

# Public Document Pack

## Chief Executive

**THE CIVIC MAYOR, CHAIR OF  
COUNCIL BUSINESS AND ALL  
MEMBERS OF THE COUNCIL**

Steven Pleasant, Chief Executive  
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Dear Councillor,

You are hereby summoned to attend the **ANNUAL MEETING** of the Tameside Metropolitan Borough Council to be held on **Tuesday, 24th May, 2022 at 5.00 pm** in the **Jubilee Hall, Dukinfield Town Hall** when the undermentioned business is to be transacted.

Yours faithfully,



**Steven Pleasant  
Chief Executive**

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From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Robert Landon, Head of Democratic Services, to whom any apologies for absence should be notified.

Item No.	AGENDA	Page No
1.	<b>ELECTION OF CIVIC MAYOR</b>  To consider the appointment of the Civic Mayor for the Municipal Year 2022/23.  There is a statutory requirement to consider this matter first but it is intended to defer this matter until 6.00pm for the ceremonial part of the meeting.	
2.	<b>APPOINTMENT OF CHAIR OF COUNCIL BUSINESS</b>  To appoint the Chair of Council Business for the Municipal Year 2022/23.	
3.	<b>DECLARATION OF INTEREST</b>  To receive any declarations of interest from Members of the Council.	
4.	<b>ELECTION OF COUNCILLORS</b>  To receive a report of the Returning Officer detailing the persons elected to the office of Councillor for the Wards of the Borough.	1 - 2
5.	<b>COUNCIL MINUTES</b>  The Minutes of the proceedings of the meetings of the Council held on 22 February 2022 and 21 March 2022 to be approved as a correct record and signed by the Chair of Council Business (or other person presiding) (Minutes attached).	3 - 22
6.	<b>APPOINTMENT OF EXECUTIVE LEADER</b>  To appoint the Executive Leader of the Council for the Municipal Year 2022/2023.	
7.	<b>APPOINTMENTS OF EXECUTIVE CABINET, PANELS, THE STANDARDS COMMITTEE, OUTSIDE BODIES AND OPPOSITION SPOKESPERSONS</b>  To consider and approve the appointment of the persons nominated to serve on the above for the Municipal Year 2022/23.	23 - 34
8.	<b>CALENDAR OF MEETINGS 2022/23 TO 2023/24</b>  To agree the calendar of meetings for the Municipal Years 2022/23 and 2023/24.	35 - 40
9.	<b>EXECUTIVE CABINET MEETING</b>  To receive the minutes of the meeting of the Executive Cabinet held on 23 March 2022 and 27 April 2022.	41 - 64
10.	<b>MEETING OF STANDARDS COMMITTEE</b>  To receive the minutes of the Meeting of the Standards Committee held on 5 April 2022.	65 - 68

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From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Robert Landon, Head of Democratic Services, to whom any apologies for absence should be notified.

- 11. REVISED GAMBLING ACT POLICY 2022 - 2025** 69 - 136  
To consider the attached report of the Director of Place.
- 12. REVISED STATEMENT OF LICENSING POLICY – LICENSING ACT 2003** 137 - 182  
To consider the attached report of the Director of Place.
- 13. ELECTION OF CIVIC MAYOR**  
To elect a Member of the Council as Civic Mayor of Tameside Metropolitan Borough Council for the 2022/2023 Municipal Year (see Item 1 above).
- 14. ELECTION OF DEPUTY MAYOR**  
To consider the appointment of the Deputy Mayor for the 2022/23 Municipal Year.
- 15. TO ACCORD A VOTE OF THANKS TO THE RETIRING CIVIC MAYOR AND MAYORESS**
- 16. PRESENTATION OF MEDALLION TO THE RETIRING CIVIC MAYOR**
- 17. RESPONSE OF RETIRING CIVIC MAYOR**
- 18. URGENT ITEMS**  
To consider any other items which the Chair of Council Business (or other person presiding) is of the opinion shall be dealt with as a matter of urgency.

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From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Robert Landon, Head of Democratic Services, to whom any apologies for absence should be notified.

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# Agenda Item 4

<b>Report To:</b>	<b>COUNCIL</b>
<b>Date:</b>	24 May 2022
<b>Reporting Officer:</b>	Steven Pleasant – Chief Executive and Returning Officer
<b>Subject:</b>	<b>ELECTION OF COUNCILLORS</b>
<b>Report Summary:</b>	To receive notification from the Chief Executive, the Returning Officer for the Local Elections held on 5 May 2022, as to which persons were elected in accordance with the Representation of the People Acts to hold the Office of Councillor for the Wards within Tameside Borough Council.
<b>Recommendations:</b>	That the report is noted.
<b>Links to Community Strategy:</b>	The Constitution and democratic framework provides an effective framework for implementing the Community Strategy.
<b>Policy Implications:</b>	There are no policy implications.
<b>Financial Implications: (Authorised by the Borough Treasurer)</b>	There are no additional budgetary implications.
<b>Legal Implications: (Authorised by the Borough Solicitor)</b>	Complies with the Representation of the People Acts.
<b>Risk Management:</b>	Publication of the outcome of the Elections ensures compliance with the Representation of the People Acts and the Freedom of Information Act 2000.
<b>Access to Information</b>	The background papers relating to this report can be inspected by contacting Robert Landon, Head of Democratic Services by:  phone: 0161 342 2146  e-mail: <a href="mailto:Robert.landon@tameside.gov.uk">Robert.landon@tameside.gov.uk</a>

**ANNUAL MEETING OF THE COUNCIL – 24 MAY 2022**

**TAMESIDE METROPOLITAN BOROUGH COUNCIL**

**REPORT OF THE RETURNING OFFICER ON THE PERSONS ELECTED TO  
THE OFFICE OF COUNCILLOR FOR THE WARDS INDICATED BELOW**

The following persons, at the elections held on 5 May 2022, were elected to the Office of Councillor for the Wards respectively indicated, to hold office for a period of one year:-

<b>WARD</b>	<b>NAME AND PARTY OF COUNCILLOR ELECTED</b>
<b>ASHTON HURST</b>	Lucy Turner (Conservative)
<b>ASHTON ST. MICHAEL'S</b>	Bill Fairfoull (Labour)
<b>ASHTON WATERLOO</b>	Vimal Choksi (Labour)
<b>AUDENSHAW</b>	Oliver Ryan (Labour)
<b>DENTON NORTH EAST</b>	Vincent Ricci (Labour)
<b>DENTON SOUTH</b>	Claire Reid (Labour)
<b>DENTON WEST</b>	Mike Smith (Labour)
<b>DROYLSDEN EAST</b>	Sue Quinn (Labour)
<b>DROYLSDEN WEST</b>	Barrie Holland (Labour)
<b>DUKINFIELD</b>	Jackie Lane (Labour)
<b>DUKINFIELD/STALYBRIDGE</b>	Eleanor Wills (Labour)
<b>HYDE GODLEY</b>	Andrea Colbourne (Conservative)
<b>HYDE NEWTON</b>	Hugh Roderick (Labour)
<b>HYDE WERNETH</b>	Phil Chadwick (Conservative)
<b>LONGDENDALE</b>	Janet Cooper (Labour)
<b>MOSSLEY</b>	Stephen Homer (Labour)
<b>ST PETERS</b>	Joyce Bowerman (Labour)
<b>STALYBRIDGE NORTH</b>	Sam Gosling (Labour)
<b>STALYBRIDGE SOUTH</b>	Liam Billington (Conservative)

# Agenda Item 5

## COUNCIL

22 February 2022

Commenced: 5.00pm

Terminated: 7.50pm

**Present:** Councillors Affleck, Alam, Billington, Bowden, Bray, Cartey, Chadwick, Cooney, Cooper, Costello, Dickinson, Drennan, Fairfoull, Feeley, J Fitzpatrick, P Fitzpatrick, Glover, Gosling, Gwynne, A Holland, B Holland, J Homer, S Homer, Huntbach, Jackson, Jones, Kitchen (Chair), Lane, Lewis, McNally, Mills, Naylor, Newton, North, Owen, Patel, Patrick, Pearce, Quinn, Reid, Ricci, Robinson, Ryan, N Sharif, T Sharif, M Smith, T Smith, Sweeton, Taylor, Ward, Warrington, Welsh and Wills

**Apologies for Absence:** Councillors Bowerman, Boyle, Choksi and Martin

*Councillor Kitchen, Chair of Council Business, in the Chair*

### 52 MINUTES

#### RESOLVED

It was moved by Councillor Warrington and seconded by Councillor Fairfoull that the minutes of the meeting of Council held on 7 December 2021 be approved as a correct record and signed by the Chair.

### 53 DECLARATIONS OF INTEREST

DISPENSATION Item 8 – Council Budget 2022/23		
Councillors: Affleck, Alam, Billington, Bowden, Bray, Cartey, Chadwick, Cooney, Cooper, Costello, Dickinson, Drennan, Fairfoull, Feeley, J Fitzpatrick, P Fitzpatrick, Glover, Gosling, Gwynne, A Holland, B Holland, J Homer, S Homer, Huntbach, Jackson, Jones, Kitchen, Lane, Lewis, McNally, Mills, Naylor, Newton, North, Owen, Patel, Patrick, Pearce, Quinn, Reid, Ricci, Robinson, Ryan, N Sharif, T Sharif, M Smith, T Smith, Sweeton, Taylor, Ward, Warrington, Welsh and Wills.	Prejudicial – Section 33(2)(a) of the Localism Act 2011 – that without the dispensation the number of Members prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business.	Beneficial interest in property in Tameside, namely residence with liability to council tax.

Name	Agenda Item	Personal / Prejudicial	Nature of Interest
Councillor J Homer	Agenda Item 16	Prejudicial	Relative is driving instructor
Councillor S Homer	Agenda Item 16	Prejudicial	Driving Instructor
Councillor Taylor	Agenda Item 16	Prejudicial	Relative works at driving test centre

### 54 CIVIC MAYOR'S ANNOUNCEMENTS

The Civic Mayor began by congratulating three people from the borough who had been recognised by the Queen in the New Year honour's list.

The Mayor informed Council that, Georgia Taylor-Brown, who grew up in Droylsden, had been

awarded an MBE for her success at last year's Tokyo Olympics. Roy Bate, from Hyde received the British Empire Medal in recognition of his work with the Forget Me Not Buddies dementia charity and, Sharman Birtles, former High Sheriff of Greater Manchester, was awarded an MBE.

The Mayor reported that she had been extremely busy over the festive period and had attended a number of parties, including at the Grafton Centre in Hyde and with the Friends of Tameside Young Carers. In addition, the Mayor had participated in the civic carol service, visited the Carrbrook Community Garden's toy giveaway and joined the Dukinfield Festival of Christmas Music. All of the money raised at these events had been donated to the Mayor's Charity Fund.

Following the easing of coronavirus-related restrictions, the Mayor had been delighted to spend more time in the community. In recent weeks, the Mayor had visited the Cancer Warriors Art Exhibition at Astley Cheetham Gallery, joined Hyde Fundraisers at their Wallace and Gromit event in support of Ashton market and helped mark the 100th anniversary of the Royal British Legion's Ashton branch at St Michael's Church.

More recently, the Mayor had been to the St Peter's Partnership Volunteer Celebration in Ashton, a Burns Night dinner and community hero awards organised by the Rotary, helped to celebrate the Chinese New Year and attended a production of "When We Are Married" at Hyde Festival Theatre.

The Mayor had been able to recommence parlour visits following their postponement during the pandemic. Recent parlour visits had included volunteers from the Anthony Seddon Fund, who were awarded the Queen's Award for Voluntary Service, and Hattersley Air Cadets to thank them for their support to the local community during the pandemic.

The Mayor concluded by thanking her consort, Dennis, for his support during her mayoral term.

## **55 COMMUNICATIONS OR ANNOUNCEMENTS**

The Executive Leader began by highlighting the Council's commitment to making 2022 a year of transformation as society emerged from the coronavirus pandemic. It was highlighted that it was necessary for this transformation to be built on a solid foundation of financial sustainability and the proposed budget recognised the realistic decisions that needed to be made if the borough wished to continue its proud record of delivery.

The Executive Leader reflected on the £200 million of cuts to the Council's budget over the past 12 years of austerity and how the challenge of these cuts had been exacerbated by the coronavirus pandemic and the emerging cost of living crisis. Both of these events had also led to an increased demand in areas such as adult and children's social care.

The Executive Leader explained that the government had provided another one-year financial settlement for local government. Whilst some additional funding as part of this settlement was welcomed, it was explained that the growth in cost and demand pressures continued to significantly exceed the funding levels afforded to the Council.

Given the increased pressures, the Executive Leader informed Council that it was no longer an option to continue the same work with diminishing money and resources. The Council would therefore strive to invest in the development of preventative services that would provide better outcomes at a lower cost. Two examples were highlighted; in social care services, staff would be given the necessary support to work within communities to keep children out of care. In addition, elderly and vulnerable residents would be afforded every opportunity to live in their own homes in dignity and comfort.

It was recognised that this transformation programme was ambitious and would require some upfront investment but it was considered a necessary and important step to guarantee the financial sustainability of the Council's most vital services.



The Council was required by law to set a balanced budget, taking into account sound and sustainable assumptions about income and expenditure, the delivery of savings and the use of reserves. For this reason, it was advised that the Council's budget for 2022/23 had identified £8 million of new savings through the rescaling and remodelling of services. Once combined with existing savings proposals of £9 million last year, this resulted in a total spending reduction of £17 million over the past two years alone.

Despite these cuts, the Council still faced a budget shortfall of more than £3 million and Members were informed that the remaining gap would need to be closed with a 1.99 per cent increase in general council tax and 1 per cent in the ring-fenced Adult Social Care Precept. For a Band A property in Tameside, this equated to an increase of £31.97 a year or 61p per week. The Leader stressed that this was not a decision that had been taken lightly and acknowledged the impact that this would have upon households already facing squeezed budgets

Members were advised that the decision to raise council tax was one that had been taken by many other local authorities due to the Government's own funding plans. The Provisional Local Government Finance Settlement assumed that every Council would raise their council tax by the maximum permitted amount without the need for a referendum.

Given that the burden had been transferred from Government to local authorities, the Executive Leader, along with the Greater Manchester Combined Authority (GMCA) and the Local Government Association (LGA), had called for the publication of the long awaited Fair Funding Review for councils. It was warned that without an alternative funding formula, there would be a crisis for council budgets and this would severely affect the areas of children's social care and Special Educational Needs and Disability (SEND).

The Executive Leader provided a number of areas where it was believed that the Government could do more to grapple with the end of the coronavirus pandemic and the beginning of the cost of living crisis. This included continuing to provide practical and financial support for individuals to be able to self-isolate after the end of March and clarity from the Government on some of the policies announced to help residents face the rising prices of essentials such as food and energy.

The Executive Leader welcomed the council tax rebate if implemented properly but expressed serious reservations about the recently announced energy bills rebate. There was concern that the scheme would force individuals to take on debt to pay for a crisis that they had no responsibility for creating.

Consideration was then given to the work of carers who had been on the front line during the coronavirus pandemic. The Executive Leader criticised the way in which carers had often been treated as second class workers; being overworked, underpaid and disregarded. It was explained that the Council aimed to transform the popular perception of caring from being a 'job' into a recognised and respected career path. This would allow the Council to retain experienced and dedicated workers, whilst also allowing those entering a caring role the chance to build their own skills and expertise. In doing so, the Council would be able to provide a quality service to those who needed it the most. The Executive Leader would meet all stakeholders so that this ambition could be turned into a reality in time for the Council's next budget at the very latest.

In a similar vein, it was reported that work would continue to reform and enhance the Council's health and social care services as a whole, particularly in regards to the new Integrated Care System and access to mental health support. A further update on progress would be brought to a meeting of Full Council at the earliest opportunity.

The Executive Leader took the opportunity to discuss the Government's push of the 'Levelling Up' agenda and what the Council believed needed to be done. Whilst the Leader welcomed the recent White Paper, concern was expressed that it did not go far enough and fell short in a number of areas. In particular, it was felt that the Government continued to massively underestimate the ambition and finance required to reverse decades of economic, political and social neglect in the north.

Members were advised that in the five years to 2019/20 alone, London received investment equivalent to £12,147 per person compared to just £8,125 per person of investment in the north. According to the Treasury's own data, this amounted to the north losing out on £61 billion of funding. It was highlighted that the White Paper made few commitments beyond those that were already made in the latest Spending Review, and that the £0.5 billion delivered through the Levelling Up fund so far amounted to less than £32 of additional funding per person.

The Executive Leader welcomed any additional funding but also called for local authorities and the Mayoralty of Greater Manchester to be given the full decision making powers for spending and investment. In doing so, it was believed that this would put real leadership into the hands of those with the knowledge and motivation to make every penny count in their local area.

Reflecting on plans locally, the Executive Leader highlighted that the Council was using the financial and political powers at its disposal to drive investment and improvement in the town centres of Tameside. Advisory groups had been established in Ashton, Hyde and Stalybridge to allow communities and businesses to have their say on the town centre improvement works.

Members were informed that Stalybridge had been nominated as Greater Manchester's Town of Culture for 2022. Welcoming the news, the Executive Leader explained that funding would be made available to commission activities such as artist-led walks and trails, community growing projects and outdoor events including theatre and storytelling. This would complement the existing work and events taking place in the town, including securing the continuation of the hugely successful monthly food event starting again in March, the creation of a Heritage Action Zone, and renovating and improving the town centre, market hall, shop fronts and western gateway.

In relation to the Godley Green Garden Village, it was highlighted that the promised economic benefits were already beginning to bear fruit. The GMCA had agreed to submit a business case to the City Region Sustainable Transport Settlement Fund for the three schemes to support delivery of a London-style integrated transport network. This included £6 million for the A560 Stockport Road corridor, £5 million for the refurbishment and widening of the Hattersley viaduct, and a further £5 million for an access improvement package for Hattersley railway station.

In Ashton-under-Lyne, the Executive Cabinet had approved plans to establish a Greater Manchester Mayoral Development Zone encompassing Ashton Moss, St Petersfield and Ashton town centre. This would bring together a number of relevant organisations, both public and private, to create a joined-up approach to realise the full potential of the area. Members were advised that in practical terms, this would include office-led regeneration in St Petersfield, transforming Ashton Moss into a hub for high-wage high-quality employment and the use of levelling up investment to restore and repurpose Ashton town hall.

As well as work within the borough, Council was informed that a number of projects were taking place in Greater Manchester to progress levelling up on the regional stage that would also have significant benefits in Tameside.

The Executive Leader addressed concerns that the development of the High Speed 2 rail link between Crewe and Manchester could see the suspension of Metrolink services between the city centre and Ashton-under-Lyne. It was estimated that services could be suspended for up to two years and an Extraordinary General Meeting of the Council had been called for 21 March 2022. This would give Members the opportunity to present their views on the project and, if necessary, allow the Council to register formal opposition to the Bill as it stood.

An announcement was made that following recent discussions between the GMCA and the Government's Joint Air Quality Unit (JAQU), a decision had been reached to pause the implementation of the Clean Air Zone (CAZ) for a short period to further assess the impact of the coronavirus pandemic and global supply chain challenges.

The Executive Leader reiterated previous commitments to make sure that Tameside was, and

remained, a safe place to live, work and visit. Close working had been undertaken with the both the police and fire service, as well as other partners, to take swift and decisive action in tackling key issues of concern such as road safety, anti-social behaviour, violence against women and girls, burglary and knife crime.

Council were informed that as of February 2022, Tameside had the best arrest rates for burglary, robbery and vehicle crime of all the local authority areas in Greater Manchester. From October 2021 to January 2022, 467 more arrests were recorded compared to the same four-month period a year earlier. It was welcomed that recorded incidents of hate crime decreased by 25.4 per cent in December 2021 compared to December 2020. During the same period, there had also been a reduction of 89 cases of anti-social behaviour, equating to an 18.2 per cent drop in such incidents.

Building on this work to reduce crime in the borough, the Council's Community Safety Strategy had been approved by Executive Council last month. The Strategy would support the growth of stronger communities, encouraging residents and visitors to make a positive contribution to the borough, and would bring the borough's diverse population together so everybody felt safe, included and supported by the Council and police.

The Executive Leader concluded by reiterating that the budget for 2022/23 represented one of the most in challenging living memory. Despite the challenges, opportunities still existed and the Council would continue to seize them, whilst also making the case for true 'levelling up'.

The Deputy Executive Leader welcomed the new Director of Children's Service to her role.

Members were informed that Children's Services had recently undergone two OFSTED inspections; these concerned the Tameside Youth Justice Service and services for children with Special Educational Needs and Disabilities (SEND).

The first of these two inspections had rated the Youth Justice Service as 'good' and commended the service for successfully adapting to the Covid-19 pandemic and continuing to provide good quality services throughout.

Members were informed that the second of these inspections was not graded but identified challenges for the SEND service to address and identified a series of improvement actions. The Deputy Leader was pleased to note that frontline staff had been commended within the report for their unwavering commitment to improve the experiences of children, young people and their families.

The Deputy Leader echoed the calls of the Executive Leader for Government to provide appropriate and fair funding to enable the Council to support the most vulnerable children as effectively as possible.

The Deputy Leader advised Council that a number of concerning allegations had been made by an elected Member concerning child sexual exploitation. It was made clear that the Executive Member for Children and Families would not tolerate any failure to identify and deal with this serious issue and expected a zero tolerance approach to anything that placed vulnerable young people at risk.

Members were implored to report any issues that they believed required investigation through the proper channels so that appropriate safeguarding activity could be undertaken. However, it was stressed that no evidence or information to substantiate the Member's claims had been brought to either the Council or police and individuals were urged not to share unproven allegations on social media.

The Executive Member for Housing, Planning and Employment rose to address Council in relation to the proposed Godley Green development. Members were informed that around 3,000 responses had been received to the consultation and this included ones both for and against. It was explained that preliminary site inspections would be undertaken but assured Members that no building work would take place.

As part of the proposed development, a new primary school and medical centre would be built, and the site would contain cycling, running and walking facilities.

Addressing environmental considerations, Members were assured that the proposed development would be low carbon and intensive work was being undertaken to improve public transport links in the area to avoid any possible future congestion. The site would raise approximately £10 million per year and the main beneficiary of this would be the wider Hyde area.

The Executive Member for Lifelong Learning, Equalities, Culture and Heritage addressed Council and announced that Mossley based Global Grooves would participate in the procession for the Queen's Platinum Jubilee Pageant this June. Global Grooves would be the only creative contributor from northern England to produce a section of the procession. Members were informed that the pageant would feature participants from all corners of the Commonwealth and would be watched by a global audience of millions. It was an opportunity to showcase the best talent that Tameside had to offer and on behalf of Members, the Executive Member wished all those taking part the very best of luck.

The Executive Member explained that the Council was now undertaking its own discussions with Global Grooves to arrange an event in the borough and further information would be brought to a future meeting of Full Council once the discussions had been concluded.

## **56 COUNCIL BIG CONVERSATION**

The Chair reported that in accordance with Standing Orders 31.12 and 31.13 a number of questions had been submitted by residents. Councillors Gwynne and Ryan, as the appropriate Executive Members, provided responses to the questions.

### **Question 1**

*"The Greater Manchester Combined Authority 5 Year Environment Plan set the following target for Local Authorities:*

*"Local authorities will complete a full assessment of the potential of their assets for renewable energy and develop these assets (where financially viable) by the end of 2021."*

*Please tell us, with a straightforward YES or NO, whether these assets have been fully assessed and developed; and if not could he update us on progress towards the target so far, backed up with figures as far as possible?"*

### **Response from Councillor Oliver Ryan (Executive Member for Finance and Economic Growth)**

Yes – the estate was reviewed in 2021 in partnership with GMCA and Burro Happold to develop a Building Energy Decarbonisation Plan. The output of which has been invaluable in developing strategies to prioritise resources to decarbonise buildings when funds become available.

We are working on a first round of decarbonisation projects and are developing a second round currently. The first round contains fourteen buildings and will eliminate in the region of six thousand tonnes of CO2. The second round plans to target a further six buildings currently and will eliminate a similar quantity of CO2 as phase one. Both schemes are only possible with support of central government funding (Public Sector Decarbonisation Fund).

