statement of Principles and the Local Area Profile. It is hoped that the Public Health team will be able to help the Licensing Authority:

- Identify and interpret health data and evidence to inform the review of the Statement and develop locally tailored local area profiles.
- Make decisions that benefit and protect the health and wellbeing of local communities.
- Be clear on issues which they can have regard to when deciding on licenses for a wide range of gambling activities.
- Identify and interpret health data and evidence to inform the review of the Statement;
- Conduct a health-impact assessment of gambling in the local area or assess any existing information.

The licensing authority recognises the work the public health team is already involved with to

reduce problem gambling, as part of Lancashire and South Cumbria Integrated Care System's priority of suicide prevention.

PART B

PREMISES LICENCES: CONSIDERATION OF APPLICATIONS

1. General Principles

Premises licences are subject to the requirements set-out in the Gambling Act 2005 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.

The Gambling Act (s51) 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 Authority to plan future premises inspection activity.

(i) Decision-making

This licensing authority is aware that in making decisions about premises licences it should 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 Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.

In considering applications for new gambling licences, variations to existing licences and licence reviews the licensing authority will consider the following matters:

- the location of the premises
- the Local Area Profile
- the Local Risk Assessment (LRA)
- the views of responsible authorities
- the views of interested parties
- compliance history of current management
- the hours of operation
- the type of premises
- the operation of the premises in accordance with the expectations of the licensing authority, as set out in this policy
- the physical suitability of the premises
- the levels of crime and disorder in the area
- the level of deprivation and ill health in the area
- any other relevant factor

The location of the premises will be an important factor as it can impact on all three of the licensing objectives. The Licensing Authority will consider very carefully applications for premises licences that are located in close proximity to sensitive premises such as:

- Schools, including universities
- Parks, stations, other transport hubs and places where large numbers of school children might be expected
- other premises licensed for gambling
- premises licensed for alcohol
- children's and vulnerable persons' centres and accommodation
- youth and community centres
- health and treatment centres
- leisure centres used for sporting and similar activities by young persons and/or

vulnerable persons

- religious centres and public places of worship

It is appreciated that as per the Gambling Commission's Guidance to Licensing Authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" nor are considerations about nuisance or the likelihood of gaining planning or building regulations approvals. In addition unmet demand is not a criterion for a licensing authority. The exception is with regard to any 'no casino resolution' - see section on Casinos - page 20). Each case will be decided on its own merits.

The Licence Conditions and Code of Practice (LCCP) issued by the Gambling Commission places further onus on premises to complete a risk assessment based on code 10, the social responsibility code.

The council will have regard to this code when considering applications. This is covered in detail in Part D of this statement.

(ii) Definition of “premises” – In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

The Gambling Commission states in its Guidance to Licensing Authorities that: “In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises.”

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 discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.

- Customers should be able to participate in the activity names 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.

The Gambling Commission's relevant access provisions for each premises type are reproduced below:

Casinos

- The principal access entrance to the premises must be from a street (as defined at 7.23 of the Guidance)
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons
- No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence

Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises

Betting Shops

- Access must be from a street (as per para 7.23 Guidance to Licensing Authorities) or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

Tracks

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

Bingo Premises

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

Family Entertainment Centre

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

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

(iii) Premises "ready for gambling"

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, consistent with the scale of building or alterations required before the premises are brought into use.

If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:-

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

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 7.58-7.65 of the Guidance.

(iv) Location

This 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 are relevant to its decision-making. As per the Gambling Commission's Guidance to Licensing Authorities, 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. Each application will be considered on its own merits. Operators will be expected to demonstrate in their local risk assessment (LRA) the impact of the provision of gambling facilities in a particular area on the licensing objectives. From 6 April 2016 a new requirement was introduced requiring licensed operators of certain gambling establishments to undertake local risk assessments. This requirement was formalised in the Gambling Commission's Licence Conditions and Codes of Practice (LCCP) which were revised and published in April 2018. [Licence Conditions and Codes of Practice - Gambling Commission](#)

This authority has not adopted any specific policy in relation to areas where gambling premises should not be located. Should any such policy be decided upon, this policy statement will be updated. However this authority would expect an operator's local risk assessment (LRA) to consider, for example, the proximity of their premises in relation to schools, hospitals and centres where children or vulnerable groups may be present

It should be noted that any such future policy will not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant to show how any concerns can be overcome.

(v) Planning:

The Gambling Commission Guidance to Licensing Authorities states:

7.58 In determining applications, the licensing authority should not take into consideration matters that are not related to gambling and the licensing objectives. One example would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal. Licensing authorities should bear in mind that a premises licence, once it comes into effect, authorises premises to be used for gambling. Accordingly, 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, consistent with the scale of building or alterations required before the premises are brought into use. Equally, licences should only be issued where they are expected to be used for the gambling activity named on the licence. This is why the Act allows a potential operator to apply for a provisional statement if construction of the premises is not yet complete, or they need alteration, or he does not yet have a right to occupy them. Part [11](#) of this guidance gives more information about provisional statements.

7.65 – When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have to comply with the necessary planning or building consents. Nor should fire or health and safety risks be taken into account. Those matters should be dealt with under relevant planning control, building and other regulations, and must not form part of the consideration for the premises licence. S.210 of the Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally, the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.

(vi) Duplication with other regulatory regimes

This licensing authority seeks 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.

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.

(vii) Licensing objectives

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 Licensing 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 - This licensing authority is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors (for example, whether police assistance was required and how threatening the behaviour was to those who could see it) so as to make that distinction.

Ensuring that gambling is conducted in a fair and open way - This licensing authority has noted that the Gambling Commission states that it generally does not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section— see page 21.

Protecting children and other vulnerable persons from being harmed or exploited by gambling - This licensing authority has noted the Gambling Commission's Guidance that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). 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.

This licensing authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.

Section 7 of the Gambling Commission Guidance to Local Authorities sets out considerations that an operator must make in order to protect children and young people from accessing gambling premises.

The Licence Conditions and Codes of Practice (LCCP) issued in 2015 prescribe how operators must prevent children from using age restricted gaming or gambling activities, particularly where gaming machines are licensed. In particular operators must ensure that;

- all staff are trained,
- that all customers are supervised when on gambling premises
- procedures are in place for identifying customers who are at risk of gambling related harm.

The Council will expect all operators to have policies and procedures in place as required by the LCCP codes on social responsibility to cover all aspects of the code, in particular staff training records and self-exclusion records.

Further provisions with regard to self-exclusion and marketing are included in the social responsibility code. The council will take all conditions and codes into account when considering applications or performing enforcement activities.

See Part D of this policy statement for further details and on the Council's requirements in relation to the LCCP.

As regards the term "vulnerable persons" it is noted that the Gambling Commission does not seek to offer a definition but states that "it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gambling beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs." This licensing authority will consider this licensing objective on a case by case basis.

(viii) Conditions

When considering an application the starting point will be that permission will be granted subject only to the mandatory and default conditions. Additional conditions will only be imposed where there is clear evidence of the risks to the licensing objectives. Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

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 the way in which the licensing objectives can be met effectively.

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

This 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.

This 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.

It is noted that there are conditions which the licensing authority cannot attach to premises licences 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 method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
- conditions in relation to stakes, fees, winning or prizes.

(ix) Door Supervisors

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

Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different types of premises vary (as per the Guidance, Part 33).

2. Adult Gaming Centres

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

Where gambling facilities are provided at premises as a supplementary activity to the main purpose of the premises; e.g. motorway service areas and shopping malls, the council will expect the gambling area to be clearly defined to ensure that customers are fully aware that they are making a choice to enter into the gambling premises and that the premises is adequately supervised at all times

This licensing authority may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-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.

3. (Licensed) Family Entertainment Centres:

This licensing authority will specifically have regard to the need to protect children and

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

This licensing authority may consider measures to meet the licensing objectives such as:

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

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

This licensing authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

4. Casinos

No Casinos resolution - This licensing authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should this licensing authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the Full Council.

Casinos and competitive bidding - This licensing authority is aware that where a licensing authority area is enabled to grant a premises licence for a new style casino (i.e. the Secretary of State has made such regulations under Section 175 of the Gambling Act 2005) there are likely to be a number of operators which will want to run the casino. In such situations the local authority will run a 'competition' under Schedule 9 of the Gambling Act 2005. This licensing authority will run such a competition in line with any regulations / codes of practice issued under the Gambling Act 2005

5. Bingo premises

This licensing authority notes that the Gambling Commission's Guidance states:

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

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.

Details of the Code of Practice for Equal Chance Gaming in Pubs and Clubs can be found on the Gambling Commission website. This details maximum stakes and prizes without the need for a commercial Bingo Operators Licence.

6. Betting premises

Betting machines - This licensing authority will, as per 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.

7. Tracks

This 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 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.

This 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.

This licensing authority may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-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 - Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.

Betting machines - This licensing authority will, as per Part 6 of the Gambling Commission's Guidance, 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 proposes to offer.

Applications and plans

The Gambling Act requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity. (See Guidance to Licensing Authorities, para 20.28).

Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations. (See Guidance to Licensing Authorities, para 20.29).

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, para 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 premises do not need to be defined. (See Guidance to Licensing Authorities, para 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 subject to the “five times rule” (commonly known as betting rings) must be indicated on the plan. (See Guidance to Licensing Authorities, para 20.33).

8. Travelling Fairs

This licensing authority is responsible for deciding 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.

The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

It is noted that the 27-day statutory maximum for the land being used as a fair applies on a per calendar year basis, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. 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.

9. Provisional Statements

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.

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.

The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change in the applicant's circumstances.

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.

10. Reviews:

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;

- in accordance with any relevant Code of Practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of principles.

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

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.

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

The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.

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

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

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.

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

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

PART C

Permits / Temporary & Occasional Use Notice

1. Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits - Schedule 10 paragraph 7)

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).

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 Commission under section 25. The Gambling Commission's Guidance to Licensing Authorities also states: "In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits...., licensing authorities will want to give weight to child protection issues."

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

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

It should be noted that a licensing authority cannot attach conditions to this type of permit.

Statement of Principles. This 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. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises. This licensing authority will also expect, as per Gambling Commission Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

2. (Alcohol) Licensed premises gaming machine permits - (Schedule 13 paragraph 4(1))

Automatic entitlement: 2 machines

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 and pay the prescribed fee.

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.

Permit: 3 or more machines

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

This licensing authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harmed or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

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

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

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.

3. Prize Gaming Permits

The Gambling Act 2005 states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority proposes to consider in determining the suitability of the applicant for a permit”.

This licensing authority has prepared a Statement of Principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- that the gaming offered is within the law
- Clear policies that outline the steps to be taken to protect children from harm.

In making its decision on an application for this permit the licensing authority does not need to (but may) have regard to the licensing objectives but must have regard to any Gambling Commission guidance. (Gambling Act 2005, Schedule 14 paragraph 8(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:

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

4. Club Gaming and Club Machines Permits

Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming 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 forthcoming regulations.

Members Clubs and Miner's welfare institutes – and also Commercial Clubs – may apply for a Club Machine Permit. A Club Machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). NB Commercial Clubs may not site category B3A gaming machines offering lottery games in their club.

This licensing authority notes that the Gambling Commission's Guidance states:

The LA has to satisfy itself that the club meets the requirements of the Act to obtain a club gaming permit. In doing so it will take account a number of matters as outlined in sections 25.45-25.48 of the Gambling Commission's Guidance. These include the constitution of the club, the frequency of gaming, and ensuring that there are more than 25 members.

The club must be conducted 'wholly or mainly' for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs.

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

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police.

There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10).

Commercial clubs cannot hold club premises certificates under the Licensing Act 2003 and so cannot use the fast-track procedure.

As the Gambling Commission's Guidance to Licensing Authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced." and "The grounds on which an application under the process may be refused are:

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

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

5. Temporary Use Notices

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.

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.

The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

There are a number of statutory limits as regards Temporary Use Notices. The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Gambling Commission 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 needs to look at, amongst other things, the ownership/occupation and control of the premises.

This licensing authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission's Guidance to Licensing Authorities.

6. Occasional Use Notices:

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. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice. This licensing authority will also ensure that no more than 8 OUNs

are issued in one calendar year in respect of any venue.

7. Small Society Lotteries

This licensing authority will adopt a risk based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of the operator:

- submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
- submission of incomplete or incorrect returns
- breaches of the limits for small society lotteries

Non-commercial gaming is permitted if it takes place at a non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

- by, or on behalf of, a charity or for charitable purposes
- to enable participation in, or support of, sporting, athletic or cultural activities.

Charities and community groups should contact this licensing authority on licensingteam@blackburn.gov.uk to seek further advice.

PART D

Licence Conditions & Codes of Practice (LCCP)

The Gambling Commission released an LCCP in February 2015 with a commencement date of May 2015. The code strengthened the social responsibility code (SR) requirements. Details regarding the LCCP and SR code can be accessed via the Gambling Commission website at www.gamblingcommission.gov.uk

The code requires operators:

- To supervise customers effectively on gambling premises and identify customers who are at risk of gambling related harm.
- With effect from April 2016 to have in place schemes to allow customers to self-exclude themselves from all operators of a similar type in the area where they live and work.
- To have a range of measures with regard to marketing to ensure social responsibility that are transparent and not misleading.
- With effect from April 2016 to produce a risk assessment on individual premises, and have policies and procedures and control measures in place to mitigate local risks to the licensing objectives.

1) Risk Assessments

Such risk assessments are required:

- When applying for a new premises licence;
- When applying for a variation of a premises licence;
- To take into account significant changes in local circumstances, for example those identified in the licensing authority's policy statement;
- When there are significant changes at a licensee's premises that may affect their mitigation of local risks

The code requires all operators of Casinos, AGCs, Bingo Premises, FECs, Betting shops and remote betting intermediaries to assess local risks to the licensing objectives, and to have policies, procedures and control measures in place to mitigate those risks.

Operators are required by the SR code to make the risk assessment available to licensing authorities when an application is submitted either for new premises licence or variation of a premises licence, or otherwise on request, and this will form part of the council's inspection regime and may be requested when officers are investigating complaints.

The code requires the Council to set out matters they expect the operator to take account of in the risk assessment in its statement of policy and this council expects the following matters to be considered by operators when making their risk assessment.

- Information held by the licensee regarding self-exclusions and incidences of underage gambling,

- Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
- Urban setting such as proximity to schools, commercial environment, factors affecting footfall,
- The council expects the following matters to be considered by operators when making their risk assessment.
- Matters relating to children and young persons, including; Institutions, places or areas where presence of children and young persons should be expected such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling allies, cinemas etc.
- Recorded incidents of attempted underage gambling

Matters relating to vulnerable adults, including;

- Information held by the licensee regarding self-exclusions and incidences of underage gambling,
- Arrangement for localised exchange of information regarding self -exclusions and gaming trends.
- Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor's surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate, etc.

This list is not exhaustive and other factors not in this list that are identified must be taken into consideration.

The Licensing Authority expects a copy of the local risk assessment to be available at each gambling premises.

Local Area Profile

The Council has considered the local area profile and considers the main issues will be covered by the risk assessments required under the LCCP.

REPORT OF THE STANDARDS COMMITTEE.

Councillors Tony Humphrys

PORTFOLIO COORDINATING

STRATEGIC HEAD OF SERVICE: Asad Laher

This report updates the Council Forum on the work of the Standards Committee.

Personal Safety Guidance for Councillors

In relation to personal safety of Councillors, the Committee on 27 October 2021 discussed and approved the Local Guide to handling intimidation to supplement the Local Government Association (LGA) Guide published on 4th July 2021 (and updated in October 2021).

The Committee noted that personal safety is nationally a serious issue for all elected representatives, in light of the sad and tragic death of David Amess MP after he was fatally stabbed outside his constituency surgery in October 2021.

The guide covers topics such as how to handle abuse, both face-to-face, letters or online, and the legal and practical remedies, including the nature of the criminal offences involved. The LGA have confirmed that this will be regularly updated with the latest advice and information available.

The Local Guide can be viewed from the web link below:

[Personalsafetyforelectedmembers.pdf \(blackburn.gov.uk\)](https://www.blackburn.gov.uk/Personalsafetyforelectedmembers.pdf)

Recommendation: The Council formally endorses the Local Guide; 'Personal Safety for elected members'.

Social Media and Councillors.

At the meeting of the Standards Committee on 27 October 2021, the Monitoring Officer presented an update on the complaints received. The Committee noted that the issues related to the use of social media. The Monitoring Officer has since received a number of other complaints, which again had arisen from the use of social media. The complaints will be considered in accordance with the adopted arrangements for dealing with Members complaints, and the Standards Committee will be updated. However, it seems apparent that there is a general wider problem (locally and nationally) relating to councillor use of social media (Twitter, Facebook WhatsApp etc). Social media is a very a useful tool for councillors to communicate with residents and for getting their feedback. However, councillors are still subject to the Member code of conduct, and the content of any communications or activity on social media must not breach the code. The LGA has provided some guidance for councillors on social media: [Councillors and social media | Local Government Association](#)

Recommendation:

1. All members consider the Code of Conduct and the LGA Guidance.
2. Member training programme continues to include guidance on use of social media.

Councillor Tony Humphrys
Chair of Standards Committee

January 2022

REPORT OF THE LEADER OF THE COUNCIL

COUNCILLOR MOHAMMED KHAN

Date: 27th January 2022

Covid-19

At the last update we were preparing for the challenges of the winter months and the potential of a new variant, little did we know how crucial that preparation would be. The arrival of Omicron has resulted in case rates higher than we've seen since the start of the pandemic, which has had huge impacts on business continuity due to the numbers of people needing to isolate. What has been more positive is that, whilst we have seen a rise in the numbers of hospitalisations, the evidence has shown that fewer people are needing critical care and their stay in hospital is generally shorter.