It should be highlighted that due to resources and other practicalities, this decarbonisation process will not be immediate. Current rates of delivery are encouraging however, as the zero carbon target is 2038, and at the current rate the Tameside portfolio would have had interventions (if resources continue to be made available) across all of it by 2033.

**Question 2**

*“Following the Council's declaration of a climate emergency two years ago at the Council meeting of 25 February 2020, the Climate Change and Environment Strategy was finally agreed at the Executive Cabinet of 15 December 2021. Can you please tell me when this document will be presented to a full Council meeting?”*

**Response from Councillor Allison Gwynne (Executive Member for Neighbourhoods, Community Safety and Environment)**

Councillor Gwynne advised that the Climate Change and Environment Strategy had received Executive Cabinet approval on 15 December 2021 and did not therefore require Council resolution. However, Cabinet agreed that Council could still discuss the Strategy.

**Question 3**

*“In the past three years at Jigsaw Homes Tameside board meetings, have you raised the importance of retrofitting homes to be more energy efficient to meet climate change targets? If so, can you please confirm the dates and any follow up actions?”*

**Response from Councillor Oliver Ryan (Executive Member for Finance and Economic Growth)**

Jigsaw Homes Tameside has been striving to reduce fuel poverty for many years and has carried out energy efficiency initiatives through CESP/CERT/Affordable Warmth and the ERDF funding. We adopt a fabric first approach to energy efficiency which has included both loft and cavity insulation to over 7,000 properties.

Added to this, we have fitted high efficiency gas boilers to over 15,000 properties, which include many 'off gas' conversions.

We have fitted over 2,600 photovoltaic to domestic stock and also biomass and communal Air to Air source heat pumps as communal systems.

We recently underwent an energy efficiency review and the Board adopted the new Sustainability Strategy in March 2021 which sets out our commitment to bring all our properties to a minimum EPC SAP 'C' by 2030 and for the Group to be net zero carbon by 2050. Jigsaw Board reviewed progress of the Strategy in October 2021 and a further review is scheduled for the meeting in March.

In the last 12 months Jigsaw Tameside has converted over a 150 homes from EPC D to EPC C and carried out over 1,800 new EPC's with a view to putting programmes in place to convert all remaining EPC 'D' rated properties to a minimum of 'C' by 2030.

In 2020, we achieved a 'Gold Standard' rating through the Sustainable Homes Index for Tomorrow (SHIFT) rated against other peer housing provider members of the group.

We have undergone in-house climate change training for all staff through the CLASP initiative.

Energy efficiency and the reduction of fuel poverty for our residents continues to be at the front of future plans for Jigsaw Tameside and for the Group as a whole.

**Question 4**

*“The Greater Manchester Combined Authority, in its 5 Year Environment Plan, recognises the need to:*

*"help residents to live in warm homes which are cheaper to run and healthier to live in and contribute to efforts to reduce fuel poverty in the city region. Achieving this will require owners of existing homes and buildings to make improvements to current levels of insulation to reduce heat loss through the building fabric well beyond the basic measures they might already have in place*

*(e.g. loft insulation, draught proofing)."*

*One of the plan's stated priorities is for "Retrofit measures to be installed at 61,000 homes per year." This figure is for Greater Manchester's 10 authorities (both social and private housing) which equates to approximately 6,000 homes per year in Tameside i.e. 18,000 homes in the past three years of the plan.*

*What contribution to this figure has been made by Jigsaw Homes in Tameside in the past three years?*

**Response from Councillor Oliver Ryan (Executive Member for Finance and Economic Growth)**

Councillor Ryan referred to the answer given to the previous question concerning Jigsaw Homes Tameside.

**57 JOINT MEETING OF EXECUTIVE CABINET AND OVERVIEW PANEL**

Consideration was given to the minutes of the Executive Cabinet held on 15 December 2021 and 26 January 2022 and the Joint Meeting of the Executive Cabinet and Overview Panel held on 9 February 2022.

**RESOLVED**

**That the minutes of the Executive Cabinet held on 15 December 2021 and 26 January 2022 and the Joint Meeting of the Executive Cabinet and Overview Panel held on 9 February 2022, be received.**

**58 COUNCIL BUDGET 2022/2023**

The Executive Leader began by referencing her earlier comments in relation to the budget and thanked officers and the Executive Cabinet for all their efforts in compiling a balanced budget, particularly in the face of continued cuts and the coronavirus pandemic.

The Executive Member for Finance and Economic Growth addressed Members in support of the budget emphasising that the Council spent most of its money on Children and Adult's Services. This included paying for homes, nursing and home care, parental or care placements, health checks, home visits, transport, school support, early year's intervention, crisis intervention, family support, disability support and much more.

Concerning cuts to the Council's budget over recent years, it was highlighted that Tameside's overall spending power was 51 per cent lower in 2022 compared to 2010. Whilst acknowledging that the Government had made £7.2m of one off money available this year, the Council still had a significant deficit to plug. The Executive Member explained that the Council would also be clobbered with rising inflation and energy prices, the new National Insurance levy, as well as pay awards and all the demographic and legislative cost pressures that increased each year. Consequently, the Council was having to make significant savings whilst continuing to provide essential services.

Given that the Council had only received a one-year funding settlement from Government, it was advised that it would once again prove difficult to plan and fund services and invest for the long term. In addition, the 1.99 per cent increase in general council tax for 2022/23 would only raise just over £1 million, well short of the £22 million that the Council needed to find.

Despite the budgetary pressures, the Executive Member detailed a number of schemes that were transforming the borough's town centres, including:

- New funding for Ashton town centre, with improvement work led by local residents;
- Investment in Stalybridge's civic hall roof, bus station and work on key strategic housing sites being brought forward;
- Securing over £220k of funding to start work on Hyde library, as well bringing forward the Hyde High Street Task Force and Future High Streets Fund to the town; and
- Delivering a new library in Droylsden and recommencing development work at the marina.

The Executive Member concluded by explaining that the proposed budget reaffirmed the Council's commitment to providing good quality statutory services, protecting services required by the most vulnerable and investing in Adult and Children's Services to reflect the borough's demographic changes.

In accordance with the Constitution, the Chair of Council Business then afforded the Opposition Group the opportunity to present to the Council an alternative budget.

In response, Councillor Dickinson informed Members that the Opposition Group would not be proposing an alternative budget. Councillor Dickinson added that the Opposition Group did not support the proposed rise in council tax.

General discussion then ensued in relation to the proposed budget as outlined and responses made accordingly. The budget for 2022/23 set out in the previously circulated report, as amended by the tabled report and addendum, was moved by Councillor Warrington, seconded by Councillor Fairfoull and, in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations, a named vote was taken on the Council Tax Motion as follows:

For the motion:

Councillors Affleck, Alam, Bowden, Bray, Cartey, Cooney, Cooper, Drennan, Fairfoull, Feeley, J Fitzpatrick, P Fitzpatrick, Glover, Gosling, Gwynne, A Holland, B Holland, J Homer, S Homer, Huntbach, Jackson, Jones, Kitchen, Lane, Lewis, McNally, Mills, Naylor, Newton, North, Owen, Patel, Pearce, Quinn, Reid, Ricci, Robinson, Ryan, N Sharif, T Sharif, M Smith, T Smith, Sweeton, Taylor, Ward, Warrington and Wills.

Against the motion:

Councillors Billington, Chadwick, Costello, Dickinson, Patrick and Welsh.

**RESOLVED**

- i. **That the significant financial challenges and risks set out in this report be noted;**
- ii. **That the budgeted net expenditure for the financial year 2022/23 of £208.609m as set out in section 3 and Appendix 1, be approved, noting the significant pressures outlined in Appendix 2;**
- iii. **That the proposed savings to be delivered by management outlined in section 3 and Appendix 3, be approved, noting the additional detail provided in Appendices 7 to 14;**
- iv. **That an uplift to fees and charges as set out in Appendix 21 be approved;**
- v. **That the proposed resourcing of the budget as set out in Appendix 4 be approved;**
- vi. **That a 2.99 per cent increase to Council Tax for Tameside MBC for 2022/23, consisting of a 1.99 per cent general increase and one per cent Adult Social Care precept, be approved;**
- vii. **That it be noted that the budget projections set out in section 6 assume a 1.99 per annum increase in general Council Tax through to 2026/27. The budget projections also assume that there is no reduction to current levels of Government funding;**
- viii. **That the Director of Finance's assessment of the robustness of the budget estimates and adequacy of reserves as set out in Appendix 5 be accepted. Following this, determine that the estimates are robust for the purpose of setting the budget and that the proposed minimum General Fund Balance is adequate;**
- ix. **That the proposed minimum General Fund Balance of £26m set out on Appendix 6 be approved;**
- x. **That the Reserves Strategy be approved and to note the projected reserves position as**

- set out in Appendix 6;
- xi. That the new Corporate Charging Policy set out in Appendix 17 be approved;
  - xii. That the position on the Capital Programme (Section 8 and Appendix 15) previously approved by Executive Cabinet, and the forecast future investment requirements, be noted;
  - xiii. That the Pay Policy Statement for 2022/23 as set out in section 9 and Appendix 18 be approved;
  - xiv. That the Treasury Management Strategy 2022/23 be approved, which includes the proposed borrowing strategy, Annual Investment Strategy and Minimum Revenue Provision Policy (Appendix 19);
  - xv. That the Capital Strategy 2022/23 (Appendix 20) be approved; and
  - xvi. That authority be delegated to the Directors (in consultation with the Section 151 officer) to agree any uplifts required to other contractual rates from 1 April 2022 which Directorates will manage within their approved budgets for 2022/23.

## **59 MEETING OF STANDARDS COMMITTEE**

Consideration was given to the Minutes of the meeting of the Standards Committee held on 14 December 2021.

It was moved by Councillor Kitchen and seconded by Councillor Ricci and it was:

### **RESOLVED**

**That the minutes of the meeting of the Standards Committee held on 14 December 2021 be received and that it be agreed that the Council adopts the final updated version of the Model Code of Conduct as appended to the minutes.**

## **60 MEETING OF DEMOCRATIC PROCESSES WORKING GROUP**

Consideration was given to the Minutes of the meeting of the Democratic Processes Working Group held on 21 February 2022.

It was moved by Councillor Cooney and seconded by Councillor Warrington that the Minutes of the Democratic Processes Working Group held on 21 February 2022 be received.

### **RESOLVED**

**That the minutes of the meeting of the Democratic Processes Working Group held on 21 February 2022 be received.**

## **61 MAYORALTY**

It was moved by the Executive Leader and seconded by the Deputy Executive Leader that Councillor Mike Glover be nominated as Civic Mayor for the 2022/2023 Municipal Year and Councillor Tafheen Sharif be nominated for election as Deputy Mayor for the 2022/2023 Municipal Year at the Annual Meeting.

### **RESOLVED**

**That Councillor Mike Glover be nominated for election as Civic Mayor for the 2022/2023 Municipal Year and Councillor Tafheen Sharif be nominated for election as Deputy Mayor for the 2022/2023 Municipal Year.**

## **62 ARRANGEMENTS FOR ANNUAL COUNCIL**

It was noted that the Annual Meeting of Council (both Civic and Business) would commence at  
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5.00pm on Tuesday, 24 May 2022 and will be held at Dukinfield town hall.

### **63 CALENDAR OF MEETINGS**

The draft calendar of meetings for the 2022/2023 and 2023/2024 was circulated to Members for noting.

#### **RESOLVED**

**That Members note the draft Calendar of Meetings for the 2022/2023 and 2023/2024 municipal years.**

### **64 NOTICE OF EXTRAORDINARY MEETING**

It was noted that an Extraordinary Meeting of the Council would be held at 5.00pm on Monday, 21 March 2022 at Dukinfield town hall, to consider possible opposition by the Council to the High Speed Rail (Crewe to Manchester) Bill.

### **65 QUESTIONS**

Councillor Huntbach raised a question under Standing Order 17.2 as follows:-

*“The planned Greater Manchester Clean Air Zone (CAZ), which was due to begin at the end of May, has now been postponed.*

*This Council’s Cabinet along with the other combined authorities, sanctioned the CAZ scheme which was intended to reduce illegal pollution levels and save lives.*

*Are we now expected to suffer a further two years of illegally high pollution, leading to premature deaths and permanent damage to the lungs of our young children and specifically, what contingencies are to be put in place to mitigate this lamentable failure?”*

In response, Councillor Gwynne stated:-

The Government ordered clean air plan, due to start implementation in May has been paused at the 10 local authority’s request and permitted by Government. As is typical with this Tory government, it has passed the buck on actually dealing with dangerous levels of air pollution, causing approximately 1,200 premature deaths, from themselves onto local authorities without adequate finance to properly address the issues caused.

The difficulties that the pandemic has caused to small businesses, along with the difficulties it has also caused within the new and second-hand vehicle market means that it is right to re-examine the modelling work that was done previously to make sure it is still relevant. The Government need to look at supporting businesses in Greater Manchester through proper funding and also the issue with the availability of compliant vehicles.

But ultimately the 2024 and now 2026 dates have been set by ministers and Greater Manchester will be proactively working to achieve legal compliance.

### **66 URGENT ITEMS**

The Chair reported that there was one urgent item for consideration which had been circulated to Members. The item was a motion received in accordance with Standing Order 16.1 concerning the proposed closure of Hyde driving test centre, which was moved by Councillor Alam and seconded by Councillor T Sharif:

*That this Council notes:*

- *The recent news that Hyde driving test centre is to close after decades of serving the learner drivers of Tameside and its surrounding areas.*
- *There is an extremely high demand in Tameside and Glossop for driving tests.*
- *The current waiting times are in excess of four months, and were under comparable pressure pre the Covid pandemic.*
- *Moving tests to Bredbury and Chadderton will not ease this problem, instead further exacerbating the pre-existing issues those centres already face with their own waiting lists.*
- *Furthermore, driving instructors were not consulted on the decision and many found out either through pupils or social media.*

*This Council believes that:*

- *This decision will make learning to drive prohibitively expensive for some learners especially those from poorer backgrounds, depriving them of a valuable life skill.*
- *While the DVSA asserts that to take a driving test, learners should be able to drive in any location with there being no need to visit test centre areas for practice. In reality, this is an unfair situation to bestow on learners. First time test takers already have a very low first-time pass rate of approximately 45% - this decision would further disadvantage such learners.*
- *Should the decision take place, learners from across Tameside will struggle to reach Chadderton or Bredbury to practice in the local areas. Learners would be forced to do at least two hour lessons, struggling to spend adequate time in either the Bredbury or Chadderton areas to become familiar with and understand the roads.*

*This Council resolves to:*

- *Back the current campaign by local driving instructors to retain a testing facility in Tameside.*
- *Ask the Executive Leader and Chief Executive to write to the DVSA - calling on them to work with local stakeholders and the Council to look for a suitable venue in the borough of Tameside, so a testing facility can continue to serve the learners of Tameside and its surrounding areas.*

## **RESOLVED**

**That this Council notes:**

- **The recent news that Hyde driving test centre is to close after decades of serving the learner drivers of Tameside and its surrounding areas.**
- **There is an extremely high demand in Tameside and Glossop for driving tests.**
- **The current waiting times are in excess of four months, and were under comparable pressure pre the Covid pandemic.**
- **Moving tests to Bredbury and Chadderton will not ease this problem, instead further exacerbating the pre-existing issues those centres already face with their own waiting lists.**
- **Furthermore, driving instructors were not consulted on the decision and many found out either through pupils or social media.**

**This Council believes that:**

- **This decision will make learning to drive prohibitively expensive for some learners**

especially those from poorer backgrounds, depriving them of a valuable life skill.

- While the DVSA asserts that to take a driving test, learners should be able to drive in any location with there being no need to visit test centre areas for practice. In reality, this is an unfair situation to bestow on learners. First time test takers already have a very low first-time pass rate of approximately 45% - this decision would further disadvantage such learners.
- Should the decision take place, learners from across Tameside will struggle to reach Chadderton or Bredbury to practice in the local areas. Learners would be forced to do at least two hour lessons, struggling to spend adequate time in either the Bredbury or Chadderton areas to become familiar with and understand the roads.

**This Council resolves to:**

- Back the current campaign by local driving instructors to retain a testing facility in Tameside.
- Ask the Executive Leader and Chief Executive to write to the DVSA - calling on them to work with local stakeholders and the Council to look for a suitable venue in the borough of Tameside, so a testing facility can continue to serve the learners of Tameside and its surrounding areas.

**CHAIR**

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## EXTRAORDINARY MEETING OF THE COUNCIL

21 March 2021

Commenced: 5.00pm

Terminated: 5.35pm

**Present:** Councillors Affleck, Alam, Billington, Bowden, Bowerman, Boyle, Bray, Cartey, Chadwick, Choksi, Cooney, Cooper, Costello, Dickinson, Drennan, Fairfull, Feeley, J Fitzpatrick, P Fitzpatrick, Glover, Gosling, Gwynne, J Homer, S Homer, Huntbach, Jackson, Jones, Kitchen (Chair), Lane, Lewis, Martin, McNally, Mills, Newton, North, Owen, Patel, Patrick, Pearce, Quinn, Reid, Ricci, Robinson, Ryan, N Sharif, T Sharif, M Smith, Sweeton, Taylor, Ward, Warrington, Welsh and Wills

**Apologies for Absence:** Councillors A Holland, B Holland, Naylor and T Smith

*Councillor Kitchen, Chair of Council Business, in the Chair*

In opening the meeting, the Leader of the Council made a statement about the current war in Ukraine.

The Executive Leader began by saying that she was appalled by the tragedy currently unfolding in Ukraine. To see an independent, sovereign and democratic country invaded in such a way was something no one had expected to witness in the 21<sup>st</sup> century. Not only was this the largest military conflict in Europe since World War Two, it had the potential to be the most dangerous political moment in the world since the collapse of the Soviet Union. Information was currently limited but casualties were already numbering in their thousands and conservative estimates from the United Nations were that five million Ukrainians had become refugees or internally displaced within their own country. With the conflict only a month old, it was feared that these numbers would increase in the near future.

She stated that she supported the sanctions imposed on Russia by the British government so far and would encourage them to go much further to ensure that no one associated with Putin's murderous regime could ever find a safe haven in Britain for themselves or for their ill-gotten money again.

The Council was currently in touch with the government about the local implementation of the new homes for Ukraine's scheme. This was an emerging situation and, as such, the Council were awaiting full details of the scheme, but expected funding to be provided to support families to rebuild their lives and fully integrate into Tameside communities.

She spoke about what Tameside was doing to show support and solidarity with Ukraine and with its beleaguered people. A number of organisations within the borough including The Association of Ukrainians In Great Britain, Europa, and Action Together, were coordinating fund raising and donation efforts for refugees and others affected by the conflict and people were encouraged to give whatever they could to help. Thanks were extended to a local chaplain, Jean Hulston, who had organised an interfaith vigil at St Peter's Church in Ashton-under-Lyne in order to pray for a swift and just resolution to the conflict. The Leader requested that if there were any Ukrainians currently living in Tameside who needed any help at this time to please come forward and seek assistance.

In finishing, she said Tameside and its residents stood firmly alongside Ukraine and against Russia's brutal and unprovoked invasion. Freedom and democracy had to prevail and Tameside continued to stand by Ukraine.

## **67. DECLARATIONS OF INTEREST**

There were no declarations of interest submitted by Members of the Council.

## **68. HS2 PHASE 2B PETITIONING REPORT**

Consideration was given to a report of the Director of Governance and Pensions and Director of Place, which sought Full Council approval for Tameside Metropolitan Borough Council (the Council) to object to the High Speed Rail (Crewe-Manchester) Bill (the Bill). Notwithstanding the Council's overall support for HS2, the Bill as currently drafted, included provision for the full closure of the Metrolink Ashton Line for a circa two year period. The Council was therefore seeking approval to petition against the Bill and secure the necessary changes to make appropriate provision of sustainable travel modes during the construction period.

It was reported that the Government planned to implement a new high speed rail network (HS2), including Manchester to London, Manchester and Leeds. This was a major national infrastructure proposal that was being progressed over several decades by two Hybrid Bills through Parliament. Phases 1 and 2a of the network, between London and the West Midlands and between the West Midlands and Crewe had already been consented. Phase 2b, between Crewe and Manchester, of which the report was concerned, would be progressed through a Hybrid Bill.

On 24 January 2022, the Government's High Speed Rail (Crewe-Manchester) Bill (the Bill) was deposited in Parliament to the House of Commons and was the start of the formal parliamentary process to obtain royal assent. The Bill was accompanied by a range of documents including in particular the Bill, Environmental Statement, deposited plans and accompanying documents. The Bill would secure powers to implement Phase 2b of HS2, comprising Crewe-Manchester including stations at Manchester Airport and Manchester Piccadilly. More specifically the Bill included powers to:

- build and maintain HS2 and its associated works;
- compulsorily acquire interests in the land required;
- sever the existing Ashton line of the Metrolink to enable the construction of HS2's Piccadilly station;
- make consequential changes to the Metrolink network;
- affect or change rights of way, including the stopping-up or diversion of highways and waterways (permanently or temporarily);
- modify infrastructure belonging to statutory undertakers (e.g. utility companies);
- carry out work on listed buildings and demolish buildings in conservation areas;
- carry out protective works to buildings and third-party infrastructure; and
- make necessary changes to existing legislation to facilitate construction and operation of HS2.

It also granted the necessary changes to existing legislation to facilitate construction and operation of the HS2 Phase 2b (Crewe – Manchester) scheme.

The principal stages of the Bill were outlined as follows:

- There was currently a period for representations on the formal Environmental Statement setting out the design and impacts of the railway, to which the Council would respond by 31 March 2022;
- The first reading of the Bill had been completed and was a formality; the second reading in the House of Commons would approve the principle of the Bill, and thereby the railway, and set out the timetable for petitions against the Bill (see below). Thereafter, the Bill proceeded to a Select Committee, which would present the first opportunity for petitioners to seek amendments to the Bill;
- The Bill would then be re-committed to a Public Bill committee of the House of Commons followed by Report stage and Third Reading; and

- The Bill would then be sent to the House of Lords where the process was repeated with a further opportunity for petitioning. When both Houses had approved the Bill, it received Royal Assent.

Members of the Council were informed that petitioning allowed any individual, group of individuals or an organisation directly and specially affected, to petition against a Bill. A petition was a summary of objections to particular aspects of a Bill, to be heard before a Select Committee of MPs, and could be submitted if petitioners' concerns were not addressed in advance of the Bill's petitioning stage. The Council had instructed Parliamentary Agents to act for it advising on negotiations with the Department of Transport and HS2 Limited, and preparation of any petition.

Notwithstanding the Council's overall support for HS2, the Council would need to ensure that any necessary provisions were included in the Bill and / or sought assurances / undertakings from the promoters to maximise benefits and minimise negative impacts of HS2 on the Borough. Officers would work closely with HS2 Ltd and representatives from the Department of Transport to ensure that necessary provisions were provided and would seek to negotiate agreements accordingly; if agreement could not be reached on specific matters it could be necessary to petition the Bill during a specific window, with authority to do so the subject of this report. The Council had identified a number of areas that it considered to be critical in maximising benefits and minimising negative impacts of HS2 on the Borough.

It was emphasised that it was essential that the construction methodology for the HS2 infrastructure was focused on limiting disruption to Metrolink operations. The Bill, as currently drafted, included provision for the full closure of the Metrolink Ashton Line for a circa two year period. To address this, the Bill should be amended to enable the construction of a new depot at Ashton Moss to enable a tram shuttle service to operate between Ashton and New Islington instead of the full closure of the Ashton Line and the provision of ancillary works. This would enable the Ashton Metrolink line to remain open throughout the construction of HS2.

The Council required that the existing Metrolink Ashton Line should be kept connected to the remainder of the Metrolink network for as long as practicable during construction of the HS2 station and modified Metrolink infrastructure. When the line had to be disconnected from Piccadilly, trams would be able to operate as far into Manchester city centre as possible, with bus services provided to bridge the gap. There would be a need for a number of enabling works to facilitate this approach, including a stabling and maintenance depot constructed on the Ashton Line. In the Council's view, adequate provision had not yet been made for them within the Bill and it was essential that omissions were incorporated. It was the Council's position that any additional or modified powers needed to construct and operate the Metrolink enabling works must be obtained by HS2 Ltd. This meant that the Bill needed to be amended to include these powers.

The overall financial and resource implications of reaching agreements and / or petitioning would be the subject of further assessment as matters requiring agreement and associated technical work were better understood. These implications would be met through existing council resources and / or instructions to external parties to provide technical advice in-line with delegated authority approvals. As additional funding requirements became known, resources would be identified and reported for approval in accordance with the Council's financial procedure rules.

Members of the Council were informed that the Council had the power to petition against a Hybrid Bill contained in Section 239 of the Local Government Act 1972 where they were satisfied that it was expedient to oppose the Bill. Under the Local Authority (Functions and Responsibilities) Regulations 2000, this power needed to be exercised by Full Council. Under section 239, a resolution of the Council to oppose the Bill needed to be passed by a majority of the whole number of the members of the Council after giving 10 clear days' notice of the meeting and its purpose in one or more local newspapers, in addition to the normal notice required to convene that meeting. The requisite newspaper notice was published on 3 March 2022.

The details of the Council's petition would be created by officers, with the support of TfGM, the

GMCA and instructed Parliamentary Agents. They would be informed by the Council's response to the Environmental Statement consultation. It was proposed that the Leader be given delegated authority, in consultation with the Chief Executive to approve the final text of the petition and the final steps necessary to submit it to Parliament, when the petitioning timetable was finalised. Parliament was expected to publish timescales for the stages of the Bill. However, it was currently understood that those petitioning the Bill would be able to do so during late May / early June 2022. The Government was aiming for the Bill to receive Royal Assent after November 2024, with construction commencing from 2027 onwards, with Phase One of the new railway opening to the public in 2036.

**RESOLVED:**

- (i) That it was expedient for Tameside Council to oppose the High Speed Rail (Crewe to Manchester) Bill (“the Bill”);**
- (ii) That, subject to the above, authority be delegated to the Leader, in consultation with the Chief Executive, to take all such steps as may be necessary or expedient to carry the above resolution into effect including all those steps required for the Council to submit any petition and thereafter to maintain and if considered appropriate withdraw its petition in respect of the Bill and to instruct the Director of Governance and Pensions accordingly; and**
- (iii) Authorise the corporate seal of the Council being affixed to any documents required to be sealed in connection with the submission of its petition and the subsequent opposition to the Bill.**

**69. VOTE OF THANKS TO THE CIVIC MAYOR AND CONSORT**

It was proposed by Councillor Owen and seconded by Councillor Fairfoull that a sincere vote of thanks be accorded to the retiring Civic Mayor, Councillor Janet Cooper and Consort, Mr Dennis Fitzpatrick, for their dedicated services to the Metropolitan Borough of Tameside during an unprecedented two years in Office due to the pandemic.

**RESOLVED**

**That a sincere vote of thanks be accorded to the retiring Civic Mayor, Councillor Janet Cooper and Consort, Mr Dennis Fitzpatrick, for their dedicated services to the Metropolitan Borough of Tameside.**

**CHAIR**



## EXTRAORDINARY MEETING OF THE COUNCIL

21 March 2021

Commenced: 5.35pm

Terminated: 6.00pm

**Present:** Councillors Affleck, Alam, Billington, Bowden, Bowerman, Boyle, Bray, Cartey, Chadwick, Choksi, Cooney, Cooper, Costello, Dickinson, Drennan, Fairfoull, Feeley, J Fitzpatrick, P Fitzpatrick, Glover, Gosling, Gwynne, J Homer, S Homer, Huntbach, Jackson, Jones, Kitchen, Lane, Lewis, Martin, McNally, Mills, Newton, North, Owen, Patel, Patrick, Pearce, Quinn, Reid, Ricci, Robinson, Ryan, N Sharif, T Sharif, M Smith, Sweeton, Taylor, Ward, Warrington, Welsh and Wills

**Apologies for Absence:** Councillors A Holland, B Holland, Naylor and T Smith

*Councillor Cooper, Civic Mayor, in the Chair*

### 70. CONFERMENT OF TITLE OF HONORARY ALDERMAN

The Civic Mayor asked Councillor Taylor to move the formal motion proposing the conferment of the title of Honorary Alderman of the Borough upon Mr Brian Wild.

Members were informed that Brian had been elected to Tameside Council in 1994 and had represented Dukinfield Ward continuously until his retirement in 2021. In total, he had given 27 years' service to the residents of Dukinfield and to Tameside as a whole.

During his time as a member of Tameside Council, Brian served as Civic Mayor of Tameside between 2000 and 2001 and Deputy Mayor between 1997 and 1998.

He was a member of many Council committees including the Integrated Care and Wellbeing Scrutiny Panel, Speaker's Panel (Liquor Licensing) and the East Strategic Neighbourhood Forum. He was Deputy Chair of the Speaker's Panel (Planning) and had previously held the position of Deputy Chair of the Education and Social Services committees.

Councillor Lane then seconded the motion and the Civic Mayor put the motion to the vote of the Council.

The motion was carried and the Civic Mayor then invited Mr Brian Wild to sign the Roll of Honorary Aldermen of the Borough and presented him with a framed presentation scroll.

#### **RESOLVED:**

**That in pursuance of Section 249 of the Local Government Act 1972 Mr Brian Wild be admitted as Honorary Alderman of the Tameside Metropolitan Borough Council in recognition of the eminent services he has rendered as a former Councillor of the Borough.**

**CHAIR**

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# Agenda Item 7

<b><sup>1</sup>Report To:</b>	<b>COUNCIL</b>
<b>Date:</b>	24 May 2022
<b>Member/Reporting Officer:</b>	Political Group Leaders Steven Pleasant – Chief Executive as Proper Officer
<b>Subject:</b>	<b>APPOINTMENT OF EXECUTIVE CABINET, PANELS, STANDARDS COMMITTEE, OUTSIDE BODIES AND OPPOSITION SPOKESPERSONS FOR 2022/23</b>
<b>Report Summary:</b>	<p>To agree appointments to Executive Cabinet, Panels, Standards Committee, Outside Bodies and Opposition Spokespersons for the 2022/23 Municipal Year or until Council determines that any changes should be made. Appointments of persons nominated by the various groups are undertaken in accordance with political balance rules. Where the table shows light blue this position will be filled by an opposition member.</p> <p>The list of outside bodies contains only those outside bodies where information is required by the other statutory Greater Manchester bodies. Other outside body appointments will be made by the Executive Leader following recommendations by the relevant Executive Member or where appropriate the Executive Member.</p>
<b>Recommendations:</b>	<p>That</p> <ol style="list-style-type: none"><li>1) the appointments to Executive Cabinet, Panels, Standards Committee, Outside Bodies and Opposition Spokespersons be confirmed for the 2022/23 Municipal Year or until Council determines that any changes should be made and allowances paid in accordance with Members Allowance scheme with the Opposition &amp; Minority party allowances restrictions being removed;</li><li>2) changes to the scrutiny panels be approved noting that it is intended that further reports will follow to Council about changes to Strategic Neighbourhood Forums, and to the Strategic Commissioning Board following the creation of the Greater Manchester Integrated Care Board pursuant to the Health and Care Act which received Royal assent on 28 April 2022, which puts Integrated Care Systems on a statutory footing, empowering them to better join up health and care services, improve population health and reduce health inequalities.</li><li>3) The extent and remit of the Cabinet portfolios will be reported to the next Council.</li></ol>
<b>Links to Community Strategy:</b>	The Constitution and democratic framework provides an effective framework for implementing the Community Strategy.
<b>Policy Implications:</b>	There are no policy implications.
<b>Financial Implications:</b>	There are no budgetary implications.

**(Authorised by the Section 151 Officer)**

**Legal Implications:  
(Authorised by the Borough Solicitor)**


Accords with Procedural Standing Orders 6.4 (g); (h); (i); (j) and (k).

**Risk Management:**

Allows for transparent and democratic decision making.

**Access to Information**

The background papers relating to this report can be inspected by contacting Robert Landon, Head of Democratic Services by:

 phone: 0161 342 2146

 e-mail: [Robert.landon@tameside.gov.uk](mailto:Robert.landon@tameside.gov.uk)

## **Overview and Scrutiny in Tameside**

As we embark on the next phase of our work to invest in and oversee the improvement of children's services and move into the systematic reform of health and social care services locally greater oversight of both key organisational programmes will be required.

To achieve this objective we are increasing the number of scrutiny panels locally and disaggregating the work to scrutinise Childrens services.

We will have three Panels in place

- Place and External Relations Panel (no change)
- Childrens Services Panel (new Panel)
- Health and Adult Social Care Panel (new Panel)

Each Panel will be smaller and more focussed with a maximum of ten members, which with current political balance means there will be 9 Labour and 1 Conservative member and the deputy on te Children's Panel will also come from the opposition party

The Integrated Health and Wellbeing Panel has the following terms of reference:

*The Integrated Care and Wellbeing Scrutiny Panel has responsibility for considering a large remit within Tameside, including the local National Health Service Trusts, Public Health, the Health and Wellbeing Board and the upcoming Care Together scheme. It also has responsibility for Adult and Children's Services, Education and Schools. This Panel is the only democratically elected body with a statutory function to carry out scrutiny of the Health Services in Tameside.*

*Scrutiny of local NHS Trusts was introduced from May 2001 as part of the Government's Patient and Public Participation Agenda. In Tameside, Health Scrutiny is aimed at improving people's health by looking at the quality, performance, accessibility and outcome of NHS services in the Borough. This is achieved by meeting staff from the major healthcare services, and undertaking cross-cutting, thematic scrutiny exercises and service reviews, looking at the outcome of health and social care provision to all the people of Tameside.*

*The Panel will strive to improve the situations and the health and wellbeing of residents across the Tameside by undertaking in-depth reviews of the priority issues in the borough, and by regularly monitoring the work undertaken by the key service Health and People services.*

This Panel will be disestablished and the responsibilities of this panel will be split between a Childrens Services and Health and Adult Social Care Panel as set out below:

### **Childrens Services Panel**

With the following terms of reference

The Panel will be the main mechanism by which Scrutiny members will scrutinise and monitor the planning and performance of the Council's services to children and young people and the Council's Corporate Parenting role, including but not limited to the following key areas

- Children's Services Improvement
- Early years and child care
- All aspects of education including schools and academies, school improvement, school/college transport, training and apprenticeships, behaviour and attendance, further education
- Special Educational Needs and Disabilities Improvement
- Transition Services
- Health Services for Children and Young People – including Mental Health Services
- Positive activities for young people
- Safeguarding and child protection (including exploitation)

- Corporate Parenting
- Looked After Children and Care Leavers
- Fostering and adoption
- Supported accommodation and lodgings
- Supported employment for young people
- Youth Services
- Youth Offending Service
- Youth unemployment, NEETs
- Family Support

## **Health and Adult Social Care Panel**

### *Proposed Terms of Reference*

*The Integrated Care and Wellbeing Scrutiny Panel has responsibility for considering a large remit within Tameside, including the local National Health Service Trusts, Public Health, the Health and Wellbeing Board. It also has responsibility for Adult Social Care. This Panel is the only democratically elected body with a statutory function to carry out scrutiny of the Health Services in Tameside.*

*Scrutiny of local NHS Trusts was introduced from May 2001 as part of the Government's Patient and Public Participation Agenda. In Tameside, Health Scrutiny is aimed at improving people's health by looking at the quality, performance, accessibility and outcome of NHS services in the Borough. This is achieved by meeting staff from the major healthcare services, and undertaking cross-cutting, thematic scrutiny exercises and service reviews, looking at the outcome of health and social care provision to all the people of Tameside.*

*The Panel will strive to improve the situations and the health and wellbeing of residents across the Tameside by undertaking in-depth reviews of the priority issues in the borough, and by regularly monitoring the work undertaken by the key service Health and People services.*

**The Places and External Relations Panel** will remain unchanged:

*The Place and External Relations Scrutiny Panel has responsibility for considering all elements of Council policies in relation to the economy of Tameside, the environment, the provision of engineering and transport services, and environmental health. The Panel gives consideration to all of these areas with the view of making Tameside a more prosperous place, and a centre for new business and innovation.*

*The Panel is also responsible for scrutinising key external partners and relations in Tameside, including the Police, Fire and Probation services, as well as Registered Social Landlords. Ensuring that the Council maintains positive and effective working relationships with all of these partners is key to creating a safer, more supportive and prosperous place for all.*

*This Scrutiny Panel will undertake reviews of the most pressing issues in Tameside, and regularly monitor the work undertaken by the key services that the Council and external partners provide.*

	<b>Role</b>	<b>2022/23</b>
	Mayor	Cllr Mike Glover
	Deputy Mayor	Cllr Tafheen Sharif
	<b>EXECUTIVE CABINET (max 10)</b>	
1.	<b>Executive Leader</b>	Cllr Gerald Cooney
2.	<b>Deputy Executive Leader (Children &amp; Families)</b>	Cllr Bill Fairoull
3.	<b>First Deputy (Finance, Resources &amp; Transformation)</b>	Cllr Jacqueline North
4.	<b>Adult Social Care</b>	Cllr John Taylor
5.	<b>Environmental Services</b>	Cllr Denise Ward
6.	<b>Health</b>	Cllr Eleanor Wills
7.	<b>Education &amp; Achievement</b>	Cllr Leanne Feeley
8.	<b>Business &amp; Employment</b>	Cllr David Sweeton
9.	<b>Town Centres, Communities, Corporate Land, Community Assets</b>	Cllr Vimal Choksi
10.	<b>Planning, Transport &amp; Connectivity</b>	Cllr Janet Jackson
11.	<b>Chair of Council Business</b>	Cllr Joe Kitchen
	<b>SHADOW SPOKESPERSONS CABINET (max 10)</b>	
12.	<b>Executive Leader</b>	Cllr Doreen Dickinson
13.	<b>Deputy Executive Leader (Children &amp; Families)</b>	Cllr Ruth Welsh
14.	<b>First Deputy (Finance &amp; Performance)</b>	Cllr Liam Billington
15.	<b>Adult Social Care</b>	Cllr Clive Patrick
16.	<b>Environmental Services</b>	Cllr Lucy Turner
17.	<b>Health</b>	Cllr Lucy Turner
18.	<b>Education &amp; Achievement</b>	Cllr Andrea Colbourne
19.	<b>Business &amp; Employment</b>	Cllr Dan Costello
20.	<b>Town Centres, Communities, Corporate Land, Community Assets</b>	Cllr Phil Chadwick
21.	<b>Planning, Transport &amp; Connectivity</b>	Cllr Doreen Dickinson
	<b>ASSISTANT EXECUTIVE MEMBERS</b>	
22.		Cllr Janet Cooper
23.		Cllr Barrie Holland
24.		Cllr Warren Bray
25.		Cllr Vincent Ricci
26.		Cllr Laura Boyle
27.		Cllr Sangita Patel
28.		Cllr Jackie Lane
	<b>STRATEGIC NEIGHBOURHOOD FORUMS</b> Area based so no political balance	
29.	North Chair	Cllr Joyce Bowerman
30.	North Deputy	Cllr Mike Glover
31.	South Chair	Cllr Betty Affleck
32.	South Deputy	Cllr Peter Robinson
33.	East Chair	Cllr Adrian Pearce
34.	East Deputy	Cllr Jack Homer
35.	West Chair	Cllr Susan Quinn
36.	West Deputy	Cllr Ann Holland
	<b>SPEAKERS PANEL (PLANNING)</b> <b>(Labour 9: Conservative 1)</b>	
37.	Chair	Cllr David McNally
38.	Deputy	Cllr David Mills
39.		Cllr Betty Affleck
40.		Cllr Joyce Bowerman
41.		Cllr Laura Boyle
42.		Cllr Jacqueline Owen

43.		Cllr Pearce
44.		Cllr Sue Quinn
45.		Cllr Vincent Ricci
46.		Cllr Doreen Dickinson
	<b>SPEAKERS PANEL LICENSING (Labour 9: Conservative 1)</b>	
47.	Chair	Cllr Stephen Homer
48.	Deputy	Cllr Phil Chadwick
49.		Cllr Shibley Alam
50.		Cllr Yvonne Cartey
51.		Cllr George Newton
52.		Cllr Sue Quinn
53.		Cllr Claire Reid
54.		Cllr Tafheen Sharif
55.		Cllr George Jones
56.		Cllr Teresa Smith
	<b>SPEAKERS PANEL – LIQUOR LICENSING (Labour 8: Conservative 1)</b>	
57.	Chair	Cllr Jean Drennan
58.	Deputy	Cllr Helen Bowden
59.		Cllr Bowerman
60.		Cllr Allison Gwynne
61.		Cllr George Jones
62.		Cllr Sam Gosling
63.		Cllr Mike Smith
64.		Cllr Charlotte Martin
65.		Cllr Brenda Warrington
66.		Cllr Andrea Colbourne
	<b>SPEAKERS PANEL EMPLOYMENT APPEALS (Labour 4: Conservative 1)</b>	
67.	Chair of Council Business	Cllr Joe Kitchen
68.	First Deputy	Cllr Jacqueline North
69.	Relevant Executive Member for Employee	Relevant at time of hearing
70.	Relevant assistant executive member	Cllr
71.	Opposition member	Cllr Ruth Welsh
	<b>OVERVIEW PANEL (Labour 9: Conservative 1)</b>	
72.	Chair	Cllr Jack Naylor
73.	Deputy	Cllr Mike Smith
74.	Chair of Scrutiny	Cllr Yvonne Cartey
75.	Chair of Scrutiny	Cllr Naila Sharif
76.	Chair of Scrutiny	Cllr Tafheen Sharif
77.	Leader	Cllr Gerald Cooney
78.	Deputy	Cllr Bill Fairfoull
79.	Executive Member Finance	Cllr Jacqueline North
80.	Chair of Council Business	Cllr Joe Kitchen
81.	Audit member	Cllr Oliver Ryan
82.	Audit member	Cllr Liam Billington
	<b>AUDIT PANEL (Labour 6: Conservative 1)</b>	
83.	Chair	Cllr Jack Naylor
84.	Deputy	Cllr Mike Smith
85.		Cllr Laura Boyle
86.		Cllr Joe Kitchen
87.		Cllr Oliver Ryan



88.		Cllr Warren Bray
89.		Cllr Liam Billington
	<b>STRATEGIC PLANNING &amp; CAPITAL MONITORING (Labour 8: Conservative 1)</b>	
90.	Executive Leader	Cllr Gerald Cooney
91.	Deputy Leader	Cllr Bill Fairfoull
92.	Executive Member for Finance	Cllr Jacqueline North
93.	Executive Member responsible for schools	Cllr Leanne Feeley
94.	Chair of Planning	Cllr McNally
95.		Cllr Bray
96.		Cllr Boyle
97.		Cllr Oliver Ryan
98.		Cllr Doreen Dickinson
	<b>ENVIRONMENT &amp; CLIMATE EMERGENCY WORKING GROUP (Labour 9: Conservative 1)</b>	
99.	Assistant Executive Member (Chair)	Cllr Laura Boyle
100.		Cllr Betty Affleck
101.		Cllr Sam Gosling
102.		Cllr Barrie Holland
103.		Cllr Charlotte Martin
104.		Cllr David Mills
105.		Cllr Hugh Roderick
106.		Cllr Cooper
107.		Cllr Stephen Homer
108.		Cllr Lucy Turner
	<b>DEMOCRATIC PROCESS WORKING GROUP (Labour 9: Conservative 1)</b>	
109.	Chair	Cllr Gerald Cooney
110.		Cllr Bill Fairfoull
111.		Cllr Joe Kitchen
112.		Cllr David McNally
113.		Cllr Jacqueline North
114.		Cllr Claire Reid
115.		Cllr Denise Ward
116.		Cllr Leanne Feeley
117.		Cllr Oliver Ryan
118.		Cllr Dan Costello
	<b>HEALTH &amp; WELLBEING BOARD</b>	
119.	Executive Member (Health) (Chair)	Cllr Eleanor Wills
120.	Deputy Executive Leader (Children & Families)	Cllr Bill Fairfoull
121.	Executive Member Adult Social Care & Health	Cllr John Taylor
122.	Executive Member with responsibility for housing & employment	Cllr Dave Sweeton
	<b>STRATEGIC COMMISSING BOARD</b>	
123.	All cabinet members	Cllr Gerald Cooney
124.		Cllr Bill Fairfoull
125.		Cllr Jaqueline North
126.		Cllr John Taylor
127.		Cllr Denise Ward
128.		Cllr Eleanor Wills
129.		Cllr Leanne Feeley
130.		Cllr David Sweeton
131.		Cllr Vimal Choksi
132.		Cllr Janet Jackson

	<b>EDUCATION ATTAINMENT IMPROVEMENT BOARD (Labour 5: Conservative 1)</b>	
133.	Executive Member for Education (Chair)	Cllr Leanne Feeley
134.	Executive member for Children	Cllr Bill Fairfoull
135.	Assistant member for children	Cllr Janet Cooper
136.	Assistant member for education	Cllr Janet Jackson
137.		Cllr Laura Boyle
138.		Cllr Andrea Colbourne
	<b>PLACE &amp; EXTERNAL RELATIONS SCRUTINY PANEL (Labour 9: Conservative 1)</b>	
139.	Chair	Cllr Yvonne Cartey
140.	Deputy	Cllr Shibley Alam
141.		Cllr Sam Gosling
142.		Cllr Allison Gwynne
143.		Cllr Ann Holland
144.		Cllr Mike Glover
145.		Cllr Hugh Roderick
146.		Cllr Joyce Bowerman
147.		Cllr Peter Robinson
148.		Cllr Phil Chadwick
	<b>HEALTH AND ADULT SOCIAL CARE SCRUTINY PANEL (Labour 9: Conservative 1)</b>	
149.	Chair	Cllr Naila Sharif
150.	Deputy	Cllr Jacqueline Owen
151.		Cllr Brenda Warrington
152.		Cllr Janet Cooper
153.		Cllr Betty Affleck
154.		Cllr Jean Drennan
155.		Cllr Adrian Pearce
156.		Cllr George Newton
157.		Cllr Helen Bowden
158.		Cllr Clive Patrick
	<b>CHILDREN'S SERVICES SCRUTINY PANEL (Labour 9: Conservative 1)</b>	
159.	Chair	Cllr Tafheen Sharif
160.	Deputy (opposition member)	Cllr Ruth Welsh
161.		Cllr Jackie Owen
162.		Cllr Claire Reid
163.		Cllr Sangita Patel
164.		Cllr Jack Homer
165.		Cllr Peter Robinson
166.		Cllr Oliver Ryan
167.		Cllr Teresa Smith
168.		Vacancy
	<b>STANDARDS COMMITTEE Not politically balanced</b>	
169.	Independent Person (Chair)	Miriam Lawton
170.	Deputy Independent person (Deputy)	To be appointed
171.	Chief Whip	Cllr David McNally
172.		Cllr Vincent Ricci
173.		Cllr Jackie Lane
174.		Cllr Joe Kitchen

175.		Cllr Dan Costello
176.	Town Parish Councillor	Town Councillor Frank Travis
177.	Substitute Town Parish councillor	Town Councillor Stephen Homer