The Government also introduced Plan B amongst many other changes to guidance and advice, which Council teams have been working hard to ensure is communicated effectively to residents.

Whilst case rates remain high, vaccine, testing, tracing and isolating are still key in our defence against Covid-19 to support the NHS and social care settings by minimising infection and transmission in our communities. Residents are encouraged to get vaccinated including getting their booster when eligible. The Council is working closely with NHS colleagues to ensure more local vaccine appointments are made available in the coming weeks so that everyone can easily get vaccinated.

To help with this, I'm also very proud that Blackburn with Darwen has been able to host the county's first drive-through vaccination site at Ewood Park. The clinic has offered booster jabs, as well as first and second doses to everyone aged 12 and over. It is part of the national drive to get as many people boosted as possible due to the Omicron variant and is one of only a few drive-throughs in the country. My thanks goes to Blackburn Rovers FC for their continued support for our pandemic response.

Our Community, Our Future social integration programme

Good progress is being made towards year three delivery of the Our Community, Our Future social integration programme. At the last board meeting in November 2021, we heard this first-hand from guest speakers across our Workforce Integration and Youth Ambassador projects along with our ESOL project.

The ESOL Hub continues to work in partnership with our ESOL providers supporting them through a very challenging set of circumstances for education establishments throughout Covid. Through the Learning English Together website another 60 referrals were made from October until the end of December 2021. This programme is delivered by five of the Hub education providers and three of the borough's well established local third sector organisations; Arts 2 Heal, the Bureau and Lancashire Wildlife Trust. The third sector providers work alongside the classroom delivery to give learners real social mixing opportunities with a chance to practise their language skills, meet new people and connect to the borough.

The Youth Ambassador programme is delivered through a partnership between Blackburn Youth Zone, Blackburn Rovers Community Trust, BwD Young People's Services, Healthy Living, IMO, One Voice Blackburn and Youth Action. 16 of the 18 planned cohorts have started and the programme has provided opportunities for 12 to 16 year olds to get involved in their community through team building, and working with other people their age from different parts of the borough.

Spring North and Blackburn Rovers Community Trust continued their collaboration in delivering the Community Ambassador programme which has brought together local people keen to develop community leadership skills to make a difference where they live.

Participants on the Workforce Integration Ambassador project delivered by Blackburn College have completed the four day training. Participants continue to work on social action plans for the remainder of the programme.

Twenty-two local groups have been delivering a diverse range of projects through the OCOF Grants programme with activities available for people of all ages. An example of integration in action is the Nurtured by Nature project: structured activities have been delivered ranging from planting and crafting, eco therapy, tai chi, archery, cycling taster sessions and nature walks. Activities took place across two sites: Corporation Park and Witton Park. Beneficiaries were diverse in both background and skills, and shared experiences and skills between each other during activities.

Together an Active Future (TaAF) - Sport England update

As Together an Active Future has become more influential - supporting partners, organisations and community groups to encourage people to move more - it has emphasised the importance of finding a 'shared purpose' where physical activity is a central theme. Where this has been achieved it has contributed massively to the development of more collaborative working, linking organisations up together to make best use of resources and engaging with local people in their own communities.

The Witton Park Green House Project is thriving and now provides eight weekly activity sessions for BwD residents from a diversity of backgrounds, abilities and cultures, supported by local volunteers. This strong collaboration of local organisations is bringing these fabulous greenhouses back to life and making them accessible to all.

Exciting conversations have started to look at how our local cultural organisations can encourage active travel; how the successful cross-fit training programme can improve the physical and mental health of men within the criminal justice system and how the successful social prescribing model in BwD uses physical activity linkages to further strengthen its offer, improving connections to local activity and exercise services and providers.

Being part of a Sport England Local Delivery Pilot is giving Blackburn with Darwen lots of opportunities to come together and try new ways of doing things to encourage participation. The important messages and value of being active for our residents, both for prevention and recovery has been highlighted over the last two years and I'm keen that BwD continues to learn from our work with Sport England throughout 2022 and beyond.

Health and Wellbeing Board

On November 8th the Health and Wellbeing Board held a development session with colleagues from the Lancashire and South Cumbria Health Equity Commission, led by Sir Michael Marmot and the Institute of Health Equity, to help identify priorities, barriers and opportunities/ideas to address long-standing health inequalities across the region. The outcomes of the session will be incorporated into the Commission's overall conclusions and fed back to the Health and Wellbeing Board for further consideration in Spring 2022.

Household Support Scheme

In October the government announced a new Household Support Fund grant to support those most in need this winter. Blackburn with Darwen was allocated £1,618,526 and this has been used to assist residents over the winter with access to food, fuel, boiler servicing and repairs, white goods and other essentials. At least 50% of the fund is being allocated to families with children who meet the scheme criteria with the rest available for other vulnerable adults who also meet criteria. As with previous grants, the Council is working with a range of partners to deliver this programme and promote the scheme to residents.

Community Volunteer Awards

Blackburn with Darwen's community champions were honoured at the 2021 Community Volunteer Awards held in King George's Hall in November. The Community Volunteer Awards celebrate the wonderful and dedicated people and groups who make a difference in Blackburn and Darwen year in, year out, and help to make it a better place.

20 awards were presented to people and groups who go the extra mile to support others, help make their neighbourhoods better places to live.

A record 416 nominations were received, showing the gratitude that people feel for all the work put in by the borough's volunteers and helpers over the past year.

In the last year our borough's community heroes rose to the challenge more than ever in response to the pandemic and were a lifeline for so many people who needed extra help.

The awards are organised by Blackburn with Darwen Borough Council and Community CVS, with support from local businesses and community organisations.

Corporate Plan

Members agreed to refresh the corporate plan at December's Policy Council. To provide the evidence base, a programme of engagement will take place over the next six months including a residents' survey later in the year. Key items include climate change, organisational development, health and wellbeing and jobs and skills. It is the intention to adopt the new corporate plan in July.

Holocaust Memorial Day

In Blackburn with Darwen, we firmly stand by the belief that no community should live in fear for its people's safety as they go about practicing their religious beliefs or identity. As a Council we condemn in the strongest terms any acts of hate, violence or terror including the incident in Texas earlier this month.

Holocaust Memorial Day is held on January 27th each year to remember the six million Jews murdered during the Holocaust, alongside the millions of other people killed under Nazi persecution of other groups and in genocides that followed in Cambodia, Rwanda, Bosnia and Darfur.

Every year, as a community, Blackburn with Darwen comes together to promote and support Holocaust Memorial Day. The theme for Holocaust Memorial Day 2022 is 'One Day' and I, along with other community leaders, partners and friends have used the day to stand in solidarity and engage in events and activities that inspire hope for a future free from hate crime and prejudice.

Elections

The Elections team successfully completed the annual canvass registration and published the new Electoral Register on 1 December 2021. The canvass achieved an 80% national and local data match, leaving only 20% of properties to be canvassed. The team are now starting to plan for the local elections and two parish council elections on 5 May 2022

REPORT OF THE EXECUTIVE MEMBER FOR CHILDREN, YOUNG PEOPLE & EDUCATION
COUNCILLOR JULIE GUNN

PORTFOLIO CO-ORDINATING
DIRECTOR: JAYNE IVORY
DATE: 27th January 2022

SCHOOLS AND EDUCATION

The Education response team have continued to support all our schools and settings throughout the borough this term. Following discussions with the Director of Public Health local arrangements to assist the National track and trace system were put in place. Schools advised parents of children who had mixed closely with a positive case to take their child for a PCR test. Schools responded well to this system. The Education response team have worked closely with schools to implement the DfE contingency framework – Education and Childcare settings when managing outbreaks. If a school or setting meets the trigger point of outbreak as indicated in the framework, the team meets with the Headteacher /senior leader of the school or setting to agree next steps. Measures including more regular testing of children and families, the return of ‘bubbling’ where appropriate and other Infection, Prevention and Control measures have been recommended to limit the spread of the virus. The service the team has provided to schools continues to be invaluable.

Although many of our schools and settings have continued to be hit by the pandemic, attendance remains above 90%, this is consistently higher than the national average.

Ofsted inspections resumed this term for schools and settings, our School effectiveness team works with maintained schools who are within the inspection timeframe. Our School improvement board continues to ensure our school improvement groups work together to address the needs of each group of schools. The focus being on recovery from pandemic lockdowns and school closures.

Blackburn with Darwen has agreed to take part in a ‘pilot’ of the Annual Conversation with OFSTED. This entails rather than a single meeting, a number of single conversations taking place for:

Early Years

Schools

SEND and Children in our care

Post 16.

We have hosted three of these meetings this term. They have been productive meetings of sharing the excellent work taking place in BwD, whilst also making the challenges we face clear to OFSTED.