## OUTSIDE BODIES



	<b>GM Combined Authority</b>	Executive Leader	Cllr Gerald Cooney
		Substitute: Deputy Executive Leader	Cllr Bill Fairfoull
	<b>AGMA Executive Board</b>	Executive Leader	Cllr Gerald Cooney
		Substitute: Deputy Executive Leader	Cllr Bill Fairfoull
	<b>Police and Crime Panel</b>	1 Member + substitute (Cannot be Leader)	Cllr Denise Ward
	<b>Police and Crime Steering Group</b>	1 Member Cannot be Leader	Cllr Denise Ward
	<b>GM Planning and Housing Commission</b>	1 Member GM ask for Executive lead for Planning and Housing	Cllr Jacqueline North
	<b>Combined Authority Scrutiny Committee</b>	Each District to nominate 5 Members (at least 3 to be from ruling group) Political Balance would mean 4 Labour and 1 Conservative Nomination. At least 2 of nominations should be women. Nominations 1 & 2 will sit on GMCA Scrutiny Committees; Nomination 3 will either sit on GMCA Scrutiny Committee or the within the scrutiny pool (Depending on agreed structure) Nominations 4 and 5 will sit within the GMCA Scrutiny Pool (Depending on agreed structure)	Cllr Yvonne Cartey
			Cllr Tafheen Sharif
			Cllr Naila Sharif
			Cllr Jacqueline Owen
			Cllr Liam Billington
	<b>GM Health Scrutiny Committee</b>	1 Member + Sub GM ask for Chair of Health Scrutiny Committee	Cllr Naila Sharif
			Sub: Cllr
	<b>Joint Scrutiny Panel for Pennine Care Mental Health Trust</b>	Chair and Vice Chair of Integrated Care and Wellbeing Scrutiny Panel + 1 Conservative Nomination	Cllr Naila Sharif
			Cllr Clive Patrick
	<b>GM Health and Social Care Partnership Board</b>	1 Member + Sub To be replaced by Integrated Care Partnership on 1 July GM recommend appointing Leader	Cllr Eleanor Wills
			Cllr Jacqueline Owen
	<b>GM Joint Health Commissioning Board</b>	1 Member to appoint Last meeting to be held on 21 June, GM suggest where possible the current member is reappointed:	Cllr Eleanor Wills
	<b>Greater Manchester Pension Fund (Labour 9: Conservative 1)</b>	Chair	Cllr Gerald Cooney
		Deputy Chair	Cllr Jacqueline North
		Vice-Chair	Cllr Oliver Ryan
			Cllr Drennan
			Cllr Lane
			Cllr Quinn
			Cllr Ricci

			Cllr Taylor
			Cllr Ward
			Cllr Clive Patrick
		Independent Observer	John Pantall
		Ministry of Justice	Petula Herbert
	<b>Local Pensions Board Not politically balanced</b>	<b>5 Employer Reps:</b>	
			Cllr Bill Fairfoull
			Cllr
			Michael Cullen
			Jane Hammond
			Paul Taylor
		<b>5 Scheme Member Reps:</b>	
			Mark Rayner
			David Schofield
			Catherine Lloyd
			Chris Goodwin
			Pensioner rep to be appointed
	<b>Pension Fund Working Groups:</b>		
	Administration Employer Funding Viability	Deputy Chair of Pension Fund	Cllr Jacqueline North
	Investment Monitoring and ESG	Vice-Chair of Pension Fund	Cllr Oliver Ryan
	Policy and Development	Chair of Pension Fund	Cllr Gerald Cooney
	<b>GM Transport Committee</b>	To appoint 1 Member + Substitute Executive Member for Transport and Connectivity Cllr Dickinson on Panel appointed by Mayor to achieve political balance	Cllr Janet Jackson Cllr Warren Bray
	<b>GM Waste &amp; Recycling Committee</b>	Two nominations (to include Exec Member for Environment and Waste	Cllr Denise Ward Cllr Laura Boyle
	<b>GM Culture &amp; Social Impact Fund Cttee</b>	To appoint 1 Member + Substitute	Cllr Vimal Choksi Cllr Sangita Patel
	<b>AGMA Statutory Functions Committee</b>	1 Member + Substitute GM recommend same appointments as above	Cllr Vimal Choksi Cllr Sangita Patel
	<b>GM Work and Skills Executive</b>	To appoint 1 Member Executive Lead for Work and Skills	Cllr David Sweeton
	<b>Clean Air Charging Authorities Committee</b>	1 Member + Sub GM ask for Lead Executive Member for clean air)	Cllr Denise Ward Cllr
	<b>Air Quality Administration</b>	1 Member + Sub GM recommend same members as above	Cllr Denise Ward Cllr
	<b>Draft Joint Development Plan – Places for Everyone Committee</b>	1 Member + Sub GM ask for Leader	Cllr Jacqueline North Cllr Warren Bray

	<b>North West Employers</b>	1 Member + Sub Executive or Asst Executive Member with Lead on Workforce and OD	Cllr Jacqueline North Sub: Cllr
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# Agenda Item 8

<b>Report To:</b>	<b>ANNUAL COUNCIL</b>
<b>Date:</b>	24 May 2022
<b>Reporting Officer:</b>	Steven Pleasant, Chief Executive
<b>Subject:</b>	<b>CALENDAR OF MEETINGS 2022/23 AND 2023/24</b>
<b>Report Summary:</b>	<p>Attached is a draft of the Calendar of Meetings for 2022/2023 and 2023/24 Municipal Years.</p> <p>The calendar has been produced for a two year period to give Members more advance notification of meetings and each year the two year rolling programme will be updated at Annual Council.</p>
<b>Recommendations:</b>	That Members note the draft Calendar of Meetings for the 2022/23 and 2023/24 Municipal Years.
<b>Links to Community Strategy:</b>	The Constitution and democratic framework provides an effective framework for implementing the Community Strategy.
<b>Policy Implications:</b>	There are no policy implications.
<b>Financial Implications: (Authorised by the Section 151 Officer)</b>	There are no budgetary implications.
<b>Legal Implications: (Authorised by the Borough Solicitor)</b>	Achieves compliance with Procedural Standing Orders.
<b>Risk Management:</b>	Publication of the Meetings Calendar allows for transparent and inclusive decision-making and complies with the Freedom of Information Act 2000.
<b>Access to Information</b>	<p>The background papers relating to this report can be inspected by contacting Robert Landon, Head of Democratic Services by:</p> <p> phone: 0161 342 2146</p> <p> e-mail: <a href="mailto:robert.landon@tameside.gov.uk">robert.landon@tameside.gov.uk</a></p>

**DRAFT CALENDAR OF MEETINGS 2022/23 AND 2023/2024 MUNICIPAL YEARS**

<b>MEETINGS</b>	<b>DATE/TIME</b>						
<b>Council</b>	<b>Tuesday 5.00pm</b>	<b>24 May 2022</b>	<b>19 July 2022</b>	<b>4 Oct 2022</b>	<b>6 Dec 2022</b>		<b>28 Feb 2023</b>
		<b>23 May 2023</b>	<b>18 July 2023</b>	<b>3 Oct 2023</b>	<b>5 Dec 2023</b>		<b>27 Feb 2024</b>
<b>Executive Cabinet</b>	<b>Wednesday 1.00pm (or at the rise of SCB whichever is later)</b>	<b>22 June 2022</b>	<b>27 July 2022</b>	<b>24 Aug 2022</b>	<b>28 Sept 2022</b>	<b>26 Oct 2022</b>	<b>23 Nov 2022</b>
		<b>14 Dec 2022</b>	<b>25 Jan 2023</b>	<b>8 Feb 2023 (Jt meeting with Overview Panel)</b>	<b>29 March 2023</b>	<b>26 April 2023</b>	<b>28 June 2023</b>
<b>Page 36</b>		<b>26 July 2023</b>	<b>30 Aug 2023</b>	<b>27 Sept 2023</b>	<b>25 Oct 2023</b>	<b>22 Nov 2023</b>	<b>13 Dec 2023</b>
		<b>24 Jan 2024</b>	<b>14 Feb 2024 (Jt meeting with Overview Panel)</b>	<b>27 March 2024</b>	<b>24 April 2024</b>		
<b>Strategic Commissioning Board</b>	<b>Wednesday 1.00pm</b>	<b>22 June 2022</b>	<b>27 July 2022</b>	<b>24 Aug 2022</b>	<b>28 Sept 2022</b>	<b>26 Oct 2022</b>	<b>23 Nov 2022</b>
		<b>21 Dec 2022</b>	<b>25 Jan 2023</b>	<b>8 Feb 2023</b>	<b>29 March 2023</b>	<b>26 April 2023</b>	<b>28 June 2023</b>
		<b>26 July 2023</b>	<b>30 Aug 2023</b>	<b>27 Sept 2023</b>	<b>25 Oct 2023</b>	<b>22 Nov 2023</b>	<b>20 Dec 2023</b>
		<b>24 Jan 2024</b>	<b>14 Feb 2024</b>	<b>27 March 2024</b>	<b>24 April 2024</b>		
<b>Overview Panel</b>	<b>Monday 2.00pm</b>	<b>25 July 2022</b>	<b>26 Sept 2022</b>	<b>21 Nov 2022</b>	<b>Wed 8 Feb 2023 (Jt meeting with Executive Cabinet)</b>		
		<b>24 July 2023</b>	<b>25 Sept 2023</b>	<b>20 Nov 2023</b>	<b>Wed 14 Feb 2024 (Jt meeting with Executive Cabinet)</b>		
<b>Audit Panel</b>	<b>Tuesday 2.00pm</b>	<b>26 July 2022</b>	<b>27 Sept 2022</b>	<b>22 Nov 2022</b>	<b>14 March 2023</b>		



		25 July 2023	26 Sept 2023	21 Nov 2023	12 March 2024		
Planning Committee	Wednesday 10.00am	8 June 2022	20 July 2022	14 Sept 2022	19 Oct 2022	16 Nov 2022	14 Dec 2022
		18 Jan 2023	22 Feb 2023	15 March 2023	19 April 2023	31 May 2023	28 June 2023
		26 July 2023	13 Sept 2023	18 Oct 2023	15 Nov 2023	13 Dec 2023	17 Jan 2024
		14 Feb 2024	20 March 2024	17 April 2024			
Liquor Licensing Panel	Monday 10.00am	13 June 2022	11 July 2022	5 Sept 2022	7 Nov 2022	16 Jan 2023	6 March 2023
		12 June 2023	10 July 2023	11 Sept 2023	6 Nov 2023	15 Jan 2024	11 March 2024
Licensing Panel	Tuesday 10.00am	14 June 2022	19 July 2022	13 Sept 2022	15 Nov 2022	17 Jan 2023	14 March 2023
		13 June 2023	18 July 2023	19 Sept 2023	14 Nov 2023	16 Jan 2024	19 March 2024
<b>Scrutiny Panels:</b>							
Public and External Relations	Tuesday at 6.00pm	7 June 2022	26 July 2022	20 Sept 2022	1 Nov 2022	10 Jan 2023	7 March 2023
		6 June 2023	25 July 2023	12 Sept 2023	7 Nov 2023	9 Jan 2024	5 March 2024
Children's Services	Weds at 6.00pm	8 June 2022	27 July 2022	21 Sept 2022	2 Nov 2022	11 Jan 2023	8 March 2023
		7 June 2023	26 July 2023	13 Sept 2023	8 Nov 2023	10 Jan 2024	6 March 2024
Integrated Care and Wellbeing	Thursday at 6.00pm	9 June 2022	28 July 2022	22 Sept 2022	3 Nov 2022	12 Jan 2023	9 March 2023
		8 June 2023	27 July 2023	14 Sept 2023	9 Nov 2023	11 Jan 2024	7 March 2024
<b>Other Panels and Working Groups:</b>							
Standards Committee	Tuesday 4.00pm		6 Sept 2022	1 Nov 2022	4 April 2023		
			5 Sept 2023	7 Nov 2023	26 March 2024		

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<b>Strategic Planning and Capital Monitoring Panel</b>	<b>Monday 2.00pm</b>	<b>18 July 2022</b>	<b>19 Sept 2022</b>	<b>14 Nov 2022</b>	<b>20 March 2023</b>		
		<b>17 July 2023</b>	<b>18 Sept 2023</b>	<b>13 Nov 2023</b>	<b>18 March 2024</b>		
<b>Democratic Processes Wrk Grp</b>	<b>Monday 4.00pm</b>	<b>4 July 2022</b>	<b>26 Sept 2022</b>	<b>12 Dec 2022</b>	<b>20 Feb 2023</b>		
		<b>3 July 2023</b>	<b>25 Sept 2023</b>	<b>11 Dec 2023</b>	<b>19 Feb 2024</b>		
<b>Environment and Climate Emergency Working Group</b>	<b>Wednesday 4.30pm</b>	<b>15 June 2022</b>	<b>7 Sept 2022</b>	<b>16 Nov 2022</b>	<b>15 March 2023</b>		
		<b>14 June 2023</b>	<b>6 Sept 2023</b>	<b>15 Nov 2023</b>	<b>13 March 2024</b>		
<b>Health and Wellbeing Board</b>	<b>Thursday at 10.00am</b>	<b>16 June 2022</b>	<b>15 Sept 2022</b>	<b>17 Nov 2022</b>	<b>19 Jan 2023</b>	<b>16 March 2023</b>	
		<b>15 June 2023</b>	<b>14 Sept 2023</b>	<b>16 Nov 2023</b>	<b>18 Jan 2023</b>	<b>14 March 2024</b>	
<b>Education Attainment Improvement Board</b>	<b>Tuesday at 3.30pm</b>	<b>21 June 2022</b>	<b>18 Oct 2022</b>	<b>17 Jan 2023</b>	<b>14 March 2023</b>		
		<b>20 June 2023</b>	<b>17 Oct 2023</b>	<b>16 Jan 2024</b>	<b>12 March 2024</b>		
<b>Corporate Parenting Board</b>	<b>Tuesday at 5pm</b>	<b>7 June 2022</b>	<b>9 Aug 2022</b>	<b>11 Oct 2022</b>	<b>6 Dec 2022</b>	<b>14 Feb 2023</b>	<b>11 April 2023</b>
		<b>6 June 2023</b>	<b>8 Aug 2023</b>	<b>10 Oct 2023</b>	<b>5 Dec 2023</b>	<b>13 Feb 2024</b>	<b>9 April 2024</b>
<b>Strategic Neighbourhood Forums:</b>							
<b>SOUTH (Hyde/Longdendale)</b>	<b>Monday at 6.30pm</b>	<b>27 June 2022</b>	<b>17 Oct 2022</b>	<b>30 Jan 2023</b>	<b>27 March 2023</b>		
		<b>26 June 2023</b>	<b>16 Oct 2023</b>	<b>29 Jan 2024</b>	<b>25 March 2024</b>		
<b>NORTH (Ashton)</b>	<b>Tuesday at 6.30pm</b>	<b>28 June 2022</b>	<b>18 Oct 2022</b>	<b>31 Jan 2023</b>	<b>28 March 2023</b>		
		<b>27 June 2023</b>	<b>17 Oct 2023</b>	<b>30 Jan 2024</b>	<b>26 March 2024</b>		
<b>EAST</b>	<b>Wednesday at 6.30pm</b>	<b>22 June 2022</b>	<b>12 Oct 2022</b>	<b>25 Jan 2023</b>	<b>22 March 2023</b>		

<b>(Dukinfield/Mossley/ Stalybridge)</b>							
		<b>21 June 2023</b>	<b>11 Oct 2023</b>	<b>24 Jan 2024</b>	<b>20 March 2024</b>		
<b>WEST (Audenshaw/Denton Droylsden)</b>	<b>Thursday at 6.30pm</b>	<b>23 June 2022</b>	<b>13 Oct 2022</b>	<b>26 Jan 2023</b>	<b>23 March 2023</b>		
		<b>22 June 2023</b>	<b>12 Oct 2023</b>	<b>25 Jan 2024</b>	<b>21 March 2024</b>		

**GMPF MEETINGS 2022/23 & 2023/24**

**Pension Fund and Working Groups calendar dates:**

<b>Pension Fund Panel</b>	<b>Friday 10.00am</b>	15 July 2022	16 Sept 2022	2 Dec 2022	24 Mar 2023
		14 July 2023	15 Sept 2023	1 Dec 2023	8 Mar 2024
<b>Policy &amp; Development</b>	<b>Thursday 11.00am</b>	23 June 2022	8 Sept 2022	17 Nov 2022	2 Mar 2023
		22 June 2023	7 Sept 2023	16 Nov 2023	22 Feb 2024
<b>Investment Monitoring &amp; ESG</b>	<b>Friday 9.00am</b>	29 July 2022	30 Sept 2022	27 Jan 2023	14 April 2023
		28 July 2023	29 Sept 2023	26 Jan 2024	12 April 2024
<b>Administration &amp; Employer Funding Viability</b>	<b>Friday 11.00am</b>	29 July 2022	30 Sept 2022	27 Jan 2023	14 April 2023
		28 July 2023	29 Sept 2023	26 Jan 2024	12 April 2024
<b>Local Pensions Board</b>	<b>Thursday 3.00pm</b>	28 July 2022	29 Sept 2022	26 Jan 2023	13 April 2023
		27 July 2023	28 Sept 2023	25 Jan 2024	11 April 2024
<b>Northern LGPS Joint Oversight Cttee</b>	<b>Thursday 11.00am</b>	7 July 2022	6 Oct 2022	2 Feb 2023	13 April 2023
		6 July 2023	5 Oct 2023	1 Feb 2024	11 April 2024

## EXECUTIVE CABINET

23 March 2022

Commenced: 1.55pm

Terminated: 3.30pm

**Present:** Councillors Warrington (Chair), Cooney, Feeley, Kitchen, Ryan and Wills

**In Attendance:**

Ashwin Ramachandra	Co-Chair, Tameside & Glossop CCG (part meeting)
Steven Pleasant	Chief Executive & Accountable Officer
Sandra Stewart	Director of Governance & Pensions
Kathy Roe	Director of Finance
Ian Saxon	Director of Place
Stephanie Butterworth	Director of Adults Services
Alison Stathers-Tracey	Director of Children's Services
Jess Williams	Director of Commissioning
Tim Bowman	Director of Education (Tameside and Stockport)
Sarah Threlfall	Director of Transformation
Gregg Stott	Assistant Director, Investment, Development and Housing
Emma Varnam	Assistant Director, Operations and Neighbourhoods
Caroline Barlow	Assistant Director of Finance
James Mallion	Interim Assistant Director of Population Health
Simon Brunet	Head of Policy, Performance and Intelligence

**Apologies for absence:** Councillors Bray, Fairfoull and Gwynne who participated in the meeting virtually

### 145. DECLARATIONS OF INTEREST

There were no declarations of interest submitted by Cabinet Members.

### 146. MINUTES OF EXECUTIVE CABINET

#### RESOLVED

That the Minutes of the joint meeting of Overview Panel and Executive Cabinet held on 9 February 2022 be approved as a correct record.

### 147. MINUTES OF STRATEGIC COMMISSIONING BOARD

#### RESOLVED

That the Minutes of the meeting of the Strategic Commissioning Board held on 9 February 2022 be noted.

### 148. MINUTES OF EXECUTIVE BOARD

#### RESOLVED

That the Minutes of the meetings of Executive Board held on 17 February and 2 March 2022 be noted.

## **149. STRATEGIC PLANNING AND CAPITAL MONITORING PANEL**

Consideration was given to the minutes of the meeting of the Strategic Planning and Capital Monitoring Panel meeting held on 14 March 2022. Approval was sought of recommendations of the Strategic Planning and Capital Monitoring Panel arising from the meeting.

### **RESOLVED**

- (a) The minutes of the meeting of the Strategic Planning and Capital Monitoring Panel held on 14 March 2022 be noted; and**
- (b) That the following recommendations be approved:**

### **2021/22 CAPITAL MONITORING REPORT – MONTH 10**

**That EXECUTIVE CABINET be RECOMMENDED to NOTE:**

- (i) the forecast outturn position for 2021/22 as set out in Appendix 1;**
- (ii) the funding position of the approved Capital Programme as set on page 9 of Appendix 1;**
- (iii) the changes to the Capital Programme as set out on page 10 in Appendix 1; and**
- (iv) the updated Prudential Indicator position set out on pages 11-12 of Appendix 1, which was approved by Council in February 2021.**

**That Executive Cabinet be recommended to APPROVE the re-profiling of budgets into 2022/23 as set out on page 4 of Appendix 1.**

### **CAPITAL PROGRAMME – OPERATIONS AND NEIGHBOURHOODS (PLACE DIRECTORATE)**

### **RESOLVED**

**That EXECUTIVE CABINET be RECOMMENDED to NOTE:**

- (i) The progress with regard to the Flood Prevention and Consequential Repairs;**
- (ii) The progress with regard to the Slope Stability Programme and potential additional works required;**
- (iii) The progress with regard to the replacement of Cremators and Mercury Abatement, Filtration Plant and Heat Recovery Facilities;**
- (iv) The progress of capital schemes in section 2.18-2.25;**
- (v) The progress of the Walking and Cycling infrastructure schemes set out in section 3 of the report; and**
- (vi) The progress on the external grant funded schemes in section 4 of the report.**

### **EDUCATION CAPITAL PROGRAMME**

### **RESOLVED**

**That EXECUTIVE CABINET be RECOMMENDED to APPROVE:**

- (i) The proposed changes to add £30,000 of Basic Need funding to the programme as detailed in paragraph 2.2;**
- (ii) The proposed changes to add £33,000 of School Condition funding to the programme as detailed in paragraph 2.5;**
- (iii) The proposed estimate of the School Condition Grant for 2022/23 is added to the programme as detailed in paragraph 4.29. The final amount of grant will be updated on receipt of the final confirmation of the grant;**
- (iv) The addition of £95,000 school contributions to the capital programme in 2022/23 as detailed in paragraph 4.50, subject to the confirmation of School Condition Grant as per recommendation 3;**
- (v) The addition of £35,000 developer contribution to the capital programme in 2022/23 to fund works at Whitebridge College as detailed in paragraph 4.48;**
- (vi) The 2022/23 School Condition grant is allocated to the projects detailed in the table at paragraph 4.51;**
- (vii) That the Director of Education be authorised to vire amounts between schemes within**

- the total amount of School Condition Grant received;
- (viii) A grant agreement for a £663,023 with St Anselm's Catholic Multi Academy Trust to enable All Saints Catholic College to accommodate additional school places from September 2021. The capital scheme focusses on remodelling and refurbishing five science labs and the associated prep room along with remodelling of the existing changing rooms and gym as set out in paragraph 3.9; and
  - (ix) Commissioning the LEP to move the Hawthorns programme to the next stage to develop detailed designs up to tender stage – RIBA Stage 4 and include the planning submission fee. Initial ecology work is also required as part of this work. It is requested £236,000 be allocated from within the provisional budget previously approved.

## **CHILDREN'S SOCIAL CARE CAPITAL SCHEMES UPDATE REPORT**

That EXECUTIVE CABINET be RECOMMENDED to NOTE the progress update in the report.

## **ADULTS CAPITAL PLAN**

That EXECUTIVE CABINET be RECOMMENDED to:

- (i) note the progress updates, and
- (ii) extend the Moving with Dignity programme for a further two years at a cost allocation of £385k from DFG funding.

## **PLACE CAPITAL PROGRAMME UPDATE REPORT - PROPERTY, DEVELOPMENT AND PLANNING**

That EXECUTIVE CABINET be RECOMMENDED to:

- (i) Note that £243,593 of Corporate Landlord Capital Expenditure financed from the approved Statutory Compliance budget has been spent as detailed in Appendix 7; and
- (ii) Approve the inclusion of additional grant budget of £60,782 to the Decarbonisation of the Public Estate scheme in the Capital Programme, which would revise the current budget to £2,344,386.

## **150. PERIOD 10 INTEGRATED FINANCE REPORT**

Consideration was given to a report of the Executive Member, Finance and Economic Growth / Lead Clinical GP / Director of Finance, which detailed actual expenditure to 31 January 2022 (Month 10) and forecasts to 31 March 2022.

It was reported that the forecast outturn position for the council continued to look more positive for 2021/22, with a £458k improvement reported since last month, taking year-end projected overspend to £701k. The overall improvement was largely due to non-recurrent, pandemic related funding streams which would not be available next year. The 2022/23 budget was approved at Full Council on 22 February 2022, this included additional funding for both Children's and Adults Social Care, but cost and demand pressures were expected to continue to increase.

The CCG reported position at Month 10 showed a forecast overspend of £3,376k, all of which was reimbursable. Once appropriate allocations had been received, a break even position was effectively being reported, which included full achievement QIPP. Work was in progress on national planning returns for 2022/23 with allocations published at an ICB level.