SEND

Late November Blackburn with Darwen council and CCG took part in a pilot ‘methodology testing’ with OFSTED and CQC.

The purpose of the Methodology Testing was to:

- Test out some new ways to gather evidence about the way children and young people with SEND are supported
- Provide the inspectorates with valuable information about how well possible new approaches work in practice and help them to identify where further improvements or thinking is needed.

As this was not an inspection there is no formal report to share. However OFSTED and CQC gave some feedback regarding positive practices within BwD. The team also indicated two areas for the local area to look at in further depth. The process lasted three weeks with all meetings taking place virtually. The methodology testing provided an insight into future local area inspections and gave opportunities for the council and CCG to test our Self Evaluation.

NUMBERS OF CHILDREN IN CARE & CHILDREN'S SOCIAL CARE INFORMATION

The number of cases open to Children's Social Care is 1,235, with the number of children subject to child protection plans at 116. The number of Children in our Care is 389.

It is pleasing to report from our recent data that our re-referral rate remains categorised as 'good' at 17% which is lower than the regional and national average. This indicates that from the front door Children's Advice and Duty Service the right children are progressing as referrals for assessment which then determine the most appropriate planning to safeguard or support the children within our borough.

Children in Need plans have remained steady over the past 6 months – 258 currently compared to 250 at the end of July 2021. However, our children subject to child protection plans has decreased from 152 to 111 over the same period. This story may seem a concern, but is reflected in the increase in those children becoming looked after detailed in the next paragraph. Also capacity within our safeguarding teams is resulting in more meaningful work being able to be completed with children and families which indicates less firefighting and more capacity to make a difference. So for some children, they have remained (although complex) at child in need level, but for others steps have had to be taken to place children before the courts to adequately safeguard them and plan for legal permanency. Some of these children are accounted for as living in neglectful situations as larger sibling groups where, despite intensive support, little positive change has been achieved.

Since July 2021, there has been an increase in the number of children becoming looked after for some of the reasons accounted for above. Our current cohort of children subject to interim care orders pending final outcomes from court proceedings is 84. This compares to 63 at the end of July 2021.

From November 2021 we have been piloting Systemic Teams which focus on children and families having one social worker/team manager from the front door up until a plan of permanence is achieved. For many this will mean step down or closure but for the minority this will mean retaining children through care proceedings to determine final legal permanence when, for some, the care plan may be one of adoption or them remaining looked after more longer term. This model is in its infancy, but there is enthusiasm within our workforce in terms of building relationships/families telling a single story/achieving trusting working relationships. This way of working is also upskilling our workforce and offering a broader experience in child care social work for our staff. Evaluation of this pilot will be fully explored in six months' time.

CORPORATE PARENTING

As previously stated there has been an increase in the numbers of Cared for Children in the borough which has been a proportionate response to the circumstances of risk that children and young people are experiencing in their families. We have an embedded and timely response to ensure where possible children and young people remain with their extended family members during this period with support from the Permanence Team. This in turn means that children and young people are likely to minimise change in terms of education and health professionals that know them.

The theme around embedding the Corporate Parenting Strategy continues with the Strategy on a Page being aligned with the training for members and partner agencies, to assist with easy reference and remain mindful of our pledges.

ADOLESCENT SERVICES

BwD Youth Forum

Deputy Youth MP Muhammed Bapu was awarded the One Voice young person of the year award in recognition of his commitment and dedication in ensuring young people's views and issues are heard and acted upon - in particularly during the Covid pandemic. Muhammed has been filmed having his vaccination to promote the take up with 15/16 year olds and has proved an effective advocate for vaccinations and testing.

The Youth Forum also visited the Rock FM studios to record two 30 second adverts to promote lateral flow testing and vaccinations to support peer-to peer education and support. The recording will be aired 4 times a day beginning from 4th January.

This year's youth elections will be held from 25th January till 12th February 2022, with the outcome announced on Monday 14th February. The young candidates will develop their manifesto's and campaigns in early January with a residential planned on 7th-9th January to finalise campaign videos and posters.

Holiday Activity & Food Program (HAF)

YPS and adolescent services delivered a successful winter holiday provision for vulnerable children and young people. Young people were able to participate in a range of activities including centre based crafts, games and sensory activities as well as bush craft, outdoor activities and trip and visits.

Engage Service

The team are planning to deliver a briefing to all Members in the New Year following a positive piece of work around neighbourhood mapping, which is helping to inform an understanding of contextual risks to young people in respect of the places and spaces where they spend time. The mapping exercise is providing valuable intel in supporting a multi-agency approach to disruption and prevention.

The SEEDS – Adolescent Support Unit

The SEEDS service has continued to support vulnerable families and young people over the Christmas period. Holiday and family time can be a difficult period for families to manage, hence there has been a collective response to ensure families and children are supported effectively.

Adolescent services have supported the SEEDS and Lytham Road Children's Homes to manage staffing capacity impacted by sickness, demand and Covid.

Youth Justice Service

The Youth Justice Service (YJS) are currently developing a joint post to sit alongside the Engage team, initially as a fixed term contract. This would improve links between services to support and intervene with young people identified as possibly becoming involved in criminality that may be underpinned by exploitative influences, in the hope of preventing them from being criminalised. Plans for the post have been put forward to Workforce Management for approval.

The YJS are also developing conversations with Lancashire and South Cumbria Foundation Trust (LSCFT) to obtain Speech and Language support for young people open to the YJS, an issue widely acknowledged as prevalent for both children and adults within the criminal justice system. It is hoped that acquiring this service will improve children and young people's journey, to better understand and navigate their way through the system, and equip them to avoid returning through reoffending.

REPORT OF THE EXECUTIVE MEMBER FOR ENVIRONMENTAL SERVICES

COUNCILLOR JIM SMITH

PORTFOLIO CO-ORDINATING
DIRECTOR: MARTIN EDEN
DATE: 27 JANUARY 2022

WASTE AND RECYCLING

The Council issued its festive guide to bin collections and recycling across the borough for early December. The guide included the collection dates for waste and recycling collections over the festive period, advice on what can and cannot be recycled, and for the 2nd year, the opportunity to win cash prizes amounting to £1,000, donated by the Council's waste contractor and partner, Suez Recycling and Recovery UK.

The Environment team are also working closely with schools within the borough, promoting the Recycling Hero Card Game to schoolchildren. The game includes some 32 waste and recycling questions, which pose not just questions about what goes in which bin, but also stimulates thoughts on reuse and repurposing. Further information can be found on the Council's recycling and waste website www.recyclebwd.org

ASH DIEBACK

The Council is beginning to identify and tackle the problem of ash dieback impacting on trees on Council land.

Ash dieback, which is sometimes known as 'Chalara' ash dieback, is a disease of ash trees caused by a fungus called *Hymenoscyphus fraxineus*. It is thought that the fungus found its way to Europe on commercially imported ash from East Asia. The first dying ash trees were reported in Poland in the 1990s and ash dieback has since spread across Europe and is becoming a major issue in the UK, as Ash trees make up 12% of the UK's broadleaved woodland, and are often found in parks, gardens, hedgerows and roadside margins.

Ash dieback causes leaf loss, crown dieback and bark lesions in affected trees. It also weakens the trees, making it more susceptible to other pests and pathogens such as Armillaria, or honey fungus. This can then see the trees fail, making them brittle and susceptible to, as a worst-case scenario, falling.

Government guidance is for people who manage ash trees near roads, railways, buildings and other publicly accessible land, must consider the risks posed by infected ash. Trees or woodlands in these areas should be risk-assessed, monitored and managed to reduce the risk.

By law, the owner of land where a tree stands is responsible for the health and safety of those who could be affected by that tree. As such, the Council has commenced assessments of locations, which will continue for near future, aided by the planned addition of a surveyor and tree team to deal with the affected trees, although it should be noted that dead or dying ash also pose a risk to professionals working on or near them.

Parking Services – Old Bank Lane Car Park

A Covid 19 Regional Testing Centre (RTC) was established on a section of Old Bank Lane car park (c.200 car parking spaces) in July 2020. The lease between the Council and the Government for the section of the car park used by the RTC has been extended several times and the current lease was due to end on 31 December 2021.

Following a request of the Department of Health and Social Care, COVID-19 National Testing programme, the current lease for the Covid 19 RTC has been extended until 31 December 2022 with proposed break clauses in March, June and September 2022, which can be exercised by the Government or the Council.

Having an RTC located within the Borough is of great benefit for residents of Blackburn and Darwen and for people who work within the Borough who may wish to book a Covid-19 test.

The remainder of the car park (c.300 spaces) is available for permit users, many of whom work at the Hospital and for patients and visitors to the Hospital who would pay and display to park on site. Those people who are visiting the RTC do not have to pay a parking fee.