The Trust was forecasting a breakeven financial position for 2021/22 in line with plan. Restoration plans had been established within the Trust and the Trust continued to aspire to deliver nationally prescribed activity targets, which for H2 was to deliver 89% of the completed Referral to Treatment pathways relative to 2019/20. The Trust continued to report good levels of performance against restoration targets. However, the Trust continued to experience significant pressures within Urgent Care, Non-elective and COVID positive admissions and as a result, there had been a small reduction

in the number of elective and day cases versus plan this month.

Further detail on the financial position and key headlines was reported in Appendix 1 to the report. Appendix 2 provided more detailed analysis of all Directorate areas.

The latest forecast for the Collection Fund in 2021/22, together with collection performance, was summarised in Appendix 3 to the report.

In 2020/21 the deficit on Dedicated Schools Grant (DSG) increased from £0.557m to £1.686m mainly due to funding the overspend on the High Needs Block. If the 2021/22 projections materialised, there would be a deficit of £3.713m on the DSG reserve by 31 March 2022. Under DfE regulations a deficit recovery plan was required to be produced, which will be submitted to the DfE outlining how this deficit was expected to be recovered and spending managed and would require discussions and the agreement of the Schools Forum. The position would be closely monitored throughout the year and updates would be reported to Members. Further detail was set out in Appendix 4 to the report.

Appendix 5 to the report detailed the write-off of irrecoverable debts for the period 1 October to 31 December, which Members were asked to approve.

Members were informed that, since the update to Cabinet in December, the position on savings delivery had improved overall across the Council. Overall, the total forecast savings to be delivered in 2021/22 had increased to £9.137m which exceeded the original target of £8.930m. However, it was noted that this total included just over 1m of mitigating savings that were one-off in nature and not expected to be available in 2022/23.

During 2021/22 the public sector and especially the NHS had continued to mobilise at pace and scale to address the ongoing impacts of the COVID-19 pandemic. NHS England and Improvement (NHSEI) had, therefore, continued with the 'command and control' financial regime introduced in 2020/21 during the response to the first wave of the pandemic.

This atypical financial regime had resulted in financial plans for 2021/22 being managed at a GM level for which the finalisation and submission of STP level plans were May 2021 (for H1 period April - Sept) and November 2021 (for H2 period Oct – March). This was significantly later than usual which, in turn, had hindered the CCG and its partners with being able to progress its strategic intentions for the Tameside and Glossop populations.

As the organisation had entered the final quarter of 2021/22, the certainty of budgets and plans meant that the CCG's financial outturn position could be forecast with a greater degree of confidence. This put the CCG in the position of being able to provide additional support to the locality's strategic aims by meeting a greater proportion of the health-related costs for some of the transformation programmes being delivered in 2021/22 through the Section 75 pooling arrangements it had with Tameside Metropolitan Borough Council.

It was intended that this situation would enable the CCG to increase its funding to the Section 75 (S75) pooled budget whilst the Council reduced its contribution in 2021/22 thereby releasing some non-recurrent savings for the Council which, in turn, would facilitate ongoing financial sustainability across the economy and support the transformation schemes for locality priorities such as in Children's and Learning Disability/Adult Mental Health services which were facing significant demand pressures as reported at length in previous reports.

It was proposed that the Council should reduce its contribution to the S75 pool by £3.5m in 2021/22 whilst the CCG increased its contribution to fund health-related costs in 2021/22 by the same amount.

#### **RESOLVED**

- (i) That the forecast outturn position and associated risks for 2021/22 as set out in Appendix 1 to the report, be noted;**
- (ii) That the detailed analysis of budget forecasts and variances set out in Appendix 2 to the**



- report, be noted;
- (iii) That the forecast position on the Collection Fund in respect of Council Tax and Business Rates as set out in Appendix 3 to the report, be noted;
- (iv) That the forecast position in respect of Dedicated Schools Grant as set out in Appendix 4 to the report, be noted;
- (v) That the write-off of irrecoverable debts for the period 1 October to 31 December 2021 as set out in Appendix 5 to the report, be approved; and
- (vi) That the proposals for the CCG increasing its contribution to the Section 75 pooled fund (and the Council reducing its contribution by the same value) in accordance with the Integrated Commissioning Fund risk share agreement as set out in section 7 of the report, be approved.

## **151. SEND WRITTEN STATEMENT OF ACTION**

The Executive Member, Lifelong Learning, Equalities, Culture and Heritage / Director of Education (Tameside and Stockport) submitted a report, which explained that between 18 and 22 October 2021, Ofsted and the Care Quality Commission (CQC) conducted a joint inspection of the local area of Tameside to judge the effectiveness of the area in implementing the special educational needs and/or disabilities (SEND) reforms as set out in the Children and Families Act 2014.

The outcome of the inspection was that a Written Statement of Action (Written Statement of Action) was required because of significant areas of weakness in the area's practice. HMCI had also determined that the local authority and the area's clinical commissioning group(s) (CCG) were jointly responsible for submitting the written statement to Ofsted. The Written Statement of Action must be submitted for approval no later than April 12.

The report outlined the actions that had been taken to draft the Written Statement of Action. A draft Written Statement of Action was included as Appendix A to the report. In addition the report outlined what further investments were required to deliver the plan.

### **RESOLVED**

It be agreed that:

- (i) The draft Written Statement of Action be shared with DfE and NHS Improvement Advisors for final comment;
- (ii) An additional investment of £275k, as outlined in section 4.5 of the report, be approved noting that £156k of this will not be required until 2023/24;
- (iii) A report be presented to the Strategic Commissioning Board seeking permission for an additional investment of £820k to provide adequate therapy provision and address waiting times for services including physiotherapy, occupational health and speech and language;
- (iv) A further report be provided to the Strategic Commissioning Board following the submission of the Written Statement of Action outlining what, if any, further resource commitment is required to deliver the plan; and
- (v) Final sign-off of the Written Statement of Action be delegated to the relevant Executive Members, Councillor Feeley and Fairfoull, in consultation with the Director of Children's Services and CCG Accountable Officer.

## **152. POVERTY STRATEGY AND APPROACH RESPONSE TO THE COST OF LIVING**

Consideration was given to a report of the Executive Leader / CCG Co-Chairs / Director of Transformation proposing that work commence to review the current response to poverty and develop a refreshed approach including a long-term poverty strategy and a financial vulnerability plan to provide timely assistance to residents, whilst also addressing the long-term root causes of poverty. The strategy and plan would be informed by extensive analysis of data, benchmarking with best practice and engagement with those affected by poverty and those working with people living in

poverty.

## **RESOLVED**

**That the content of the report be noted and it be agreed that:**

- (i) A refreshed long-term strategy to tackle poverty be developed alongside the Corporate Plan as a place based response to the systemic issues of deprivation;**
- (ii) A refreshed operational approach to financial vulnerability be developed particularly in light of the cost of living crisis and the socio-economic and wellbeing impacts of the Covid-19 on families and communities;**
- (iii) Work required to deliver recommendations (1) and (2) will include a detailed needs assessment underpinned by data, feedback from people with lived experience of poverty, mapping of existing pathways; benchmarking of best practice within and without Tameside and feedback from the Tameside Poverty Truth Commission;**
- (iv) Tameside Council will consult with local partners in the public, private and third sectors in order to work together on the development of the long term poverty strategy and financial vulnerability response to ensure both are holistic place based approaches and address systemic challenges;**
- (v) Tameside Council notes that the socio-economic duty part of the draft Equality Act 2010 has yet to be enacted by parliament and commits to continuing to have due regard to the need to reduce the inequalities of outcome resulting from socio-economic disadvantage and wherever possible addressing transparently in all decision making;**
- (vi) It is proposed that the Discretionary Energy Rebate Scheme (announced in addition to the mandatory energy rebate scheme) will provide support as part of the overarching response to the cost of living crisis. The funding in Tameside is £530k, and guidance suggests that this funding should be used to provide payments to other households who are energy bill payers but not covered by the Council Tax Rebate as set out in section 5.20. Specific provision and support will be put in place Care Leavers struggling with the cost of living crisis; and**
- (vii) Where possible and subject to sufficient funding being identified the existing approach to crisis grants and holiday hunger post (currently supported by the Household Support Fund) be continued post 31 March 2022.**

## **153. APPROVAL OF REVISED NON-RESIDENTIAL CHARGING POLICY**

The Executive Member, Adult Social Care and Health / Director of Adults Services submitted a report seeking approval of the updated revised Non-Residential Charging Policy 2022, which had been produced expediently following approval by Members at the last meeting of the Executive Cabinet on the 9 February 2022 to update the previous policy dated 25 March 2015 to take effect from 1 April 2022 to include:

- The Minimum Income Guarantee level would remain at the level the Council currently used;
- The level of income disregarded be changed to disregard the difference between DLA care higher and middle rate and PIP daily living allowance enhanced and standard rate; and
- An annual fee for managing non-residential self-funders' accounts of £95 be implemented, with an annual review of the level which would apply only to non-residential packages of care created from this date, rather than existing packages.

The policy, as appended to the report, had been redrafted with a view to making it simpler to understand.

## **RESOLVED**

**That the Executive Cabinet agree the Policy attached at Appendix 1 to the report, in line with their decision of the 9 February 2022.**

## 154. ENGAGEMENT UPDATE

A report was submitted by the Executive Leader / CCG Co-Chairs / Director of Transformation providing an update on the delivery of engagement and consultation activity from June 2021 to date.

It was explained that much of the work was undertaken jointly – coordinated through the Tameside and Glossop Partnership Engagement Network (PEN) – by NHS Tameside and Glossop Clinical Commissioning Group, Tameside Council and Tameside and Glossop Integrated Care NHS Foundation Trust. However, it was noted that each of the three agencies undertake work individually where necessary and appropriate for the purposes of specific projects.

It was further explained that the onset of the Covid-19 pandemic had also meant that different ways to engage local communities had to be identified. The report set out some examples of the ways in which this had been achieved, including the establishment of both the Community Champions programme and Tameside & Glossop Inequalities Reference Group.

The Director of Transformation highlighted the key headlines from June 2021 to date:

- Facilitated 16 thematic Tameside and/or Glossop engagement projects
- Received 3,957 engagement contacts<sup>1</sup> (excluding attendance at virtual events)
- Supported 7 engagement projects at the regional and Greater Manchester level
- Promoted 7 national consultations where the topic was of relevance to and/or could have an impact on Tameside and/or Glossop
- Established the Community Champions Network to provide residents and workforces with the coronavirus information they need to lead the way in their community, with over 270 members now registered and a networking event on 1 March 2022.
- The Tameside & Glossop Inequalities Reference Group, established in response to how the coronavirus pandemic, and the wider governmental and societal response to this, continues to bring equalities and inequalities into focus. Two reports have been produced for two areas of focus, making recommendations on how to address inequality. These are: Digital Inclusion and Community Cohesion.
- Delivered three virtual Partnership Engagement Network (PEN) conferences attended by over 130 delegates in total.
- Retained 'Green Star' top rating for public and patient engagement as part of the CCG Improvement and Assessment Framework (IAF).

Further information was also provided in respect of:

- Community Champions Network;
- Tameside & Glossop Inequalities Reference Group
- Partnership Engagement Network (PEN) Update; and
- Other engagement work.

## RESOLVED

**That the content of the report be noted and future engagement and consultation activity with the communities of Tameside and Glossop, as detailed in the report, be supported.**

## 155. ESTABLISHMENT OF A TRANSFORMATION TEAM

Consideration was given to a report of the Executive Leader / Director of Transformation, which set out plans for the establishment of a Transformation Team.

It was explained that the financial challenges that the Organisation faced had been well documented. The Organisation faced a significant budget gap beyond 2021/22, and this budget gap would increase if planned reductions in spending were not delivered. The Organisation must ensure a relentless focus on delivery of savings to close the gap in future years. Budgets had been balanced through the use of reserves over the last few years, to provide services with the time to improve, but this was not

sustainable in the long run and the Organisation needed to ensure robust and transparent management of these services to ensure the delivery of the improvement plans and transformation.

There was a need to put in place dedicated capacity and skills to drive the focus on budget reductions and to support service areas to consider improvements and alternative delivery models. To that end, it was proposed to implement a Transformation Team for 2 years. Previously allocated budget for service improvement bids would be utilised to fund the team.

Members were advised that the Transformation Team would work in partnership with services, providing enabling capacity to implement improvement work and drive forward change. The focus would be to help services continue to transform to create better outcomes for residents with a view that financial savings would follow.

The remit will expand cover all Directorates but it is recognised that the priority must be afforded in the first instance to the area of highest risk, namely Children's Services. Subsequent focus and a detailed Transformation Programme would be developed in partnership with external specialists following an Organisation wide and service level diagnostic exercise.

#### **RESOLVED**

- (i) That the creation of a Transformation Team primarily resourced through the deployment of existing members of the workforce and recruitment to temporary roles for a 2 year period, be approved;**
- (ii) That the governance arrangements for the Transformation Team, as detailed in the report, be approved;**
- (iii) That the initial areas for focus identified in the Transformation Programme overview be approved and it be acknowledged that these priorities will be of utmost priority across the Organisation; and**
- (iv) That the creation of a £5m Transformation Fund be approved, utilising earmarked reserves already identified and agreed within the MTFP.**

#### **156. REVISED GRANT LIMITS WITHIN THE HOUSING FINANCIAL ASSISTANCE POLICY 2018-2023**

Consideration was given to a report of the Executive Member for Finance and Economic Growth / Director of Place seeking approval for an increase on certain discretionary grant limits within the current Housing Financial Assistance Policy 2018-2023, thereby enabling applicants to continue to obtain the assistance they need in order to maintain independence, reduce hospital admissions and to reduce further calls on other social care services.

Members were advised that in 2019, Executive Cabinet approved the Housing Financial Assistance Policy 2018-2023 (the new Policy) (appended to the report), which replaced the previous Policy adopted in 2003. The new Policy increased the number and type of discretionary grants available to disabled and vulnerable residents. A significant aspect of the new Policy was to remove the need for some applicants to undergo a test of resources (means test) if the cost of the works could be met within a set grant limit of £5,000. All the grants under the new Policy were discretionary grants. A complete review of the new Policy was due to begin in late 2022 with a view to implementation during 2023.

The report detailed the effects of the Covid-19 Pandemic and Brexit on referrals received, processing of adaptations, the contractors delivering adaptations and the supply of materials adaptations. In August 2021, an Executive Decision was supported for a rate rise for contractors in the Adaptations Contract, as appended to the report at Appendix 3.

The proposed changes to the Policy did not change any criteria, were not significant or detrimental to the Policy or to those applicants who wished to apply for assistance. The changes to the grant limits would not materially change the grant offer; it would maintain the status quo for all applicants, returning the Policy to its original intention when adopted in 2019.

The proposal to increase the grant limits would affect the following discretionary grants:

- |                            |  |
|----------------------------|--|
| • Minor Adaptations        | current limit £1,000 – raise to £1,500 |
| • Grant for Adaptation     | current limit £5,000 – raise to £7,000 |
| • Tenant relocation grant  | current limit £2,000 – raise to £2,500 |
| • Hospital Discharge Grant | current limit £6,000 – raise to £7,000 |
| • Stay Put Scheme          | current limit £6,000 – raise to £7,000 |
| • Home Repair Assistance   | current limit £6,000 – raise to £7,000 |
| • Safety Net Assistance    | current limit £6,000 – raise to £7,000 |

The report detailed the reasons for the new grant limits. It was explained that Minor Adaptations were a non-means tested grant with no application forms and the increase would prevent many smaller adaptations from becoming formal applications taking longer to process and affect staff resource. Further, the Grant for Adaptations was introduced with the new Policy and this change in the limit would allow the rate rise to be accommodated along with a rise in costs for any non-contracted items. The change in grant level would prevent disabled people being subject to and failing a means test with the resulting fall back onto council services.

It was highlighted that the increase in other grant limits will allow them to keep pace with the rate rise agreed previously and to increase the limit on those grants where failing the means test could have serious implications for the applicant and on council services. The new grant limits should be able to absorb any future increases. It was not clear at this time what would happen with regard to future material costs and supplies.

#### **RESOLVED**

**That an increase in the maximum discretionary grant limits on certain forms of assistance within the existing Housing Financial Assistance Policy 2018-2023, as detailed in section 5.4 of the report, be approved.**

### **157. COUNCIL FLEET REPLACEMENT STRATEGY**

Consideration was given to a report of the Executive Member for Neighbourhoods, Community Safety and Environment / Assistant Director for Operations and Neighbourhoods, which provided background to the current position and set out the Council's current fleet requirements and the length of their safe and efficient operation before they needed to be replaced.

It was explained that the Council operated a large and varied fleet of vehicles and equipment some 239 made up of 146 vehicles and 93 plant items to enable it to provide core services to the citizens of the Borough. Through the works of the Strategic and Operational Transport Group, the transport fleet had reduced by 33% from 220 vehicles to 146 since 2011. The fleet was made up of vehicles of mixed ages and types, on an agreed programme of annual replacements.

The report, with the strategy appended to the report, provided the case for a longer term strategy which would assist the Council in planning for fleet replacement. The proposed Fleet Replacement Strategy would ensure that the fleet replacement process continued to be compliant, efficient and that the fleet requirements of the Council were met. Fleet Services and Finance had identified that the current fleet replacement process, made on a per report basis, could be made more efficient. This was achieved by separating the up-front financial cost of procurement from the need to confirm and justify the requirement to replace vehicles. The Strategy would allow for more targeted reporting for fleet replacement authorisations and support the Council's medium/longer-term financial planning.

#### **RESOLVED**

**That the adoption of the Council's Fleet Replacement Strategy, as detailed in Appendix 1 to the report, be approved, including:**

- (i) **An updated process to approve the Fleet Replacement programme, subject to annual review, that separates the up-front financial cost of procurement from the need to confirm and justify the requirement to replace vehicles; and**

- (II) To delegate authority to the Director of Place and the Director of Finance the procurement of replacement vehicles to the fleet in line with the strategy.**

## **158. COUNCIL TAX BILLING AND ENERGY REBATE**

The Executive Member, Finance and Economic Growth / Assistant Director, Exchequer Services submitted a report detailing the impact of the payment of the one-off £150 energy rebate via the Council tax system.

It was explained that on 3 February 2022 central government announced that households in council tax bands A-D, would receive a £150 rebate. The energy rebate would be administered by local authorities from April and would not need to be repaid. In addition there would be discretionary funding of £144 million provided nationally to support vulnerable people and individuals on low incomes that did not pay council tax, or that paid council tax for properties in Bands E-H.

Guidance was received on 23 February 2022 and set out scheme eligibility, payments, fraud risk management, council tax billing, communication with households, monitoring and reporting. The guidance also detailed allocations to be provided to each billing authority in March for the council tax rebate and the discretionary fund. The amounts for Tameside were £530,400 in respect of the discretionary fund and £14,545,050 for the non-discretionary £150 payments.

Guidance made clear that with rising energy bills people needed to receive monies quickly to alleviate hardship and, while these rising costs would affect most households across the country, they were more likely to disproportionately affect those on lower incomes, who tended to spend a higher proportion of their income on utility bills. Eligibility was based on the following:

- Property must be in Bands A – D
- Must be a sole or main residence
- It is a chargeable dwelling
- The person is liable to pay Council tax (including those with a nil liability), not be a local authority, or corporate body ie a housing association
- Eligibility is based on position as at 01 April 2022.
- Payment must be made by end of September 2022.

Properties not eligible were:

- No permanent resident or property is a second home
- An unoccupied property

Members were advised that payments would be made per household, regardless of number of occupants or number of liable council tax payers, via a person's bank where direct debit details were held by the Council for the purpose of paying council tax. The Council must be assured that payment was made into the correct bank account.

The report gave details of issues arising from the payment of any monies which were not directly connected to the administration of council tax, yet the council tax system was being used for that purpose, including:

- Number of eligible accounts to receive the payments
- Payment into bank accounts
- Timing and resources
- Systems and processes
- Discretionary scheme

### **RESOLVED**

**That the discretionary policy, as detailed in the report, be approved.**

## **159. VULNERABLE PERSONS ACCOMMODATION**

Consideration was given to a report of the Executive Leader / Director of Transformation, which set out a framework for securing a pipeline of accommodation for the most vulnerable residents. It proposed that the Council agreed mechanisms for securing accommodation directly to meet a growing need for accommodation for vulnerable young people and those currently housed in temporary accommodation.

It was explained that, currently many vulnerable young people and homeless households in the Borough were placed in temporary accommodation which was not meeting their needs and which was putting significant financial pressure on the Council. A number of time limited, exceptional measures were required to transition to a more stable position whereby better use of existing stock and reduced demand met requirements.

This report sets out proposals to use funding available to the Council along with opportunities that S106 Affordable Housing contributions could make, along with leasehold and freehold acquisitions with private investors to acquire property for use as affordable housing in a range of locations across the Borough. The report also proposed that on occasion (where it met the specific needs of care leavers) property may be secured outside of the Borough's boundaries.

The report gave details of:

- The case for change;
- Securing additional provision;
- Re-purposing existing assets; and
- Key considerations.

### **RESOLVED**

**That, in principle, subject to the necessary governance for each individual decision demonstrating value for money and any other legal and financial considerations:**

- (i) The acquisition of long leasehold / freehold interest of property be approved;**
- (ii) That the capital investment from future estimated commuted S106 contributions is made to allow the acquisition, adaptation and fit out of appropriate properties in Tameside, be approved;**
- (iii) That the Framework and Policy for Planning Obligations Commuted Sums and Monitoring Fees as set out at Appendix 1, to the report, be approved;**
- (iv) That the long-term leases (usually 10 year with a break clause at five years) with private landlords or social landlords can be entered into utilising existing revenue budgets, be approved;**
- (v) That, where appropriate, the Director of Finance recommends to Council the use of reserves or borrowing to match homes England grants for an appropriate building;**
- (vi) It be agreed that the authority enters into an agreement with Greater Manchester to participate in the Greater Manchester House Project at a cost of £206k over 3 years;**
- (vii) It be agreed that the authority enters into a contract with Jigsaw Housing Group to provide 30 additional placements for young people through the Jigsaw Supports services for a period of 12 months;**
- (viii) To seek to repurpose existing estates and land for the accommodation of vulnerable young people and for those in temporary accommodation; and**
- (ix) It be agreed that a budget of £200,000 be created from the Transformation Fund to undertake feasibility studies in existing estate to create additional accommodation options.**

## **160. PROPOSAL TO CREATE A LIMITED TIME CHILDREN'S SAFEGUARDING TEAM**

A report was submitted by the Deputy Executive Leader, Children's Services / Director of Transformation / Director of Children's Services setting out proposals as an interim measure, to engage with a specialist recruitment agency already procured by AGMA who could, within a short

timescale, provide a self-contained social work team to address a significant capacity issue.

It was explained that the capacity issue had arisen as a result of ongoing increases in demand at the social care front door, which had caused a bottleneck in assessment and significantly impacted on timeliness of assessments for Children in Need as well as increased vacancy rates not back filled by agency staff.

The project team would focus on completing Children & Family Assessments coming through the Multi-agency Safeguarding Hub (MASH). This would allow current teams to complete ongoing case work whilst also actively recruiting to existing vacancies. The project team would consist of a Project Manager and five project social workers for a six-month duration from the 1 April 2022.

The additional capacity would come at a cost of £250k and budget would be provided from ring-fenced reserves. The provision of additional capacity would ensure that timely outcomes and support for children and families was provided and risk was appropriately managed. A time-limited injection of capacity would ensure that cases did not escalate, and outcomes for families did not worsen.

It was anticipated that the impact of the pandemic would be long term and families would be under increased pressure, it would appear that this was presenting in the form of increased contacts and referrals into children's social care. This was further impacted by high vacancy rates in Neighbourhood Duty & Assessment Teams. As this was an acute issue which was placing significant pressure on the system a short, six-month project to provide additional assessment capacity, fully aligned with existing teams and structures was an appropriate response. The team would also provide support to newly qualified social workers and AYSE to build skills, knowledge and capacity.

By positioning the project team to undertake new children & family assessments progressing from the MASH would cause the least disruption in work flow and allow for a planned safe exit. Joint working and ensuring proper integration preventative support services and schools would be a key focus throughout the contract.

## **RESOLVED**

**That the proposal to draw down funding from reserves of £250k to bring additional capacity into the organisation via the Reed contract for a six-month period to deal with an increase in referrals and associated assessments, be approved.**

## **161. TAMESIDE TOWN CENTRES FRAMEWORK – CONSULTATION DRAFT**

Consideration was given to a report of the Executive Member, Finance and Economic Growth / Director of Place, setting out the proposed Tameside Town Centres Framework and sought approval for public consultation to inform preparation of a final draft for adoption by the Council.

It was explained that Tameside Council recognised that its main town centres, Ashton-Under-Lyne, Denton, Droylsden, Hyde, Mossley, and Stalybridge were crucial components to the economic, environmental and social wellbeing of the Borough. Each town centre provided a unique but complementary offer, where Tameside's residents and visitors should be able to easily access a range of facilities and services; and locations where businesses could grow and reach their full potential.

It was proposed that a Tameside Town Centres Framework be produced to cover each town centre within the Borough and to act as a strategic 'umbrella' to co-ordinate future development and regeneration activity. The Framework was intended to complement Tameside's Corporate Plan and support delivery of the Tameside Inclusive Growth Strategy (2021). It would also align with existing and future studies and strategies for the town centres.

A draft Tameside Town Centres Framework, appended to the report, had been prepared for consultation prior to a final draft being brought back to Executive Cabinet for adoption. The Framework would help to provide the direction of travel to create more prosperous and investable



locations which met local needs and ensured that each town centre had the right offer of retail, food and drink, leisure, commercial, community and residential uses, as well as supporting infrastructure required. It would be important that the activity within each centre was tailored to meet local need and harness individual strengths and distinctiveness to help set them apart from their competitors.

The ambition was to create improved town centre environments where businesses felt that they could start up, grow or invest. Moreover, they should also be places where residents could access the facilities and services they needed, and provide a strong sense of place which the community were proud of and engage with.

The Framework identified a number of priority themes for improvement within the town centres, which were summarised in the report.

#### **RESOLVED**

- (i) That the work undertaken to date in respect of the Tameside Town Centres Framework, be noted; and**
- (ii) That approval be given for public consultation on the proposed Tameside Town Centres Framework and it be noted that a further report be brought back to the Executive setting out the results of the consultation and a final draft of the Framework.**

#### **162. FUTURE DEVELOPMENT OF UNION STREET SITE, HYDE**

The Executive Member, Finance and Economic Growth / Director of Place submitted a report, which set out plans for the future development of Union Street site, Hyde.

It was explained that it was understood that Hyde Library was opened on the Union Street site in February 1899. In an effort to reduce costs and protect the library service, in September 2014, the Council announced plans to relocate the library function into Hyde Town Hall. The library service successfully transferred into the refurbished space in Hyde Town Hall in February 2015.

Despite the fact that the building closed a number of years ago and had suffered as a result of substantial amounts of theft and vandalism since this time, the former library remained an important structure which both the residents and Council were keen to protect.

Given the condition, the viability of refurbishing and converting the former library building in its entirety could be marginal. Due to its significance and in an attempt to ensure that a scheme remained financially viable, rather than advertising the former Library building in isolation, the Council were looking to include the adjoining land, including Union Street car park, in the opportunity for potential redevelopment.

In addition to this, whilst exploring a range of disposal options, officers would continue to monitor the availability and use of grant funding, via the Evergreen and Brownfield Homes Funds which potentially, would allow any future scheme to maximise the benefit and positive impact on the Borough.

The wider strategy for Hyde Town Centre and the options that would need to be considered by the Authority to achieve the best delivery outputs, which would safeguard the property in the long-term, were also detailed in the report.

Discussion ensued with regard to the future development of the Union Street site and all the options available as detailed in the report. Members strongly agreed that demolition of the former Library building was not an option, particularly given its likely consideration as a non-designated heritage asset by the Planning Authority and a building identified as having a degree of significance.

#### **RESOLVED**

- (i) It be agreed that that the Council proceed to market the subject site immediately via informal tender, using the services of Knight Frank as specialist agent. The basis of the**

- tender is set out in section 5 of the report; and
- (ii) It be agreed that the demolition of the former Library building is not an option for consideration.

### **163. GREATER MANCHESTER TOWN OF CULTURE 2022**

A report was submitted by the Executive Member, Lifelong Learning, Equalities, Culture and Heritage / Assistant Director, Operations and Neighbourhoods setting out the bid submitted to the Greater Manchester Combined Authority for Stalybridge to be the Town of Culture for 2022. Following the successful award the report detailed the current programme and the proposals for developing this further over the coming weeks. It detailed the overall budget requirements to enhance the programme and that it was a significant and important opportunity for celebrating Stalybridge and the start of developing a sustainable cultural offer unique to Stalybridge and Tameside.

#### **RESOLVED**

- (i) That the Stalybridge Town of Culture proposal and the awarded £50,000 to deliver the programme in 2022, be noted;
- (ii) That the proposed current programme of activity be noted and that a more developed programme be determined over the coming weeks;
- (iii) That the Council's contribution to support the enhanced delivery of Town of Culture be noted; and
- (iv) Consideration be given to the potential for Stalybridge to achieve Purple Flag status, as a part of the Greater Manchester Night Time Economy Strategy.

### **164. STALYBRIDGE DEVELOPMENT UPDATE AND NEXT STEPS**

Consideration was given to a report of the Executive Member, Housing, Planning and Environment / Executive Member, Finance and Economic Growth / Director of Place. The report provided an update on the work undertaken in the Town Centre and sought approval for resubmission of a Stalybridge Town Centre bid to Round 2 of the national Levelling Up Programme and for delivery of the next steps in the programme around the emerging initial Masterplan footprint, which would focus initially on the sites as outlined within the report and building upon the Evergreen work already undertaken (as appended to the report at Appendices A & B).

Details were given of the commencement of a programme of work to produce a development prospectus, next stage planning and delivery strategies and the undertaking of a Soft Market Test around the development opportunity in Stalybridge on the emerging and initial Masterplan footprint, as follows;

- a Development Prospectus - to support the Development Prospectus, necessary work to be undertaken including all relevant due diligence and development work around next stages including taking relevant development plots to RIBA Stage 2, and possibility of an outline planning application to assist with bringing the plots to market. On completion of the next stage works, a comprehensive Planning & Development Strategy will be brought back to Executive Cabinet for decision.
- prepare documentation and undertake an initial soft market test exercise working directly with STAR and the appointed Multi-Disciplinary Team for the delivery of the project against the emerging Masterplan for Stalybridge, building on the Evergreen work. This to focus initially on the development potential and sites contained within this report.
- Working in parallel with the soft market test, a detailed level Commercial, Investment & Delivery Strategy to be developed around the emerging Masterplan of the Evergreen work.
- The detailed Commercial, Investment & Delivery Strategy (informed by the soft market test) will be brought back to Executive Cabinet with recommendations for a decision on options to progress to a formal and full market exercise to secure a Strategic Partner(s) for the delivery of the Stalybridge Masterplan.
- To undertake further detailed Open Space & Public Realm design work across the emerging

Masterplan footprint and the common areas in Stalybridge Town Centre.

## **RESOLVED**

**That the work delivered and planned in Stalybridge Town Centre be noted and:**

- (i) That the resubmission of a Stalybridge bid application as part of the national Levelling Up Programme Round 2 with the bidding process due to be announced in spring 2022, be agreed;**
- (ii) It be agreed to incur expenditure of up to £40,000 associated with the resubmission of the Levelling Up bid including the appointment of a multidisciplinary team to support the bid as set out in sections 4 and 5 of the report and the Director of Place to manage the programme of works and services;**
- (iii) It be agreed to undertake an initial public consultation on the emerging Masterplan as produced under the Evergreen Phase 1 Work and as contained within this report. To note, that further and full consultation(s) with the public and key stakeholders will be held throughout 2022;**
- (iv) It be agreed to undertake the necessary procurement exercises (via STAR) and to appoint a Multi-Disciplinary Team to take forward the wider supportive studies building upon the Evergreen Phase 1 funded work around the emerging and initial Masterplan footprint as identified in paragraph 1.3 of this report;**
- (v) It be agreed to incur total expenditure of up to £290,000 (subject to external funding bids and successful awards) associated with the wider supportive studies as set out in paragraph 1.3 and section 5 of the report. The Director of Place to manage the whole programme of works and services as set out within the report and to bid for funding, drawdown and incur all expenditure related to the delivery within the Council's financial and legal framework. For the avoidance of doubt this means the Director will need to approve Executive Decisions for the expenditure;**
- (vi) It be noted that Council owned sites as set out in section 3 (excluding the GMPF sites) of the report to now go through the Corporate Strategic Asset Management process to declare sites as surplus to requirements; and**
- (vii) It be noted that all on-going performance and reporting be provided as necessary relating to the works/services contained within the report.**

## **165. PUBLIC SECTOR DECARBONISATION SCHEME FUNDING ROUND THREE**

Consideration was given to a report of the Executive Member, Neighbourhoods, Community Safety and Environment / Director of Place, which gave details of the Public Sector Decarbonisation Scheme funding, round three.

It was explained that the Public Sector Decarbonisation Scheme round three (PSDS3) was open for funding to support Tameside, taking a GMCA consortium approach once again, to further decarbonise public buildings in the borough. Round three was different to previous rounds in that there was a requirement for the council to match fund for certain components. The report outlined the facts of the current PSDS3 bid application and underlined the need to pursue this work.

Six sites had been identified where heating plant and associated equipment was at the end of its viable life. With escalating fuel costs as well as the commitment to respond to the climate emergency, refitting the sites with low-carbon alternatives was both morally and financially prudent. After adjustment from GMCA in late February 2022, the cost of the works was now projected at £2,971,808. Members were advised that the grant total that the Council could apply for was £1,918,258 (65% of the total programme cost) requiring a match funding sum of £1,053,550 (35%) via the Council.

Revenue savings were calculated at £912,560 over the twenty year lifecycle of the programme (this being a conservative estimate as energy prices had become so volatile, savings could be significantly more).

The amount of carbon proposed to be eliminated was calculated to be 6,802tonnes CO<sub>2</sub>e, once again

over the twenty year projected lifecycle.

Regarding both revenue costs and carbon emissions, it was likely the proposed investment would, in reality, continue to deliver savings beyond that twenty-year threshold.

#### **RESOLVED**

- (i) It be agreed, in principal, that the Council enters into a contract with the Greater Manchester Combined Authority subject to the necessary due diligence for the purposes of disbursement of funding in relation to the PSDS award, based on submission of invoices for completed individual measures. The governance required to enter into this contract will be subject to an Executive Decision (ED) at a later date;**
- (ii) That it be agreed that the delivery of design works and installation of measures will be undertaken via the Council's arrangement with the LEP (via Robertson) and the associated supply chain utilising the Tameside Additional Services Contract (TAS);**
- (iii) That the inclusion of the phase 3 Decarbonisation programme be approved (estimated total cost of (£2,971,808) within the Council's approved capital programme as set out in Appendix 1 to the report. Any subsequent variance to the estimated cost and funding of the programme will be subject to separate governance at a later date;**
- (iv) That the allocation of £599,000 be approved to support the match funding required to finance the phase 3 Decarbonisation programme. The sum to be allocated via the Planned Preventative Maintenance capital budget allocation of £1,896,000 that was approved at the Executive Cabinet on 29 September 2021, (agenda Item 7, Capital Programme and Financing Update report refers); and**
- (v) It be noted that works will be expected to be completed by 31 March.**

#### **166. LEVELLING UP FUND: DENTON BID**

A report was submitted by the Executive Member, Finance and Economic Growth / Director of Place, which sought approval for the preparation of a bid to the Levelling Up Fund for Denton Town Centre and approval for the procurement of specialist external consultancy support for the preparation and submission of a bid by Tameside Metropolitan Borough Council.

It was explained that Denton Town Centre had benefited from significant investment in recent years, including delivery of the Tameside Wellness Centre, new housing development and the growth of the evening economy. Despite this investment, the Town Centre had been negatively impacted by national market trends in the retail sector, increasing vacancy rates, the poor condition and/or underutilisation of prominent buildings, varying quality of public realm and a disconnection between key assets.

It was proposed that a bid to the Fund and specific interventions be prepared for Denton Town Centre in the context of an emerging wider strategic vision for the Town, consistent with the Council's emerging Tameside Town Centres Framework, supporting existing and planned investment. This would in turn help to deliver a catalytic economic and social impact to the local community. Interventions for the bid would be developed to provide public realm improvements, walking and cycling facilities, enabling infrastructure and support for heritage and townscape enhancements. This would help the Town Centre to reach its full potential and deliver further comprehensive regeneration, attracting additional investment.

It was explained that there would be significant competition for the Fund across England and funding requests would be far in excess of funding availability. It was imperative that any bids that were submitted were the strongest they could be, including on delivery certainty. Bids would be assessed as part of Green Book process/appraisal criteria. In order to ensure a competitive submission, it would be necessary to bring in additional resource, capacity and independent and professional advice/input.

It was estimated that a budget of up to a maximum sum of £50,000 was required to support a robust bid for Denton Town Centre.

**RESOLVED**

- (i) It be agreed that a bid to the Levelling Up Fund for Denton Town Centre be prepared for submission and referred back for consideration prior to the bid submission date (once confirmed);
- (ii) That the procurement and appointment of Specialist external support through STAR to assist in the preparation and submission of a bid to the Levelling Up Fund for Denton Town Centre, be agreed; and
- (iii) That a budget of up to £50,000 be approved (via £125,000 grant awarded to the Council from the Department for Levelling Up Housing and Communities (DLUHC) in October 2021 to support Round 2 funding bids) to appoint the aforementioned external support. This budget is approved for all professional fees and costs associated with the preparation and submission of a bid to the Levelling Up Fund for Denton Town Centre.

**167. URGENT ITEMS**

The Chair reported that there were no urgent items for consideration at this meeting.

**168. DATE OF NEXT MEETING**

**RESOLVED**

It be noted that the next meeting of the Executive Cabinet is scheduled to take place on Wednesday 27 April 2022.

**CHAIR**

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## EXECUTIVE CABINET

27 April 2022

Commenced: 1.50pm

Terminated:2.10pm

**Present:** Councillors Warrington (Chair), Bray, Cooney, Fairfoull, Feeley, Gwynne, Kitchen and Wills

<b>In Attendance:</b>	<b>Steven Pleasant</b>	<b>Chief Executive &amp; Accountable Officer</b>
	<b>Sandra Stewart</b>	<b>Director of Governance &amp; Pensions</b>
	<b>Kathy Roe</b>	<b>Director of Finance</b>
	<b>Ian Saxon</b>	<b>Director of Place</b>
	<b>Jess Williams</b>	<b>Director of Commissioning</b>
	<b>Debbie Watson</b>	<b>Interim Director of Population Health</b>
	<b>Sarah Threlfall</b>	<b>Director of Transformation</b>
	<b>Caroline Barlow</b>	<b>Assistant Director of Finance</b>
	<b>Tracey Harrison</b>	<b>Assistant Director, Adults Services</b>
	<b>Catherine Moseley</b>	<b>Head of Access Services</b>
	<b>Lorraine Hopkins</b>	<b>Head of Service, Neighbourhoods and Early Years</b>

**Apologies for absence:** Councillor Ryan

### 169. DECLARATIONS OF INTEREST

There were no declarations of interest submitted by Cabinet Members.

### 170. MINUTES OF EXECUTIVE CABINET

#### RESOLVED

That the Minutes of the joint meeting of the meeting of Executive Cabinet held on 23 March 2022 be approved as a correct record.

### 171. MINUTES OF STRATEGIC COMMISSIONING BOARD

#### RESOLVED

That the Minutes of the meeting of the Strategic Commissioning Board held on 23 March 2022 be noted.

### 172. MINUTES OF EXECUTIVE BOARD

#### RESOLVED

That the Minutes of the meeting of Executive Board held on 9 March 2022 be noted.

### 173. ENVIRONMENT AND CLIMATE CHANGE EMERGENCY WORKING GROUP

#### RESOLVED

That the Minutes of the meeting of the Environment and Climate Emergency Working Group held on 16 March 2022 be noted.

## **174. CONSOLIDATED 2021/22 REVENUE MONITORING STATEMENT AT 28 FEBRUARY 2022**

Consideration was given to a report of the Executive Member, Finance and Economic Growth / Lead Clinical GP / Director of Finance, which detailed actual expenditure to 28 February 2022 (Month 11) and forecasts to 31 March 2022.

It was reported that at month 11 the CCG was reporting an overspend of £2.285m, all of which was reimbursable through national schemes, meaning that once month 12 allocations had been transacted the position with balanced on an in year, non-recurrent basis. The same was true of the ICFT position where the trust was forecasting a breakeven position for 2021/22.

For the Council budgets an overspend of £0.622m was currently forecast. This represented an improvement of £0.079m compared to month 10, but more work was required to balance the position before year end.

The Council budget included a small contingency which was released throughout the year to offset expected pressures. A further £0.327m of contingency had been released at month 11, leaving an unallocated contingency budget of £0.100m, which would be released in month 12 if not required.

Looking forward, the long term financial position within the locality remained a cause for concern as the Council contended with the aftermath of the pandemic at the same time as addressing an underlying financial deficit and implementing comprehensive organisation change across the NHS.

2022/23 financial plans for the Council had been agreed, whilst the new ICB was in the final stages of planning for health budgets. This would be discussed in more detail in the months to come, but significant work would be required in order to recurrently balance budgets across the system in 2022/23 and beyond.

### **RESOLVED**

**That the forecast outturn position and associated risks for 2021/22, as set out in Appendix 1 to the report, be noted.**

## **175. ADULT SOCIAL CARE REFORM WHITE PAPER IMPLICATIONS**

Consideration was given to a report of the Executive Member for Adult Social Care and Health / Clinical Lead for Living Well / Director of Adult Services. Members were advised that the Government published its adult social care system reform white paper, 'People at the Heart of Care' on 1 December. The white paper set out a 10-year vision for care and support in England and was based around three key objectives:

- People had choice, control and support to live independent lives
- People could access outstanding quality and tailored care and support
- People find adult social care fair and accessible

It was explained that proposals were backed by the new Health and Social Care Levy announced in September this year, of which £5.4 billion was being invested into adult social care over the next 3 years. Beyond the next 3 years, an increasing share of funding raised by the levy would be spent on social care in England.

The spending review in October 2021 confirmed the investment would be used for the following areas and duties were outlined in the white paper:

- £3.6 billion to pay for the cap on care costs, the extension to means test, and support progress towards local authorities paying a fair cost of care, which together would remove unpredictable care costs; and
- £1.7 billion to improve social care in England, including at least £500 million investment in the workforce



The key elements of the White Paper were outlined, including:

- Providing the right care, in the right place, at the right time (Chapter 4);
- Empowering those who draw on care and support;
- Strategy for the social care workforce;
- Supporting Local Authorities to deliver social care reform; and
- Local context.

Financial implications and next steps were also detailed.

The report concluded that the introduction of a 10 year strategy for Adult Care was welcome and also reflected many of the challenges that were exacerbated by the pandemic. However, there was a risk to the local authority that the funding indicated to meet the new burdens placed on the local authority was likely to be insufficient and this would need to be built into a review of the medium term financial strategy. Preparation for implementing the new burdens and new inspection regime would begin immediately to ensure the local authority was able to meet the required timescales in line with the steps identified.

Members were advised that there were significant elements of the white paper to be fully confirmed and as such, there would be a series of reports presented to Strategic Commissioning Board over the next three years.

#### **RESOLVED**

- (a) It be noted that the People at the Heart of Care: Adult Social Care Reform White Paper places new burdens on the Council that are far reaching and will affect a number of functions across the council as outlined in sections 2 - 6 of the report;**
- (b) The indicative funding allocations for 2022-2025 for Tameside Adult Care be noted as outlined in section 8 of the report;**
- (c) That the key priorities for implementation of the Adult Social Care Reform in Tameside as identified in section 9 of the report, be agreed;**
- (d) That the allocation of £779,000 implementation support fund for 2022/23 be accepted and it be approved that this allocation be utilised in full for the preparatory work as described in section 9 of the report, subject to the business case and necessary internal governance required; and**
- (e) That the development of an Adult Care Strategy and associated medium term financial strategy (MTFS) for 2022-2025 aligned to the white paper and recovery of local activity following the pandemic, be agreed.**

#### **176. SENDIASS REVIEW UPDATE**

A report was submitted by the Deputy Executive Leader (Children and Families) / Assistant Director, Children's Services setting out proposals for the future delivery of SENDIASS service in Tameside.

It was explained that options had been explored to identify if any efficiency saving could be made with regard to the delivery of the service. This included benchmarking across North West & GM, to look at how other LA's delivered the service and compared delivery/costs and outcomes against the in-house model.

Members were advised that work with STAR and commissioning colleagues was undertaken to explore how neighbouring LA's delivered their SENDIASS service. Models of delivery across GM was variable within authorities aligned to STAR - Oldham and Stockport currently commissioning the service externally with good outcomes.

Identification of savings where appropriate, were explored, building on discussions with other LA's, to see if this would be a viable option for Tameside. Discussions with Tameside's finance and HR services were maintained throughout the process to assess and manage any identified risks against the options explored.

An options appraisal, as appended to the report, was completed by STAR, which outlined the procurement routes available for the various requirements in order to deliver the council's SENDIASS service effectively and in a timely manner.

The following four options were considered.

- Open Procurement;
- Deliver In-House Service;
- Modify Stockport Agreement with Together Trust; or
- Direct award following soft market test. This would be procured via an Exemption – '*The ASO can demonstrate that there is no genuine completion can be obtained of the purchase of particular Supplies, Services or execution of Works*'

Having undertaken an analysis on the variety of options as detailed above, STAR procurement recommended that the preferred option was to modify the Stockport Council agreement with Together Trust to include Tameside Council for one year with the ambition to procure a joint service from 1 April 2023.

#### **RESOLVED**

- (i) That the commissioning out of the SENDIASS to the Together Trust by way of a modification of Stockport Council's existing contract with the Together Trust for one year and thereafter for Tameside and Stockport Councils to procure a joint recommissioning from 1 April 2023, be agreed;**
- (ii) It be agreed that Stockport Council be the lead authority in relation to the contract; and**
- (iii) That the necessary steps be undertaken in relation to the transfer of affected staff.**

#### **177. REVISED GAMBLING ACT STATEMENT OF PRINCIPLES 2022 – 2025**

Consideration was given to a report of the Executive Member, Neighbourhoods, Community Safety and Environment / Director of Place, which explained that Licensing authorities were required to develop, consult on, and publish a Statement of Principles every three years that set out the principles they proposed to apply in exercising their functions under the Gambling Act 2005.

It was further explained that, in preparing the Statement, the Authority had to have regard to codes of practice and guidance issued by the Gambling Commission. The Statement reflected collaboration across Greater Manchester with, for the first time, a joint Statement of Gambling Principles approved at local level. The aim of this was to provide a more consistent policy position across Greater Manchester; with the shared aim of preventing and reducing the negative impacts of gambling on individuals, families and communities.

A copy of the proposed Gambling Statement of Principles was attached at Appendix 1 to the report.

Details were given of the 8 week consultation process, which had taken place between 29 November 2021 and 24 January 2022 and copies of responses received were appended to the report.

An Equality Impact Assessment (EIA) had been completed showing there was no adverse impact on the community. The EIA form was also appended to the report.

#### **RESOLVED**

**That it be RECOMMENDED that Full Council adopt the Gambling Statement of Principles as appended to the report.**

#### **178. REVISED STATEMENT OF LICENSING POLICY – LICENSING ACT 2003**

The Executive Member, Neighbourhoods, Community Safety and Environment / Director of Place submitted a report, which explained that Licensing authorities were required to prepare, consult on,

and publish a Statement of Licensing Policy every five years. The policy detailed how the Council would administer and enforce the provisions of the Licensing Act 2003.