REPORT OF THE EXECUTIVE MEMBER FOR PUBLIC HEALTH & WELLBEING

COUNCILLOR DAMIAN TALBOT

PORTFOLIO CO-ORDINATING
DIRECTORS: DOMINIC HARRISON &
MARTIN EDEN

DATE: 27th January 2022

LIBRARIES

National Libraries Week and **Get On Line Week**, were both held in October and provided an ideal platform to run group activities for all ages, and step up our digital learning offers, which included a 'Tablet Loan and Learn', programme from Blackburn Library, with plans to roll out from Darwen Library in the New Year.

Community Libraries - thanks to the commitment and enthusiasm of our volunteers, opening hours have increased at Cherry Tree, Mill Hill and Roman Road Libraries. Whilst we aren't quite back to pre-pandemic openings the volunteers have successfully reintroduced a range of weekly activities, including storytimes, Knit and Natter, Brew Time Socials and library staff are supporting with the delivery of reminiscence sessions, creative craft and IT Connect and Learn events.

Library Patron

Christina Gabbitas, award-winning children's author, creator of Blackburn Children's Literature Festival and founder of the Children's Literature Festival Charity, kindly accepted the role of Patron of Blackburn with Darwen Children and Young People's Library Service, at a celebratory event attended by Councillor Derek Hardman, Mayor of Blackburn with Darwen. Christina is already working with library staff to organise the next literature festival, which will take place during Libraries Week in October.

Cherry Tree Library Apiary

Our busy bees were blissfully unaffected by the challenges of the pandemic. Honey harvested from the busy bees 'flew' off the shelves when it went on sale in the library in November, raising £400 to support development of the volunteer run community project.

VENUES

The last quarter of 2021 saw audiences return to KGH and DLT with sell-out shows. The year ended with a very successful production of Snow White and the Seven Dwarfs. Boosted by strong marketing and a household name and Strictly Come Dancing star, Katya Jones as the wicked queen, it was KGH's highest grossing pantomime - a fantastic achievement. Building on the momentum this year's pantomime Jack and the Beanstalk is already on sale with many repeat bookings already being taken.

HEALTH & WELLBEING SERVICES

The BwD Wellbeing Service continues to get busier, supporting communities as part of the pandemic recovery. 3995 contacts were received in the first half of this 2021 – with a third of those contacts coming in from the rest of Pennine Lancashire as part of the role teams in Blackburn with Darwen play in coordinating delivery across East Lancashire (called the Active Lifestyles Hub). Numbers of referrals to the Wellbeing Service are starting to increase, 440

received from April to September, with 63% of those from GP/NHS Health Professionals. Health Trainers have resumed seeing people face to face in covid secure settings, but have retained a blended approach and continue to offer Walk & Talk and Virtual/Phone appointments also.

Together an Active Future

Pennine Lancashire was chosen by Sport England as 1 of 12 grassroots projects to work with on bold new approaches to build healthier, more active communities across England. The Local Delivery Pilot in Pennine Lancashire is called Together an Active Future or 'TaAF' and has been allocated £10m in funding to deliver this ground-breaking programme. Funding continues to be confirmed for work across Blackburn with Darwen; here are two recent success stories.

- **180 project** – adopting a true 'place based' approach and taking physical activity to a prison community. To address health inequalities, there is an urgent need to address prisoner physical and mental health. A 'Cross fit' training and learning programme is the vehicle being used to get men active and stay active when they are released, with the intention of breaking the cycle of addiction, crime and prison.
- **Lancashire Wildlife Trust Greenhouse Project** – continues to successfully grow, develop and provide physically engaging activities for BwD residents from diverse backgrounds, abilities and cultures. Referrals into the service remain high. There are currently 8 weekly sessions taking place supported by local volunteers. A strong collaboration is being built alongside local partners making the greenhouses accessible to all. Current activities include; gardening and DIY activities, Workshops, upcycling furniture, table tennis and creating an exercise bike generator.

PUBLIC HEALTH

Youth Wellbeing Champions

Blackburn with Darwen now has eleven young people as 'Wellbeing Champions' offering peer support, mentoring in emotional health, and signposting to wellbeing resources and services. The peer mentor project was initiated, co-designed and delivered by our Youth Forum, Young People's Services (YPS), Public Health and Re-Align Futures in response to ongoing reports of the negative impact the pandemic restrictions were having on young people's mental health. Public Health successfully secured national funding from the Better Mental Health grant last summer to recruit, train and supervise school based youth Wellbeing Champions in our secondary schools. The Wellbeing Champions are now well supported by their school senior leadership and pastoral teams, from the participating schools of Blackburn Central, Our Lady and St John, and Tauheedul Girls, with ongoing wrap around support from ReAlign Futures to ensure they thrive in their new roles.

Our amazing fully qualified Wellbeing Champions are equipped with bespoke designed lanyards and pin badges to ensure they are recognised by their peers and staff, who are now active and enjoying their new roles.

A Plan for Safer Roads in Blackburn with Darwen

November saw a range of consultation and engagement activity to develop the borough Safer Roads action plan. On 16th November the Public Health team facilitated a consultation event with BwD's Safer Roads Operational Group to develop the borough's Safer Roads action plan. This is BwD's first Safer Roads strategy, aims to promote safer and healthier streets and roads and is being led by the Council's Community Safety, Public Health and Highways teams. It will focus on community engagement and education and include actions to promote safe driver behaviour, improve air quality and promote active travel while making best use of the enforcement and engineering resources available. Road Safety Week also saw a series of assemblies and engagement activities facilitated by Social Sense 4 secondary schools in the borough. The findings from these events will help to inform and develop a local Safer Roads campaign with our young people. The final multi agency Safer Roads strategy and action plan, which is due to be presented to the Executive Board in February.

REPORT OF THE EXECUTIVE MEMBER FOR HEALTH & ADULT SOCIAL CARE COUNCILLOR MUSTAFA DESAI

PORTFOLIO CO-ORDINATING DIRECTORS: SAYYED OSMAN (ADULT SOCIAL CARE & PREVENTION)

DATE: 27th January 2022

Work with Hoarding UK

Earlier this year (August 21) the Neighbourhoods, Wellbeing and Prevention Service became aware of the opportunity to work with Hoarding UK, who were funding the development of Peer Support Groups for residents who are on a pathway to hoarding in Blackburn with Darwen.

The format of this work is determined by Hoarding UK and is as follows;

- Hoarding UK provide training for professionals working with residents who are on a pathway to, or who are identified as, hoarding
- This leads to a regular support session, supported by professionals, attended by hoarding clients
- There are 15 places available for the training
- This training is provided free of charge – the conditions of the training are that 1) those professionals attending are currently working with a client who is “hoarding” who would be willing to attend a support group and 2) the Fire and Rescue Service provide a venue for the training and for the support group to continue

The training in Blackburn with Darwen is planned to start in January 2021 and will be attended by 15 colleagues from across our Neighbourhoods Teams, Adult Social Care, Lancashire Fire & Rescue Service alongside Housing and Voluntary Sector providers.

Household Support Scheme

Neighbourhoods Teams are supporting the new Household Support Scheme by triaging referrals to the scheme and ensuring robust packages of both short and long term support are available to vulnerable children and families in the borough.

The Household Support Scheme can help residents with food, energy and water bills. It can also be used to support households with essential costs related to those items such as boiler servicing and repairs and with wider essential costs.

The programme will run until 31st March and is for families with children and other vulnerable people who may or may not meet the threshold for benefits but may be affected by increased fuel prices, job losses, self-isolation etc. Blackburn with Darwen children, families and vulnerable adults who have an annual household income below £21,152 for single claimants and below £31,731 for couples.

These applicants must also meet at least one of the following additional criteria:

- Recipient of income related benefits, such as Universal Credit claimants.
- Facing financial hardship due to winter pressures
- Diagnosed with a severe mental health disorder (schizophrenia, bipolar disorder, major depressive disorder and schizoaffective disorder)

- Diagnosed with a long term medical condition related to respiratory or cardiovascular disease or diabetes
- Diagnosed with long COVID

The Neighbourhoods Team are able to make onward referrals to a number of local organisations including Blackburn Foodbank, Darwen Food Larder, Care Network, BwD Healthy Living, BwD Age UK, BwD Carers, Rummage Rescuers, Jubilee Tower Credit Union, United Utilities, Community Business Partners, Community Centres in BwD, and THOMAS.

Self referrals are encouraged, as are referrals from friends, family and professionals who identify those who need support <https://blackburn.gov.uk/benefits/winter-household-support-scheme>

The Help Hub continue to support any other residents in the borough who are in need – with the usual referral methods still in place [Support for residents | Blackburn with Darwen Borough Council](#)

Emergency Winter Provision for Rough Sleepers

We will be providing emergency accommodation this winter, as in previous years, in order to meet our duty to support people who are homeless and sleeping on our streets. Government guidance states that emergency accommodation should be provided when temperatures are forecast for minus zero degrees for three or more consecutive nights, however as an authority we always ensure that it is available throughout the months of November to April.

The winter provision is in line with Public Health guidance and is on a non-communal basis to minimise the risk of an outbreak of Covid 19. We have secured bedrooms at the Salvation Army and Bonum Court along with the 'homeless pods' adjacent to Shadsworth leisure centre that we utilised last year. These pods are self-contained and therefore Covid-secure. They have a bed, an ensuite which includes a shower, storage space, a TV and are fully insulated and heated. Two diner pods are also on site and contain cooking facilities, kettles etc. A daily hot meal is provided along with weekly food parcels supplied by the food bank. The additional accommodation that we have commissioned will ensure that there is a warm Covid secure bed available for all the rough sleepers and anyone else who finds themselves without accommodation between 31st November 2021 and to 31st March 2022.

Adult Social Care

Although our Adult Social Care Teams continue to operate under very difficult circumstances they work relentlessly to ensure that the statutory duties of the Local Authority are met and go above and beyond ensure the delivery of high quality and personalised services. This has made a real difference to the circumstances, health and wellbeing of some of our most vulnerable residents. Reablement and Home First teams have been at the forefront of the response to the Covid 19 Pandemic. These services have collectively worked across seven days, providing the consistent levels of care that local people have required to help them to remain living at home. Our Provider services have also supported the wider care sector at times of need and crisis. The last 12 months has seen a significant focus on further developing the four Integrated Neighbourhood Teams (INTs) to ensure local people are being offered the best possible health, care and community support available to help them be healthy, well and independent in their homes

and communities. We have recently seen a significant rise in the number of referrals into the INTs, on average this equates to 220 referrals each month.

Day services remain up and running and looking forward into the next financial year will continue to increase capacity across all sites, in line with national guidelines, as a means to increase the numbers of residents using services in a safe and planned way. Short breaks services continue to develop with a view to supporting residents with more complex needs and our Shared Lives service currently supports 36 residents within permanent placements. Staff wellbeing, recruitment and retention remains a priority area across all of our Adult Social Care teams going forward into next year.

REPORT OF THE EXECUTIVE MEMBER FOR DIGITAL AND CUSTOMER SERVICES

COUNCILLOR QUESIR MAHMOOD

PORTFOLIO CO-ORDINATING
CHIEF OFFICERS: PAUL FLEMING
Strategic Director of Resources (SIRO)
Thursday, 27 January 2022

COUNCIL: Delivered by a strong and resilient council;

Resilience and Emergency Planning

The Resilience & Emergency Planning Service (R&EP Service) has been enacted in response to the Covid-19 crisis since March 2020 in collaboration with its Lancashire, regional and national partners. This supports the Council and effects a valuable co-ordinated response for its Community and employees. This is achieved through working with the Council's Covid19 Core Team and Work Stream Leads that support the Chief Executive and Directors.

We have also reviewed the Councils' Departmental Business Continuity plans in order to support our response to Covid19 using the identified mitigations against pandemic impact on staffing levels.

We are working through the National risk Register requirements to identify risk likelihood and impact to refreshed national risks which affect Blackburn with Darwen. This then provides an ability to undertake a gap analysis for plans, training and processes, helping the council to prepare for incidents.

Whilst BwD has been in this response mode we have also responded to Storm Arwen and Electricity Power Outages, water leaks, flooding, and building fires with vulnerable residents.

We are refreshing the training package to deliver to school improvement groups, to complement the new SLA package from the Resilience Service.

Duty Officer Statistics – Quarter 3 2021/2022

Information received 115

Warning total 196

Total: 311

Strategic Officer Activations 1

Duty Officer Activations 11

Customer Services

The customer services teams have implemented a new online customer satisfaction module for the Council's online chat and email channels. This will enable the automation of follow up contact to be made with customers to obtain information and satisfaction ratings. It is hoped that this new module will be a useful tool to monitor services, collate feedback and drive service improvements.

Customer visits to Council receptions in Blackburn Town Hall, Darwen Town Hall and Duke Street grew in the last quarter to December 2021, peaking in November with on average 80 visitors per day. The main reasons for visits were taxi licence renewals, blue badges, benefits applications and Covid Isolation support payments

Digital Strategy

Strategy delivery is continuing to plan. Key infrastructure projects including Moving Infrastructure to the Cloud and Unified Communications are currently being specified for procurement.

IT Services

The IT team continues to support the Council's critical systems and infrastructure, including supporting the majority of the workforce to operate remotely. The team continues to improve the back end technical infrastructure to maintain integrity and security. A number of vacancies remain in the new IT structure, with the current demand for specialist technology skills in the wider market proving a challenge to recruitment.

Business Intelligence

The Business Intelligence team have implemented automated reporting from the Council's Digital Customer Portal and Netcall telephone systems. This is enabling services to monitor performance and customer demand in near real time. It will provide data which will enable Council teams to proactively support those residents who need it most. A commercial partner has been on-boarded to assist with developing a data strategy in 2022.

Information Governance and Security (inc GDPR)

No information assurance incidents have warranted referral to the ICO in the 1st half year 2021/22. We have achieved the minimum requirement for compliance (90%) with requests for information under the Freedom of Information Act for the 1st half year recording an overall compliance rate of 94.24% and with requests under Environmental Information Requests with a compliance rate of 98.08%. In addition we have achieved the minimum requirement for compliance with GDPR/Data Protection Act 2018 subject access requests (90%) in the 1st half year 2021/2022, with a compliance rate of 93.98%.

In 2021/22, 2 trusts (Incorporating 10 Lancashire schools) and 55 individual schools have bought back into the Schools IG SLA for 2021/22. A new out of borough school has also bought in to the service during this year.

PEOPLE: A good quality of life for all our residents;

Advice Services

Following the external consultancy work and internal review of Advice Services, it has been agreed that the re-procurement process will commence in the next few months. Whilst the specification will initially be similar to the existing one, it will be designed to be more flexible to changing priorities and challenges of the borough.

Registrars

The priority for the service over the next few months is to ensure the annual peak of death registrations is administered in accordance with key performance indicators and customer expectations. The ongoing pressures on the service and the available resources will be closely monitored over this critical period. Wedding ceremonies continue at lower levels due reduced seasonal demand. We also continue to register births but at lower levels currently, in part due to the local Blackburn Birthing centre being temporarily closed, with births being re-directed to Burnley Hospital. This has allowed us to prioritise resources to deal with the demand in death registrations.

Digital Customer Portal

The majority of customer facing forms have now been migrated from the legacy customer system to the Digital Customer Portal. We now have over 57,000 registered accounts since the system was implemented in March 2020. From April 2021 to December 2021 over 50,000 online forms have been completed. The team continue to support services with new forms for Covid-19 including grants for business and isolation. Plans are currently being reviewed for the second phase of work on the portal to start in April 2022.

REPORT OF THE EXECUTIVE MEMBER FOR FINANCE AND GOVERNANCE

COUNCILLOR VICKY MCGURK

PORTFOLIO CO-ORDINATING
CHIEF OFFICERS: DEAN LANGTON
DIRECTOR OF FINANCE
Thursday, 27 January 2022

PEOPLE: A good quality of life for all our residents;

Revenues and Benefits

Business Rates

Following the budget announcements in October 2021, the full details concerning the new support measures for businesses have been issued by the Government. Included in the new measures is a new COVID 19 Additional Relief Fund (CARF) for businesses not entitled to previous covid reliefs but who have been adversely affected by the pandemic. For those eligible, this relief will seek to reduce the business rate bills for the 2021/22 financial year. Funding of £3.679m has been made available for the CARF.

In addition, the Retail, Hospitality and Leisure discount has been replaced with a discretionary relief for the 2022/23 financial year at the reduced rate of 50%.

A further new relief has also been announced that will extend the current transitional relief scheme and the supporting small business scheme for one year to the end of the current revaluation cycle.

A further one off grant has also been authorised by the Government for hospitality and leisure sector as a consequence of the impact from the Omicron variant. Qualifying businesses will receive between £2,667 - £6,000 grant, dependent upon the rateable value of the property they are occupying. Funding of £0.942m has been available for these grants

And the Government has increased the amount of funding for the Additional Restrictions Grant, with this third allocation specifically to provide direct business grant support. The Council's share of the additional funding is £0.221m and the Scheme for the distribution of this funding is being developed.

Work is ongoing to ensure all measures are implemented and adopted prior to the annual billing of businesses. Those business who may qualify will be contacted directly by the Business Rates team.

Council Tax and Benefits

The teams are now focused on the preparation and testing of the annual billing process.

COUNCIL: Delivered by a strong and resilient council;

Financial Services:

The Team is currently working through the details and implications of the provisional Local Government Finance settlement. This is combined with work on the development of the Council's budget for 2022/23 (and at the same time as continuing to monitor the budget in the current financial year). In addition, because of delays due to the Covid-19 Pandemic, at the time of writing work is ongoing with external audit to finalise their work on the accounts for 2020-21, with the expectation that their Audit Findings Report will be presented to the Audit and Governance Committee in later in January 2022. Their

report on the Council's Value for Money Arrangements is due before the end of the financial year.