Members were advised that Tameside Council's Statement of Licensing Policy was last revised in January 2016. Due to the impact of the coronavirus pandemic a full review of the Licensing Policy was unable to take place, therefore the policy was extended for a period of 12 months in May 2021.

The revised draft policy reflected recent changes to legislation including the Immigration Act 2016. The most significant change was the proposed removal of the Cumulative Impact Policies (in Stalybridge town centre and Ashton-under-Lyne town centre).

A copy of the proposed Statement of Licensing Policy was attached at Appendix 1 to the report.

Details were given of the 8 week consultation process, which had taken place between 29 November 2021 and 24 January 2022 and copies of the response received was appended to the report.

An Equality Impact Assessment (EIA) had been completed showing there was no adverse impact on the community. The EIA form was also appended to the report.

#### **RESOLVED**

**It be RECOMMENDED that Full Council adopt the Licensing Policy as appended to the report.**

#### **179. OUTCOME OF CONSULTATION TO ESTABLISH A TEN PLACE RESOURCE BASE AT CORRIE PRIMARY AND NURSERY SCHOOL**

A report was submitted by the Executive Member, Lifelong Learning, Equalities, Culture and Heritage / Director of Children's Services, which informed Members of the outcome of a school organisation consultation to establish, with effect from 1 September 2022, a designated resource base at Corrie Primary and Nursery School to enable up to 10 pupils aged 5 – 11 with cognition and learning and/or communication and interaction and/or social, emotional and mental health needs to be supported.

The report outlined the consultation process and the responses received.

It was concluded that there was a clear need to develop additional resourced provision in the borough. The pilot project had been successfully received by governors and staff at Corrie Primary and Nursery School and parents, as evidenced by the responses to the consultation. The proposal was in line with the SEND Forward Plan and provided better value for money. The 10 place unit avoided potential additional costs of up to £348,200 to the DSG High Needs budget, which was expected to be £3.2m in deficit by the end the financial year.

#### **RESOLVED**

**That the proposal to establish a designated resource base at Corrie Primary and Nursery School to enable up to 10 pupils aged 5 – 11 with cognition and learning and/or communication and interaction and/or social, emotional and mental health needs without modification from 1 September 2022; be approved.**

#### **180. SUPPORTING FAMILIES GRANT**

Consideration was given to a report of the Deputy Executive Leader (Children and Families) / Assistant Director, Children's Services providing an update following the confirmation of continued funding from the Supporting Families Programme Grant, its amount and the proposed financial allocation of monies. It was explained that Early Help Services were currently funded from TMBC core budget funding and other grants, one of which was Supporting Families.

Members were advised that the government had confirmed the continuation of the grant for a further

3 years with £1,194,683 being allocated for 2022/2023. This was an increase in previous years, of £390,600 and it was proposed to continue to fund existing services with an opportunity to develop and expand further services.

The Strengthening Families Programme grant currently funded services and posts as set out in the appendix A to the report and as described in section 3 of the report.

The report set out proposals to agree the spending for the continued Supporting Families Grant, which had been allocated to the Local Authority via Greater Manchester Combined Authority (GMCA) (Earned Autonomy) for 2022 to 2025.

The Supporting Families Programme grant was a continuation of the established grant Tameside had received for 8 years as identified in previous reports.

#### **RESOVLED**

- (i) That the current arrangements with Action Together, Domestic Abuse services and HomeStart, continue to be funded as follows:

<b>Provider</b>	<b>Amount per year</b>	<b>Type of Arrangement</b>
<b>HomeStart</b>	<b>£50,000</b>	<b>Service Contract</b>
<b>Action Together</b>	<b>£65,000</b>	<b>Grant Agreement</b>
<b>Domestic Abuse Services</b>	<b>£152,443</b>	<b>Services Contract</b>

- (ii) That the extension of the Inspire Family Intervention service contract delivered by Jigsaw be agreed for a further 6 months till 30 September 2022, then this contract will cease;
- (iii) That the current commissioned Family Intervention service provided by Jigsaw, Inspire services be put out to tender for a 2.5 year period.

<b>Year 1 (6 months) Sept 2022 – March 2023</b>	<b>£108,000</b>
<b>Year 2 April 2023 – March 2024</b>	<b>£216,000</b>
<b>Year 3 April 2024 – March 2025</b>	<b>£216,000</b>

- (iv) That spend of £207,358 budgeted from the Supporting Families grant that will be used to obtain more resources to support wider service delivery and strategic leadership to build capacity within Early Intervention over the next 3 years on fixed term contracts as outlined in 3.32 of the report, be approved.

#### **181. URGENT ITEMS**

The Chair reported that there were no urgent items for consideration at this meeting.

#### **182. DATE OF NEXT MEETING**

#### **RESOLVED**

It be noted that the next meeting of the Executive Cabinet is scheduled to take place on Wednesday 22 June 2022.

**CHAIR**

## STANDARDS COMMITTEE

5 April 2022

Commenced: 4.00pm

Terminated: 4.35pm

**Present:** Mrs Bracken (Chair)

Councillors Boyle, Dickinson, McNally, Ricci, M Smith and Parish  
Councillor Travis

**In Attendance:** Sandra Stewart Director of Governance and Pensions  
(Monitoring Officer)

**Apologies for Absence:** Mrs Barnes and Councillors Kitchen and S Homer

### 12. DECLARATIONS OF INTEREST

There were no declarations of interest submitted by Members of the Standards Committee.

### 13. MINUTES

The minutes of the Standards Committee meeting on the 14 December 2021 were approved as a correct record.

The Director of Governance and Pensions (Monitoring Officer) gave an update in respect of the Member Code of Conduct, which was recommended for adoption at the last meeting.

Members were informed that on 18 March 2022, The Department for Levelling Up, Housing and Communities has finally responded – more than two years after its publication – to the Committee on Standards in Public Life’s report on *Local Government Ethical Standards*.

The headline of the response was: don’t expect any changes to the legislation but there are a number of examples of best practice for local authorities to adopt. The CSPL published its 20<sup>th</sup> report on the subject of ethical standards in local government in January 2019. In the report, the CSPL made 26 recommendations, which included various amendments to primary and secondary legislation. Members were reminded that they had previously considered a report, which identified a number of examples of best practice which it considered local authorities could implement without the need for changes to legislation.

In the meantime, the Local Government Association followed up on the CSPL’s first recommendation – the adoption of a model code of conduct – which was published in December 2020 and subsequently amended a few times each of which had been adopted by the Council.

On Friday 18 March 2022, in a letter from Kemi Badenoch MP, Minister for Equalities and Levelling Up Communities, the government issued its response to the CSPL report.

The Monitoring Officer reported that among the more important aspects of that response are:

**On the issue of “official capacity”, local authorities should not apply an automatic presumption that any comment made by a councillor – regardless of the context – is subject to the code of conduct. The boundary between an elected representative’s private and public life should be acknowledged.**

Recommendation 3 of the report was that there should be a “rebuttable presumption” that a

councillor's behaviour in public is done in their official capacity. The CSPL did *not* suggest that "any comment" made by a councillor "irrespective of the context and circumstances" should be "automatically presumed" to be subject to the Code.

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It was noted that it was disappointing that the government did not take the opportunity to provide greater clarity or guidance on this important and frequently contested issue.

In the meantime, it was noted that chapter 2 of the CSPL report provides guidance on how to define "official capacity" which can be applied without the need for amendments either to the legislation or local codes of conduct. In particular: what counts as "relevant public behaviour" should be "drawn more broadly" for councillors; and comments on publicly-accessible social media sites are likely to be considered as done in public and therefore in an official capacity.

- **On disclosable pecuniary interests, there are no plans to add to the list of DPIs or to abolish the criminal offences relating to DPIs.**

The government's view is that the fairly narrow approach taken by the Localism Act 2011 to the registration and declaration of councillors' "disclosable pecuniary interests" – underpinned by the threat of criminal sanctions – remains a "necessary and proportionate safeguard and deterrent against corruption".

There have been only a small handful of successful prosecutions for DPI-related offences. Prosecutions tend not to be brought because it will rarely be in the public interest to do so: breaches are often inadvertent and usually not done with any intent for personal gain. Criminalisation of DPI breaches often results in unacceptable delays in progressing otherwise straightforward code of conduct complaints because a referral to the police needs to be made.

- **On sanctions for breaches of the code of conduct, the government does not intend to give local authorities greater powers to punish councillors.**

The government points out that the removal of the power of suspension or disqualification of councillors was a deliberate policy decision. Reinstating that power would "effectively reinstate [the] flawed [Standards Board] regime" which was in force prior to the Localism Act 2011.

There is certainly merit in the government's position that "councillors are ultimately held to account via the ballot box". However, to some extent, that assumes a level of public engagement with local politics, which is unrealistic, especially in many parts of the country which do not have a thriving local press to hold councillors to account.

Admittedly, there is no easy solution, but a system, which cannot impose meaningful sanctions on councillors who refuse to play by the rules – especially independent councillors not subject to party discipline – risks undermining confidence in local government standards particularly for the majority of those who do.

#### **14. UPDATE ON RECRUITMENT OF INDEPENDENT PERSONS**

The Director of Governance and Pensions (Monitoring Officer) explained that, following notice of the retirement of Ms Valerie Bracken and Ms Jacqueline Barnes, an advertisement had been placed on Tameside's website for Independent Persons to replace them in the roles of Chair and Deputy Chair of the Standards Committee. The closing date was imminent and following this, any applications could be considered and interviews arranged. She added that there was an expectation that appointments would be reported to the meeting of Annual Council on 24 May 2022.

#### **15. TRAINING RESOURCE PACK: LGA COUNCILLORS MODEL CODE OF CONDUCT**

The Director of Governance and Pensions (Monitoring Officer) made reference to the Training Resource Pack circulated with the agenda, which had been produced by the LGA in respect of the

Councillors Model Code of Conduct.

The Director sought Members views with regard to utilising the pack for a Member training session for all Members. This could be particularly useful soon after the forthcoming Local Elections, to capture any newly elected Councillors.

Committee Members expressed their support for the training session as outlined by the Director, highlighting Declarations of Interest and Social Media as particular areas for attention. They commented specifically on the complex nature of Declarations of Interest in respect of the Planning process and for Members of the Speakers' Panel (Planning).

**RESOLVED**

**That the content of the Training Resource Pack: LGA Councillors Model Code of Conduct be noted and that this be utilised to deliver a Member Training session for all Members following the forthcoming Local Elections on 5 May 2022 and annual Council on the 24 April 202**

**16. REGISTER OF INTERESTS AND REGISTER OF GIFTS AND HOSPITALITY**

Members were advised that the Register of Interests and Register of Gifts and Hospitality were available online for inspection.

**17. DISCUSSION PERIOD FOR MEMBERS TO RAISE ISSUES (IF ANY)**

No items were raised during the discussion period.

**18. URGENT ITEMS**

There were no urgent items for consideration.

**19. DATE OF NEXT MEETING**

It was noted that the date of the next scheduled meeting of the Standards Committee was 6 September 2022.

**20. PRESENTATION TO THE RETIRING CHAIR, MRS VALERIE BRACKEN**

The Chair, Mrs Valerie Bracken, was presented with a bouquet of flowers as a token of appreciation and in recognition of her tenure with the Standards Committee with a similar bouquet being sent to Jacqueline Barnes who was also standing down after a decade of supporting the Council.

**CHAIR**

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# Agenda Item 11

<b>Report to:</b>	<b>COUNCIL</b>
<b>Date:</b>	24 May 2022
<b>Reporting Officer:</b>	Ian Saxon, Director of Place
<b>Subject:</b>	<b>REVISED GAMBLING ACT STATEMENT OF PRINCIPLES 2022 – 2025</b>
<b>Report Summary:</b>	<p>Licensing authorities are required to develop, consult on, and publish a Statement of Principles every three years that sets out the principles they propose to apply in exercising their functions under the Gambling Act 2005.</p> <p>This report presents the Council's proposed statement of principles for 2022-2025.</p>
<b>Recommendations:</b>	That Council adopt the Gambling Statement of Principles set out herein.
<b>Corporate Plan:</b>	<p>The proposals contained in this report will support the delivery of the Corporate Plan;</p> <p>Starting Well – Reduce the impact of adverse childhood experiences.</p> <p>Living Well – Reduce levels of anti-social behaviour, victims of crime/fear of crime.</p>
<b>Policy Implications:</b>	There is a statutory requirement for the Council to review the policy statement every 3 years. This proposal would replace the existing Gambling Statement of Principles.
<b>Financial Implications:</b> <b>(Authorised by the statutory Section 151 Officer &amp; Chief Finance Officer)</b>	<p>There are no direct financial implications arising from the report.</p> <p>However, Members should note that the licence fees that apply to all parties which require a gambling licence to exercise their functions under the Gambling Act 2005, are approved by the Council within the annual Council budget report.</p> <p>The licence fees that apply to the 2022/23 financial year were approved at the 22 February 2022 Council meeting.</p>
<b>Legal Implications:</b> <b>(Authorised by the Borough Solicitor)</b>	The Council has reviewed its Statement of Principles in line with legislation. Members will need to consider the consultation process carried out, together with the Equality Impact Assessment before agreeing the revised Statement, in line with its equality duty, to ensure there is no challenge to its lawfulness, and the Council's duty to protect vulnerable persons. This decision is required to be made by Full Council.
<b>Risk Management:</b>	<p>This review of the Statement of Principles is a key document in relation to the Council's position in continuing to implement the Gambling Act's objectives and consideration of subsequent licensing applications.</p> <p>Failure to properly consult on these proposals could result in a legal challenge from the trade or their representatives through a judicial review. This risk has been managed by carrying out an extensive consultation as outlined in the report.</p>

**Background Information:**

The background papers relating to this report can be inspected by contacting Sharon Smith, Head of Regulatory Services and Public Protection.



Telephone: 0161 342 2277



e-mail: [sharon.smith@tameside.gov.uk](mailto:sharon.smith@tameside.gov.uk)

## 1. INTRODUCTION

- 1.1 The Council as the Licensing Authority has a statutory duty to review its Statement of Principles under the Gambling Act 2005 (the Act) at least every three years. The current Statement was adopted at Full Council and came into effect on 21 May 2019 and the revised Statement will cover the period of 2022 – 2025.
- 1.2 The Act is based on the promotion of three licensing objectives:
- Preventing gambling from being a source of crime and disorder;
  - Ensuring that gambling is conducted in a fair and open way; and
  - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.3 The Act provides that Authorities should aim to permit gambling in so far as they think it is:
- in accordance with issued codes of practice;
  - in accordance with guidance issued by the Gambling Commission;
  - reasonably consistent with the licensing objectives; and
  - in accordance with the Policy Statement.
- 1.4 The Council will refer to its Statement, the Gambling Act 2005, promotion of the licensing objectives, and the Statutory Guidance to Licensing Authorities when considering applications in respect of the following:-
- Premises licences (this includes casinos, bingo halls, adult gaming centres, family entertainment centres, race tracks and betting shops)
  - Permits (licensed premises gaming machine permits, club permits, prize gaming permits, notifications of two or less machines)
  - Lotteries (small society lotteries, incidental non-commercial lotteries, private lotteries and customer lotteries)
  - Temporary use notices and occasional use notices for short-term gambling events).
- 1.5 The Gambling Commission is responsible for granting operating licences and personal licences to commercial gambling operators and people working in the industry. It also regulates certain lottery managers and promoters.
- 1.6 In preparing the Statement the Authority has to have regard to codes of practice and guidance issued by the Gambling Commission.
- 1.7 This Statement reflects collaboration across Greater Manchester with, for the first time, a joint Statement of Gambling Principles approved at local level. The aim of this is to provide a more consistent policy position across Greater Manchester; we have a shared aim to prevent and reduce the negative impacts of gambling on individuals, families and communities.
- 1.8 A copy of the proposed Gambling Statement of Principles is attached at **Appendix 1**.

## 2. CONSULTATION

- 2.1 A consultation exercise was carried out in accordance with the Act and Statutory Guidance. The 8 week consultation period took place between 29 November 2021 and 24 January 2022.
- 2.2 The consultation was circulated widely, national trade bodies, interested parties and all premises licence holders were written to, directing them to a consultation page on the Council's website. In addition, the Council used its social media accounts to publicise the consultation.
- 2.3 Copies of the draft Statement were made available for the public to view electronically online

and a hard copy was kept at the Licensing Office.

- 2.4 A total of three responses were received. A response was received from Greater Manchester Police which was in support of the draft Statement being approved, this is attached at **Appendix 2**.
- 2.5 Trade responses were received from Power Leisure Bookmakers Limited, this is attached at **Appendix 3** and Merkur Slots UK Limited and Merkur Bingo & Casino Entertainment UK Limited, attached at **Appendix 4**.
- 2.6 A table evaluating the consultation responses and detailing the changes to the draft Statement is attached at **Appendix 5**. An Equality Impact Assessment (EIA) has been completed showing there is no adverse impact on the community. The EIA form is attached at **Appendix 6**.

### **3. RECOMMENDATIONS**

- 3.1 As set out at the front of the report.



# **Statement of Principles**

**2022-2025**

**Gambling Act 2005**

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## 1 **Foreword from Cllr Allison Gwynne, Executive Member for Neighbourhoods, Community Safety & Environment**

- 1.1 We recognise that gambling provides many jobs, as well as being a popular leisure activity enjoyed by many of our residents and visitors. However, there is a range of gambling-related harms that can be experienced across the spectrum of gambling activities. We also know from studies and research that some groups are more likely to experience problems with gambling and there are some forms of gambling that are more associated with a higher severity of gambling-related problems, putting people at risk of gambling what they can't afford. We are therefore committed to working in partnership with the trade and partners, in line with the Greater Manchester Gambling Harm Reduction Programme, to minimise this risk and ensure that appropriate support is available when and where it is required, as well as regulating when appropriate.
- 1.2 The Greater Manchester Gambling Harm Reduction Programme aims to prevent harm from arising and to ensure that the individuals, families and communities experiencing harm as a result of gambling have access to the right treatment and support.
- 1.3 In Greater Manchester we are thinking differently about gambling with a shared aim to prevent and reduce the negative impacts of gambling on individuals, families and communities. As part of our innovative public service reform and population health agenda we are working with partners across Greater Manchester to ensure that gambling is a safe and enjoyable activity for all who choose to take part. Our priorities are:
1. Developing our understanding of gambling related harms
  2. Improving access to high quality treatment and support
  3. Supporting interventions to prevent gambling from becoming a harmful activity
  4. Engaging with people and communities to co-design our work
- 1.4 Partnerships are important, and with this in mind TMBC will work closely with the Gambling Commission, the Police and the other responsible authorities named within the Act. TMBC will also provide guidance and support, where possible, to the trade, residents and businesses.
- 1.5 This policy reflects collaboration across Greater Manchester with, for the first time, a joint Statement of Gambling Principles approved at local level
- 1.6 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 it grants and enforces thereafter
- 1.7 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 and disorder or being used to support crime.
  - Ensuring gambling is conducted in a fair and open way.
  - Protecting children and other vulnerable people from being harmed or exploited by gambling
- 1.8 All decisions in relation to gambling will be made having taken into account the three licensing objectives and each application will be dealt with on its merits.



## 2 INTRODUCTION

- 2.1 As the licensing authority, we are required to perform the following functions under the Gambling Act:
- 1) Be responsible for licensing premises where gambling activities are to take place by issuing premises licences
  - 2) Issue provisional statements where it is proposed that gambling activities will take place but a premises is not yet ready for use
  - 3) Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities by issuing club gaming permits and/or club machine permits
  - 4) Issue club machine permits to commercial clubs
  - 5) Issue permits for unlicensed Family Entertainment Centres where Category D machines may be used
  - 6) Receive notifications from premises licensed for on-sales of alcohol for use of two or fewer Category C or D gaming machines
  - 7) Issue licensed premises gaming machine permits for premises licensed for on-sales of alcohol for use of two or more Category C or D machines
  - 8) Register small society lotteries
  - 9) Issue prize gaming permits
  - 10) Receive and endorse Temporary Use Notices for temporary use of premises for gambling
  - 11) Receive Occasional Use Notices for betting at tracks
- 2.2 Gambling is defined in the Act as either gaming, betting or taking part in a lottery
- 2.3 Gaming' means playing a game for the chance to win a prize.
- 2.4 'Betting' means making or accepting a bet on:
- the outcome of a race, competition or other event
  - the likelihood of anything occurring or not occurring
  - whether anything is true or not.
- 2.5 A 'Lottery' is where participants are involved in an arrangement where prizes are allocated wholly by a process of chance.
- 2.6 The responsibility for regulating gambling is shared between the Gambling Commission and local authorities. The Gambling Commission is responsible for issuing operating licences to organisations and individuals who provide facilities for gambling and personal licences to persons working in the gambling industry. The Commission takes the lead role on ensuring that gambling is conducted in a fair and open way through the administration and enforcement of operating and personal licence requirements. The Commission is also responsible for remote gambling activities such as facilities provided via the internet, television or radio.
- 2.7 We are also required to:

# APPENDIX 1

- Provide information to the Gambling Commission regarding details of licences issued
- Maintain a register of the permits and licences that are issued under the functions above.

2.8 The council has a responsibility under the Gambling Act 2005 to decide whether to grant or reject applications and in the case of premises licence applications to decide any conditions to apply where the decision is taken to grant. All decisions made by the licensing authority in relation to premises licences (and some other authorisations – see specific sections for details) are based on the Act, relevant guidance, Codes of Practice, our Gambling Policy and the three licensing objectives. These 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

2.9 In the case of premises licences (and some other authorisations – see specific sections for details), the licensing committee will permit gambling only so far as it is reasonably consistent with these three objectives.

## **Publication of this Policy**

2.10 Licensing authorities have a requirement to develop, consult on, and publish a statement of licensing policy every three years with regards to the principles they propose to apply in exercising functions under the Gambling Act 2005.

2.11 The policy statement forms the licensing authority's mandate for managing local gambling provision and sets out how the licensing authority views the local risk environment and therefore its expectations in relation to operators with premises in the locality.

2.12 The authority is one of the 10 Metropolitan Districts of Greater Manchester. In Greater Manchester we have a shared aim reducing gambling related harms, our approach focuses on preventing gambling harms from occurring, as well as improving how we support our residents who are already experiencing harms, either directly or as a result of someone else's gambling. The renewal of licensing policies presents an opportunity for local authorities to embed these principles. Licensing leads across Greater Manchester have agreed to take a common approach to refreshing gambling licensing policies.

2.13 The following people and organisations have been consulted in preparing the statement:

- 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.

# APPENDIX 1

- 2.14 The Authority consulted upon this Statement between 29 November 2021 and 24 January 2022. Following consultation the Statement was approved at a full Council meeting held on 24 May 2022.

## **Description of the Area**

- 2.15 The Borough of Tameside lies to the East of Greater Manchester, stretching eastwards from the urban hub of Manchester to the moors of the Peak District. Tameside shares borders with Oldham, Manchester, Stockport and the Derbyshire Borough of High Peak. Tameside covers 40 square miles and is made up of nine towns – Ashton-under-Lyne, Audenshaw, Denton, Droylsden, Dukinfield, Hyde, Longdendale, Mossley, Stalybridge. It is named after the River Tame, which flows through the borough. Tameside has a rich heritage linked to the industrial revolution, with former rural communities transformed into mill towns significant to the Cotton and Textile Industry.
- 2.16 Tameside has a population of 226,493 (ONS UK, 2019 mid-year population estimates). Of the 141 areas in Tameside, 11 of these fall within the most deprived 5% nationally and a further 18 fall within the most deprived 10% nationally.

## 3 GENERAL PRINCIPLES

- 3.1 In making decisions on premises licences, the licensing authority shall 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
- 3.2 As the licensing authority, we will regulate gambling in the public interest, which will be reflected in this policy statement.
- 3.3 This policy statement does not undermine the right of any person to make representations on an application or to seek a review of a licence where provision has been made for them to do so.
- 3.4 This policy does not override anybody's right to make an application, make representations about an application, or apply for a review of a licence.
- 3.5 Each application will be considered on its merits in accordance with the requirements of the Gambling Act and without regard to demand.