As indicated above, the Government has announced further funding support for businesses (details above) due to the continuing impact of the pandemic on the economy and the Council will receive further funding in relation to support for increasing vaccine uptake. We are awaiting further details of these in order to determine how much funding will be received and how it will best be utilised.

Audit & Assurance

The Audit & Assurance Team has continued its work to deliver the 2021/22 internal audit plan. The Team reported its progress to the Audit & Governance Committee meeting on 18 January 2022.

The Committee also received a report updating the members on the progress to date of the actions being taken to address the three significant issues identified in the 2020/21 Annual Governance Statement and the timetable for the production of the 2021/22 Statement. The report noted that appropriate steps are being taken to address the issues identified. However, it also recognised that there were on-going demands in these areas leading to budget pressures, which are being managed and monitored by senior management.

A report was also presented to the Committee on the risk management activity in the period, which included the drafting of a corporate Risk Management Policy Statement and a review and refresh of the Risk Management Strategy and Framework. The Policy Statement sets out the Council's intent with the management of risks and includes an assessment of the Council's appetite for risk across a range of key strategic risk categories.

Corporate Procurement and Contracts

The Contracts and Procurement team have been developing draft Procurement Strategy and Social Value Policy ready for approval shortly.

The Contracts and Procurement team have been working on a variety of tenders including for school building and refurbishment work, architectural design consultancy services, CCTV hub upgrade, CCTV hub staffing, SEND local offer website, alleygates maintenance, leadership and management development programme, carriageway surfacing, equipment for environment team, security services and traffic management.

HR Services

COVID-19 Support

Due to the high rates of the Omicron variant of COVID-19, we are working closely with Directors and Managers across all areas of the Organisation on workforce planning. Daily absence updates are helping to identify where employees are unable to fulfil their duties either due being too unwell to work or having to isolate and work from home. This information is being monitored so that we can ensure critical services are prioritised and staffed accordingly.

HR and Payroll System Implementation

Stage 1 of the implementation of the new HR and Payroll Core System saw employees across BwD, schools and Nelson Town Council being paid from the new system in both November and December 2021. Ongoing work is continuing on this stage of the

process specifically relating to report building and the MI function. The recruitment module is also live and now accessible from i-Trent.

During Stage 2 the focus will be on Health and Safety, Performance and Talent Management and Case Management.

Legal & Governance Services

The Litigation Team have undertaken a number of prosecutions under the 'Single Justice Procedure', which restarted in September 2021. This included 93 prosecutions (as at January 2022) for waste offences, which resulted in the defendants receiving financial penalty (between £220 and £660) and the Council were awarded costs ranging from £85 to £203 for each case.

Legal Property Team assisted on the sale of land at Fishmoor to Countyside Properties (UK) limited, which completed on 10th December 2021. The site will provide 386 dwellings, being a mix of private rented homes and affordable housing homes and will involve other developers in a joint venture arrangement. A s.106 agreement was also completed on the same date allowing for commuted sum of £395,000.00 for local educational provision.

REPORT OF THE EXECUTIVE MEMBER FOR GROWTH AND DEVELOPMENT

COUNCILLOR PHIL RILEY

PORTFOLIO CO-ORDINATING
STRATEGIC DIRECTOR: MARTIN KELLY
DATE: 27th JANUARY 2022

PLACE, PRIORITY 4: CONNECTED COMMUNITIES

South East Blackburn - Growth Deal Major Transport Scheme

The new Issa Way Link Road and the widened Haslingden Road opened in December 2021. Final landscaping and other complementary works will be completed in the coming months. This is the final project to be delivered from the Growth Deal 3 'Pennine Gateways' funding which also included the major infrastructure improvements at Carl Fogarty Way, Brownhill Roundabout, Pleckgate Road, Whalley Old Road and Four Lane Ends.

Local Transport Plan – Annual Improvements Programme

Projects included within the 2021/22 capital programme are largely completed, delivering improvements across all highway assets including carriageway improvements across circa 9km of our highway network and various upgrades and repairs on our bridges, retaining walls, traffic signals, street lights, signs and road lines.

The development of the 2022/23 programme is near completion and we are just awaiting the Department for Transport to publish our expected settlement. Last year funding was 29% down across our Highway Maintenance Grant, Incentive Funding and Transport Grant's resulting in a decrease of £540K. Whilst we have based next year's programme on the same level of funding we are hopeful of an increased settlement. Should this be the case, some of our reserve projects may be funded. It is anticipated that the 2022/23 LTP annual programme will be on the agenda for March Executive Board.

Cycling and Walking

The 'Capability Funding' of £272,528 was received on 1st November and we are delivering initiatives to promote walking and cycling, and working with our local schools and businesses. Funding will support behaviour change activities, including training, cycle loan schemes, travel planning and events, and the development of a Local Cycling and Walking Infrastructure Plan. To date all the contracts with local suppliers have been placed and we have already provided cycle training to over 100 of our older residents and are working with several schools to revisit their travel plans.

Enhanced Bus Partnership

In October, the Council published its Bus Service Improvement Plan (BSIP) which was created in conjunction with Lancashire County Council and our private operators. The BSIP analyses current service levels and includes targets to:

- improve bus journey time and reliability; and
- increase passenger numbers and customer satisfaction.

Consultation on our Enhanced Partnership Plan and Scheme has commenced with our private operators and a public consultation is planned for January 2022. It is intended that the Council will enter into an Enhanced Partnership with our private operators in April 2022, subject to approval at the March Executive Board.

PLACE, PRIORITY 5: SAFE & CLEAN ENVIRONMENT

Safer Roads Operational Group and Strategy

The new Safer Roads Strategy will be published in early 2022 and aims to encourage safer but also healthier roads. The primary aim of this strategy is to reduce casualties on the Borough's roads and its secondary aims are to:

- Make people feel safer on BwD roads, including when walking and cycling;
- Reduce car use and increase in walking and cycling; and
- Take action to improve air quality.

We have established an operational multi-agency group to work within the strategic framework of engagement, education, enforcement, and engineering and developed a comprehensive 5-year action plan.

PLACE PRIORITY 6: STRONG, GROWING ECONOMY TO ENABLE SOCIAL MOBILITY

Housing Developments

Further to the Council's agreed Growth Programme, the following major housing projects involving Council land are progressing through the planning stages:

- Keepmoat and Progress Housing have been selected to develop the Council's Haslingden Road Key Worker Housing Site, which will provide around 300 new homes close to Royal Blackburn Hospital, including a proportion of homes for NHS key workers. The planning application has been received and will be registered this month for full public consultation.
- Countryside Homes and Together Housing have now received full planning permission to build around 390 new homes of mixed tenure around Fishmoor Drive / Roman Road. The application incorporates two sites on Fishmoor Drive and one on Roman Road, and infrastructure works on Fishmoor Drive. Construction will commence this month.

- Following outline planning permission being granted in 2021 for up to 165 new homes at Whalley Old Road, a partially Council-owned site, the Council have been working with adjacent landowners to carry out site investigations. An informal tender process has also commenced, and a preferred developer will be selected to take the site forward via a detailed planning application later this year.
- Elan Homes was selected to purchase and develop the residential development parcels at Milking Lane, Lower Darwen, which the Council owns as part of the Barnfield Blackburn Ltd Joint Venture. The detailed (reserved matters) planning application for 76 homes was granted permission at the December 2021 Planning & Highways Committee.

Other developments on current or former Council land, at a more advanced stage, include the Roe Lee site, where Persimmon Homes are established on site; the Griffin Redevelopment site, where Seddon Homes are building 56 new homes for Great Places in the first phase of development. Three sites in Mill Hill are currently under construction by Great Places at Shorrock Lane (former Laneside Care Home), Bowen Street and New Wellington Street.

Applethwaite Homes have completed the new family homes at Tower Road, and McDermott Homes have commenced their development at both Lomond Gardens in Feniscowles where 30 new family homes will be built and at Ellison Fold Way in Darwen which will deliver a combined total of around 340 new family dwellings including 70 affordable houses plus contributions towards more school places, roads and improving the Blacksnape Play Area.

Townscape Heritage Project - Blakey Moor/Northgate/Lord Street West

Blackburn company Forrest Joinery and Contracts Ltd has been appointed as main contractor for the restoration and redevelopment of the Blakey Moor Terrace. Works are set to start onsite in February for 12-18 months and will convert the five small terraced properties into two larger units suitable for food and drink. Grant funded works to neighbouring 29 Blakey Moor (former Jubilee Pub) are almost completed with the new restaurant operator aiming to open in the coming months. Phase II internal refurbishment of 35 Northgate (former Ribblesdale Hotel) will start onsite mid-January and negotiations with a potential new tenant are progressing well.

Restoration works to properties along Lord Street West have now completed with three units let and one on the market to let. Proposals for restoration of 13 Northgate (former Age Concern) has secured Planning Permission and grant funded works are expected to start in the next few months. Three further schemes for 21-27 Northgate (former Mercers) and 34 (Baileys Jewellers), 36-40 (Wellcome pound shop) Northgate are in development.

Commercial Developments

The Council / Maple Grove Joint Venture company is progressing with ambitious masterplanning work for the former Thwaites Brewery site and surrounds, with details announced in December 2021.

Good progress is continuing to be made at the Milking Lane development site, which the Council is bringing forward as part of the Barnfield Blackburn Joint Venture Company. The new link road through the site opened in 2021 and detailed (reserved matters) planning applications have been granted planning permission for 3 of the commercial plots and both of the residential plots.

At Carl Fogarty Way, preferred bidders have been selected for Plots 1, 4 and 6, with legals progressing. Plots 2 and 3 will be offered to the market next year. A detailed planning application submitted by Rocplas for Plot 1 (for a new commercial building) is currently under consideration.

Darwen Town Deal

The Town Deal Board received in December formal confirmation of its £25 million funding allocation for agreed projects to help deliver the Town Investment Plan, which was submitted in January 2021. The Plan has received the maximum funding available and work is underway on the business cases required to be submitted by Summer 2022. A Communication Strategy, with regular updates on progress, is also in development. All funding will be allocated in line with Government requirements and our programme management and assurance frameworks. The Council, as the accountable body, will be responsible for the delivery of the programme over the 4-year funding period. A more detailed report on the Darwen Deal programme will be presented to February Executive Board.

New Local Plan to 2037

The final draft of the new Local Plan is due to be published for public consultation for 6 weeks, beginning on 4th February (subject to Executive Board approval on 13 January). The ambitious Plan proposes the creation of around 7,000 new homes and 5,000 net new jobs by 2037 at identified development sites.

It also aims to drive the Borough's Covid-19 recovery by supporting housing and employment growth, and improved social and physical infrastructure as well as ways to combat climate change in all planning decisions.

Year Planner 2022-23

Please note that all meeting dates are subject to change

As submitted to Council Forum on 27th January 2022

YEAR PLANNER 2022

	May	June	July	August	September	October
Monday				1		
Tuesday				2 DTC		
Wednesday		1		3		
Thursday		2 Spring Bank Holiday		4	1 Schools re-open	
Friday		3 Platinum Jubilee Bank Holiday	1	5	2	
Saturday		4	2	6	3	1
Sunday	1	5	3	7	4	2
Monday	2 May Day Bank Holiday Eid al-Fitr	6 PEOPLE OSC Schools re-open	4	8	5 PEOPLE OSC	3
Tuesday	3	7 DTC	5 CPSAG DTC	9	6 HWE DTC	4 CPSAG DTC
Wednesday	4	8	6	10	7	5
Thursday	5 Elections	9 EB	7	11 EB	8 EB	6 CF
Friday	6 Elections Count	10	8	12	9	7
Saturday	7	11	9 Eid al-Adha	13	10	8
Sunday	8	12	10	14	11	9
Monday	9	13 PLACE OSC	11	15	12 PLACE OSC	10
Tuesday	10 GLSC DTC	14 GLSC	12 GLSC	16 GLSC	13 GLSC	11 GLSC
Wednesday	11	15	13	17	14	12
Thursday	12	16 PH	14 EB	18 PH	15 PH	13 EB
Friday	13	17	15	19	16	14
Saturday	14	18	16	20	17	15
Sunday	15	19	17	21	18	16
Monday	16 New Member Induction	20 RESOURCES OSC	18	22	19 RESOURCES OSC	17
Tuesday	17	21 HWE	19 L	23 LASC	20 AUD	18 L
Wednesday	18	22 LASC	20	24	21	19
Thursday	19 AC	23	21 PH	25 CI/T	22	20 PH
Friday	20	24	22 Schools close	26	23	21 Schools close
Saturday	21	25	23	27	24	22
Sunday	22 Civic Sunday	26	24	28	25	23
Monday	23	27	25	29 Summer Bank Holiday	26	24
Tuesday	24	28 AUD	26	30	27	25 LASC
Wednesday	25 CI/T	29 SC	27 CI/T	31	28 SC	26
Thursday	26 PH	30 CI/T	28 CF		29 CI/T	27 CI/T
Friday	27 Schools close		29		30	28
Saturday	28		30			29
Sunday	29		31			30
Monday	30					31 Schools re-open
Tuesday	31					

YEAR PLANNER 2022/2023

	November	December	January	February	March	April
Monday						
Tuesday	1 DTC					
Wednesday	2			1	1	
Thursday	3	1 PC		2	2 AUD	
Friday	4	2		3	3	
Saturday	5	3		4	4	1
Sunday	6	4	1 New Year's Day	5	5	2
Monday	7	5 PEOPLE OSC	2 Bank Holiday	6	6 PEOPLE OSC	3
Tuesday	8	6 HWB DTC	3 Schools re-open	7 LASC DTC	7 HWB DTC	4 L DTC
Wednesday	9	7	4	8	8	5
Thursday	10 EB	8 EB	5	9 EB	9 EB	6
Friday	11 Armistice Day	9	6	10 Schools close	10	7 Good Friday
Saturday	12	10	7	11	11	8
Sunday	13 Remembrance Sunday	11	8	12	12	9
Monday	14	12 PLACE OSC	9	13	13 PLACE OSC	10 Easter Monday
Tuesday	15 GLSC	13 GLSC	10	14 GLSC	14 GLSC	11 GLSC
Wednesday	16	14	11 CPSAG	15	15	12
Thursday	17 PH	15 PH	12 EB	16 PH	16 PH	13 EB
Friday	18	16 Schools close	13	17	17	14
Saturday	19	17	14	18	18	15
Sunday	20	18	15	19	19	16
Monday	21	19 RESOURCES OSC	16	20 Schools re-open	20 RESOURCES OSC	17 Schools re-open
Tuesday	22	20 LASC	17 GLSC	21	21	18 LASC
Wednesday	23	21 SC	18	22	22	19
Thursday	24 CI/T	22	19 PH	23 CI/T	23 CF	20 PH
Friday	25	23	20	24	24	21
Saturday	26	24	21	25	25	22
Sunday	27	25 Christmas Day	22	26	26	23
Monday	28	26 Boxing Day	23	27 FC	27	24
Tuesday	29 AUD	27 Bank Holiday	24 L	28	28 CPSAG	25
Wednesday	30	28	25 CI/T		29 SC	26
Thursday		29 CI/T	26 CF		30 CI/T	27 CI/T
Friday		30	27		31 Schools close	28
Saturday		31	28			29
Sunday			29			30
Monday			30			
Tuesday			31			
Wednesday						

YEAR PLANNER 2023

	May	June	KEY
Monday	1 May Day Bank Holiday		Council & Committee Meetings
Tuesday	2 DTC		AC – Annual Council 6.00 pm
Wednesday	3		FC – Finance Council 6.00 pm
Thursday	4 Elections	1	CF – Council Forum 6.00 pm
Friday	5 Elections Count	2	PC – Policy Council 6.00 pm
Saturday	6	3	EB – Executive Board 6.00 pm
Sunday	7	4	PH – Planning & Highways Committee 6.30 pm
Monday	8	5 PEOPLE OSC Schools re-open	AUD – Audit and Governance Committee 6.30 pm (when training held first – some meetings commence at 6pm, see agenda each time for start time).
Tuesday	9	6 HWB DTC	SC – Standards Committee 6.00 pm
Wednesday	10	7	LASC – Licensing Act 2003 Sub-Committee & GLSC General Licensing Sub Committee 6.00 pm
Thursday	11	8 EB	L – Licensing Committee 6.00 pm
Friday	12	9	
Saturday	13	10	
Sunday	14	11	
Monday	15 New Member Induction	12 PLACE OSC	
Tuesday	16 GLSC DTC	13 GLSC	Overview and Scrutiny Committees
Wednesday	17	14	PEOPLE OSC – People Overview & Scrutiny Committee 6.00 pm
Thursday	18 AC	15 PH	PLACE OSC – Place Overview & Scrutiny Committee 6.00 pm
Friday	19	16	RESOURCES OSC – Resources Overview & Scrutiny Committee 6.00 pm
Saturday	20	17	CI/T – provisional dates assigned for Call Ins or Member Training
Sunday	21 Civic Sunday	18	
Monday	22	19 RESOURCES OSC	
Tuesday	23	20 LASC	
Wednesday	24	21	Partnership Meetings:
Thursday	25 PH CI/T	22 AUD	HWB – Health & Wellbeing Board 5.30 pm
Friday	26 Schools close	23	CPSAG – Corporate Parenting Specialist Advisory Group 6.00 pm
Saturday	27	24	
Sunday	28	25	
Monday	29 Late May Bank Holiday	26	
Tuesday	30	27	Other Meetings:
Wednesday	31	28 SC	DTC Darwen Town Council 7.00 pm
Thursday		29 CI/T	
Friday		30	
Saturday			
Sunday			
Monday			
Tuesday			