### **Other regulatory regimes**

- 3.6 The licensing authority will avoid duplication with other regulatory regimes, so far as possible. A range of general duties are imposed on the self-employed, employers and operators of gambling premises, both in respect of employees and of the general public, by legislation governing health and safety at work and fire safety. Therefore, such requirements do not need to be included in the policy statement.

### **Responsible Authorities**

- 3.7 Responsible Authorities are generally public bodies that must be notified of all applications and who are entitled to make representations to the Council if they are relevant to one or more of the licensing objectives.
- 3.8 Section 157 of the Act defines those authorities. For this area they are:
- The Gambling Commission
  - Greater Manchester Police
  - Greater Manchester Fire and Rescue
  - The Planning Authority
  - The authority which has functions in relation to pollution to the environment or harm to human health
  - Manchester Safeguarding Partnership
  - HM Revenue and Customs
  - The Licensing Authority.

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- 3.9 The contact details of all the Responsible Authorities are available are set out in **Appendix 1**.
- 3.10 The licensing authority has designated the Local Safeguarding Children Board as the body that is competent to advise it about the protection of children from harm. The principles that have been used in making this designation is that the board is:
- responsible for the whole of the licensing authority's area
  - answerable to democratically elected persons

## Public Health

- 3.11 While for some gambling is an enjoyable activity, it is a source of harm for many.
- 3.12 Research suggests that in a city-region like Greater Manchester there are approximately 39,000 people living with a gambling disorder, with a further 118,000 at risk, however we know that self-reported surveys underestimate true prevalence of harm given the unfortunately shame and stigma associated with gambling disorder. For every person who gambles, it is estimated that between six and ten people are 'affected others' and experience similar harms. These may be dependents, parents, partners, friends or colleagues.

Area	Estimate of Adult Population 2016	Estimated number of problem gamblers	Estimated number of 'at risk' gamblers
Greater Manchester	2,148,660	38,676	118,176
Bolton	216,920	3,905	11,931
Bury	145,880	2,626	8,023
Manchester	416,480	7,497	22,906
Oldham	173,900	3,130	9,565
Rochdale	164,820	2,967	9,065
Salford	192,840	3,471	10,606
Stockport	227,920	4,103	12,536
Tameside	173,960	3,131	9,568
Trafford	179,920	3,239	9,896
Wigan	256,020	4,608	14,081

- 3.13 Anyone who gambles is vulnerable to harm. Men, younger adults (aged 18-34) and adults from a lower socioeconomic or black and minority ethnic backgrounds are more likely to be classified as gamblers experiencing some level of harm. Gambling related harms are often described at an individual level, however these harms have a wider impact on communities and society with costs to the UK as a whole estimated at being between £260m and £1.16bn.
- 3.14 People living with, or at risk of developing, a gambling disorder may experience stress, anxiety and depression, financial losses, debts and exhibit compulsive behaviours, such as chasing losses. Gambling related harms may accrue over a long period of time or very quickly at a time of crisis, many harms have a lasting legacy beyond initial recovery from gambling disorder. Harms associated with gambling include poor mental health and

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wellbeing, relationship breakdown, neglect of other priorities in life, poor performance at work or school and criminal activity. It is estimated that for every day of the year, one person takes their own life as a result of gambling disorder.

- 3.15 Awareness of gambling harms as an emerging public health problem has increased in recent years, however Public Health are not a responsible authority under the Gambling Act 2005. Nonetheless, 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>
- 3.16 Greater Manchester has a Gambling Harms Reduction Programme (which aims to reduce the harms caused by gambling to the population. Licence applicants and holders will be expected to show how they are actively protecting the local population from gambling harms with their processes and operations, and consider how the location, opening hours and promotion of their activities can minimize opportunities for harm to the vulnerable groups listed above. Sections 5.30 to 5.36 of this document on protecting vulnerable groups, highlights some of the standards licence holders are expected to meet to minimise harm to customers and local residents.
- 3.17 The licensing authority recognises that local authority Public Health Teams can offer insights from those impacted by gambling harms and offer contextual information about treatment and support in the local area. They can also add value to the licensing application process where there are concerns raised about risk of harm to vulnerable groups locally.
- 3.18 Greater Manchester's Gambling Harms Reduction Programme is listening to residents with lived experience of gambling and is commissioning its own research to better understand problem gambling in the region. As findings from this research emerge, licence holders will be expected to support the delivery of recommendations to help minimize gambling harms to the local populations.

## **Determining whether a person is an interested party in relation to a premises licence, or an application for or in respect of a premises licence**

- 3.19 For the purposes of the Gambling Act, an 'interested party' is:
- a) Someone who lives sufficiently close to the premises to be likely to be affected by the gambling premises
  - b) Has business interests that might be affected by the authorised activities
  - c) Represents persons who satisfy paragraph (a) or (b)
- 3.20 Whether or not a person is an 'interested party' is ultimately the decision of the Licensing Authority which issues the licence or to which the application is made.
- 3.21 To determine who lives 'sufficiently close to the premises to be likely to be affected by the gambling premises', we will consider the following on a case-by-case basis:
- The size of the gambling premises
  - The nature of the gambling premises

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- The distance of the premises from the address of the person making the representation
- The potential impact of the premises (number of customers, routes likely to be taken by those visiting the premises)
- the circumstances of the person who lives close to the premises. This is not their personal characteristics, but their interests which may be relevant to the distance from the premises e.g. 'sufficiently close to be likely to be affected' could have a different meaning for (a) a private resident (b) a residential school for children with truanting problems and (c) a residential hostel for vulnerable adults
- The 'catchment' area of the premises (i.e. how far people travel to visit it).

3.22 Having a 'business interest' will be given the widest possible interpretation and include community and voluntary groups, schools, charities, faith groups and medical practices. The licensing authority will consider the following factors relevant when determining whether a person's business interests may be affected:

- The size of the premises
- The 'catchment' area of the premises (i.e. how far people travel to visit it)
- whether the person making the representation has business interests in the affected catchment area

3.23 In so far as who represents persons who satisfy paragraphs (a) or (b), this would include for example:

- i. Residents' associations and tenants' associations
- ii. Trade associations and trade unions
- iii. Any other person with written permission from somebody who satisfies paragraph (i) or (ii)
- iv. Local councillors and MPs

## **Exchange of information between the licensing authority and the Gambling Commission (s29 and s30 of GA2005), and the exchange of information between the licensing authority and other persons listed in Schedule 6 of the Act**

3.24 The licensing authority may share application information received in the course of processing applications with the Gambling Commission, a constable or police force, an enforcement officer, another Licensing Authority, her Majesty's Commissioners of Customs & Excise, The Gambling Appeal Tribunal, The National Lottery Commission, The Secretary of State or Scottish Ministers.

3.25 We will abide by the Freedom of Information Act and the General Data Protection Regulation (GDPR) in its safeguarding/release of information or data.

3.26 In the context of the Gambling Act, we will retain only that information which relates to the processing of applications for licences, permits, permissions and representations. Applications and representations in respect of applications are both in the public domain and are therefore available on request and may be published as part of our web register. Personal addresses/contact numbers attached with representations may also be released. Information may also be shared with other Gambling Act regulators or other parties prescribed by the Secretary of State.

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3.27 Licensing authorities have statutory duties to notify the Commission as well as the applicant and other responsible authorities of the grant/rejection of applications (new, variations, transfers etc.) as well as the revocation, surrender or lapse of a premises licence using the correct statutory forms.

3.28 We will inform the Gambling Commission without delay if:

- The Licensing Authority receives information that causes it to question the suitability of the person holding/applying to hold an operating licence
- There are persistent or serious disorder problems that an operator could or should do more to prevent, so that the Commission may consider the continuing suitability of the operator to hold an operating licence
- If it comes to our attention that: alcohol-licensed premises or clubs or institutes are playing bingo during the course of a week which involves significant stakes and prizes and makes it possible that the £2,000 in seven days is being exceeded.

3.29 The licensing authority will act in accordance with the relevant legislation and guidance from the Commission and will adopt the principles of better regulation.

**Functions of the licensing authority under Part 15 of the GA2005 with respect to the inspection of premises and the power under s346 of the Act to institute criminal proceedings in respect of the offences specified in that section.**

3.30 Our principal enforcement role under the Gambling Act is to ensure compliance with the conditions of the premises licence and legal requirements in respect of other permissions the licensing authority regulates. However, we will also ensure that any unlicensed premises which are operating illegally are dealt with appropriately to ensure compliance. Where appropriate, we will work with the Gambling Commission in our enforcement activity. The Council will adopt a risk-based inspection and enforcement programme, which will mean giving greater attention to high-risk premises and a lighter touch for low-risk premises. In all cases we will ensure our inspection and enforcement programme is operated in accordance with any codes of practice issued by the Gambling Commission, in accordance with the Government's Enforcement Concordat and the Compliance Code.

3.31 The Council will take account of the Gambling Commission's guidance document issued in February 2015 (or any subsequent amendments) 'Approach to Test Purchasing' 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.

3.32 This licensing authority will be guided by the Gambling Commission's Guidance for local 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



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- **Targeted**  
Regulation should be focused on the problem, and minimise side effects

3.33 Where there is a Primary Authority scheme in place, the council will seek guidance from the Primary Authority before taking any enforcement action. At the time of the publication of this policy there were seven Primary Authority arrangements with host local authorities:

<b>Operator</b>	<b>Primary Authority local authority</b>
BACTA	Reading
Coral Racing	Milton Keynes
Ladbrokes	Milton Keynes
Paddy Power	Reading
Rank Group	City of Westminster
Sky Betting & Gaming	Wakefield
William Hill	Reading

3.34 Further information, including an index of all Primary Authority arrangements can be found at <https://primary-authority.beis.gov.uk/par>

### **Commenting on a licence application**

3.35 If 'interested parties' (see below for definition) or 'responsible authorities' wish to comment on an application for a premises licence relating to the licensing objectives, they can make a 'representation'. The Licensing Authority can only consider representations if made by either an 'interested party' or 'responsible authority'.

3.36 A representation is a statement that outlines any comments that the party making the representation wants to be taken into consideration by the Licensing Authority when determining the application. In all cases representations will need to be 'relevant'. The only representations likely to be relevant are those that meet one or more of the following criteria:

- Relate to the licensing objectives
  - Relate to relevant matters in our gambling policy
  - Relate to relevant matters in the Gambling Commission's Guidance to Local Authorities
  - Relate to relevant matters in the Gambling Commission's Codes of Practice
  - Relate to the premises that are the subject of the application
- AND**
- Are neither frivolous nor vexatious nor will certainly not influence the authority's determination of the application.

### **Factors that will not be relevant**

3.37 Any objections to new premises or requests for a review should be based on the licensing objectives of the Act. Unlike the Licensing Act 2003, the Act does not include the prevention of public nuisance as a specific licensing objective.

3.38 The licensing authority will not take into account representations that are:

- repetitive, vexatious or frivolous

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- from a rival gambling business where the basis of the representation is unwanted competition
- moral objections to gambling
- concerned with expected demand for gambling
- anonymous

3.39 Details of applications and representations referred to a licensing sub-Committee for determination will be published in reports that are made publicly available and placed on the council's website in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000. Personal details will however be removed from representations in the final website version of reports

3.40 Names and addresses of people making representations will be disclosed to applicants and only be withheld from publication on the grounds of personal safety where the licensing authority is specifically asked to do so.

## **Split Premises**

3.41 The Licensing Authority will always give the closest consideration to whether a sub-division has created separate premises meriting a separate machine entitlement. The Authority will not automatically grant a licence for sub- divided premises even if the mandatory conditions are met, particularly where the Authority considers that this has been done in order to sidestep controls on the number of machines which can be provided in a single premise. The Authority will consider if the sub-division has harmed the licensing objective of protecting the vulnerable. The Authority may also take into account other relevant factors as they arise on a case-by-case basis.

## **Premises "ready for gambling"**

3.42 A licence to use premises for gambling will only be issued in relation to premises:

- that the 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
- where they are expected to be used for the gambling activity named on the licence.

3.43 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 considered instead.

3.44 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:

- 1) Whether the premises ought to be permitted to be used for gambling
- 2) Whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

3.45 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.

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- 3.46 When dealing with a premises licence application for finished buildings, the licensing authority will not take into account:
- whether those buildings have to comply with the necessary planning or building consents;
  - fire or health and safety risks.
- 3.47 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.
- 3.48 It is noted that 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

## **Applications and plans**

- 3.49 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.
- 3.50 It is the local authority's policy that it will expect applicants for new premises licences and variations to provide a plan showing the indicative layout of the plan including, but not limited to:
- Machines, specified by category
  - Staff counters
- 3.51 We consider that this information is appropriate, in conjunction with the premises' risk assessment, to effectively assess the provision of gambling facilities at the premises. Where this information is not provided, it is more likely that a representation will be made in order to enable the licensing authority to accurately assess the likely effect of granting the application relative to the LCCP and licensing objectives.
- 3.52 The premises plan in itself is only one means by which the licensing authority may seek reassurance that the requirements will be met. It may be that conditions attached to the premises licence regarding lines of sight between the counter and the gaming machines, staffing arrangements or security devices are a more effective method of doing so. Local circumstances and concerns and the layout of a particular premises may well determine what is most appropriate for an individual application.

## **Tracks**

- 3.53 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. 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 =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

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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.

- 3.54 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.
- 3.55 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.

## 4 DETERMINING PREMISES LICENCES

### **How the Licensing Authority decides whether to grant or refuse an application**

- 4.1 Where we receive an application for a gambling premises licence, we will aim to permit the use of premises for gambling where it is considered:
- a) In accordance with any relevant code of practice issued by the Gambling Commission
  - b) In accordance with any relevant guidance issued by the Gambling Commission
  - c) Reasonably consistent with the licensing objectives (subject to a and b) and
  - d) In accordance with this policy (subject to a – c).
- 4.2 The Licensing Authority has no discretion to either grant or refuse premises licences in circumstances that would mean departing from the above e.g. the committee cannot reject applications on moral grounds.
- 4.3 Each case will be decided on its merits.
- 4.4 The Licensing Authority will not have regard to any demand issues for the premises.
- 4.5 Where an area has known high levels of organised crime the licensing 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.
- 4.6 Rather than reject applications outright, wherever possible the Licensing Authority will look to work with gambling premises and tackle concerns with licence conditions that uphold the licensing objectives. However, where there are reasons that granting a licence would not be consistent with (a) - (d) above, the application will normally be refused.
- 4.7 In accordance with the Guidance from the Gambling Commission, we will circulate 'clear and comprehensive' reasons for any decision to all parties. We will also cite the extent to which decisions have been made in accordance with the Council's gambling policy and the Guidance from the Gambling Commission.

### **How the licensing committee decides what conditions to apply to premises licences**

- 4.8 Premises Licences may be subject to any or all of the following:
- Conditions specified in the Gambling Act 2005
  - Conditions specified in the regulations issued by the Secretary of State
  - Conditions attached by Tameside Council's Speaker's Panel (Liquor Licensing) following a hearing (where necessary).
- 4.9 With respect to conditions, licensing authorities are able to:
- Issue licences without modifying conditions set out in the Act and by the Secretary of State
  - Exclude default conditions
  - Attach conditions where it is believed to be appropriate

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- Conditions may be general in nature (i.e. they attach to all licences of a particular premises type e.g. all casinos) or they may be specific to a particular licence.

4.10 We will ensure that any conditions we impose are:

- Proportionate to the circumstances which they are seeking to address
- Relevant to the need to make the proposed building suitable as a gambling facility
- Directly related to the premises and the type of licence applied for
- Fairly and reasonably related to the scale and type of premises
- Reasonable in all other respects.

4.11 There are also conditions, which the licensing authority cannot attach to premises licences:

- Conditions on a premises licence which make it impossible to comply with an operating licence condition
- Conditions relating to gaming machine categories, numbers, or method of operation
- Conditions that require membership of a club or body. (The Gambling Act specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated)
- Conditions relating to stakes, fees, winnings or prizes
- Conditions relating to demand for the premises.

4.12 Decisions about conditions will be taken on a case-by-case basis considering Gambling Commission guidance, Gambling Commission Codes of Practice, the Licensing Objectives and our policy.

### **Determining whether to review a licence**

4.13 After a licence is granted, where the day to day operation of a gambling premises is not felt to be 'reasonably consistent with the licensing objectives', a review of the premises licence can be requested at any time.

4.14 A review may be initiated by the Licensing Authority or as a result of an application for review from an interested party or responsible authority. Where it is the Licensing Authority that initiate the review, they may do this for a whole class of premises e.g. all Adult Gaming Centres or in relation to particular premises. The Licensing Authority can review a licence for any reason it thinks appropriate.

4.15 Where an application for review is received from an interested party or responsible authority, as a licensing authority we must decide whether to go ahead with the review. The application for review will be considered based on the following:

- Does the request raise issues other than those found under the Gambling Commission's Guidance, Codes of Practice, the Licensing Objectives or our gambling policy?
- Is it irrelevant, frivolous or vexatious?
- Is it so minor that the authority will certainly not wish to revoke or suspend the licence or remove, amend or attach conditions?

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- Is it substantially the same as a previous application for review relating to the same premises?
  - Is the application for review substantially the same as a representation made at the time the application for a premises licence was considered?
- 4.16 If the answer to ANY of the above questions is 'yes', the request for review may be rejected. The purpose of the review is to determine if the licensing committee should take any action in relation to the licence. If action is needed, the options are to either:
- Revoke the premises licence •
  - Suspend the premises licence for a period not exceeding three months
  - Exclude a default condition imposed by the Secretary of State (relating to, for example, opening hours) or remove or amend such an exclusion
  - Add, remove or amend a licence condition previously imposed by the Licensing Authority
- 4.17 To decide what action, if any, needs to be taken following an application for review, the licensing committee will make its determination:
- In accordance with any relevant code of practice issued by the Gambling Commission
  - In accordance with relevant guidance issued by the Gambling Commission
  - In so far as it is reasonably consistent with the licensing objectives
  - In accordance with the authority's statement of licensing policy
- 4.18 The committee will also consider any relevant representations and information given at the hearing. Codes or practice and the guidance referred to above may be obtained from the Gambling Commission.

## 5 RELEVANT FACTORS WHEN CONSIDERING APPLICATIONS AND REVIEWS

5.1 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

5.2 The Licensing Authority believes that this list is not exhaustive and there may be other factors which may arise that could be considered relevant. The Licensing Authority will consider the relevance of any additional factors raised on a case-by-case basis.

### **Location of the premises**

5.3 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

5.4 The Licensing Authority expects each premises to produce and keep on the premises a local risk assessment, covering the areas set out in this policy.



## Local risk assessments

- 5.8 Licensees are required to undertake a local risk assessment when applying for a new premises licence. Their risk assessment must also be updated:
- when applying for a variation of a premises licence
  - to take account of significant changes in local circumstances, including those identified in a licensing authority's policy statement
  - when there are significant changes at a licensee's premises that may affect their mitigation of local risks.
- 5.9 Licensees must assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, they must take into account relevant matters identified in the licensing authority's policy statement.
- 5.10 In conducting their risk assessment, the Licensing Authority will expect operators to follow the general principles of risk assessment:
- 1) Identify hazards (think about what may cause harm using the information provided below as a guide and any other matters you consider relevant)
  - 2) Assess the risks (decide how likely it is that someone could be harmed and how serious it could be. This is assessing the level of risk). Decide:
    - i) Who might be harmed and how
    - ii) What you're already doing to control the risks
    - iii) What further action you need to take to control the risks
    - iv) Who needs to carry out the action
    - v) When the action is needed by
  - 3) Control the risks (Look at what you're already doing, and the controls you already have in place.) Ask yourself:
    - i) Can I get rid of the hazard altogether?
    - ii) If not, how can I control the risks so that harm is unlikely?
  - 4) Record your findings (record your significant findings), including:
    - i) the hazards (things that may cause harm)
    - ii) who might be harmed and how
    - iii) what you are doing to control the risks
  - 5) Review the controls. (You must review the controls you have put in place to make sure they are working.) You should also review them if:
    - i) they may no longer be effective
    - ii) Also consider a review if your workers have spotted any problems or there have been any accidents or near misses.
    - iii) to take account of significant changes in local circumstances, including those identified in this policy statement
    - iv) when there are significant changes at the premises that may affect your mitigation of local risks
    - v) Update your risk assessment record with any changes you make.
- 5.11 The Licensing Authority considers the following as significant changes at the premises that may affect your mitigation of local risks:
- Staffing changes
  - Layout of the premises

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- Changes to gaming facilities provided

5.12 The Authority will expect the local risk assessment to consider the urban setting:

- The proximity of the premises to schools
- The commercial environment
- Factors affecting the footfall
- Whether the premises is in an area of deprivation
- Whether the premises is in an area subject to high levels of crime and/or disorder
- The ethnic profile of residents in the area.
- The demographics of the area in relation to vulnerable groups
- The location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather
- The range of facilities in the local area such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activity, etc.
- The proximity of churches, mosques, temples or any other place of worship

5.13 The local risk assessment must show how vulnerable people, including people with gambling dependencies, are protected through:

- The training of staff in brief intervention when customers show signs of excessive gambling, the ability of staff to offer brief intervention and how the manning of premises affects this.
- Information held by the licensee regarding self-exclusions and incidences of underage gambling.
- Arrangements in place for local exchange of anonymised information regarding self-exclusion and gaming trends.
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments.
- Arrangements for monitoring and dealing with underage people and vulnerable people, which may include:
  - dedicated and trained personnel
  - leaflets and posters
  - self-exclusion schemes
  - window displays and advertisements designed to not entice children and vulnerable people.
- The provision of signage and documents relating to games rules, gambling care providers and other relevant information be provided in both English and the other prominent first language for that locality
- The proximity of premises that may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor surgeries, council community hubs, addiction clinics or help centres, places where alcohol or drug dependent people may congregate

5.14 The local risk assessment should show how children are to be protected:

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- The proximity of institutions, places or areas where children and young people frequent such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling allies, cinemas, etc.
- The proximity of place where children congregate such as bus stops, cafes, shops.
- Areas that are prone to issues of youths participating in anti-social behaviour, including activities such as graffiti, tagging, underage drinking etc.

5.15 Other matters that the assessment will include as appropriate:

- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
- The layout of the premises so that staff have an unobstructed view of people using the premises.
- The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those people using the premises.
- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.

5.16 Such information may be used to inform the decision the Authority makes about whether to grant the licence, to grant the licence with special conditions, or to refuse the application.

5.17 This policy does not preclude any application being made and each application will be decided on its merits, with the onus being upon the applicant to show how the concerns can be overcome.

## **Local Area Profile**

5.18 The Greater Manchester Gambling Harms Reduction programme is listening to residents with lived experience of gambling and is commissioning its own research to better understand problem gambling in the region. As findings from this research emerge, license holders will be expected to support the delivery of recommendations to help minimize gambling harms to the local populations. This research and evidence will be available online at:

<https://www.greatermanchester-ca.gov.uk/what-we-do/health/gambling/understanding-gambling-related-harms>

and should be referred to in Local Risk Assessments.

## **How the premises will operate consistent with the licensing objectives**

5.19 We expect high standards from all gambling premises. Operators will be expected to demonstrate that they have given careful consideration to the licensing objectives and have appropriate measures in place to uphold them.

5.20 The following paragraphs indicate the physical and management factors that the licensing authority may take into account when considering applications for new, varied licence applications and reviews. These are not mandatory requirements but should be used as a guide to applicants and licensees as to the sort of arrangements that it should have in place and demonstrate these are in place through their bespoke risk assessment. Where

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an applicant or licensee can demonstrate that these factors are not relevant, or alternative arrangements are more appropriate, the licensing authority will take these into account.

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

- 5.21 The Gambling Commission play a leading role in preventing gambling from being a source of crime, through maintaining rigorous procedures that aim to prevent criminals from providing facilities for gambling, or being associated with doing so, as a result of the operating licence procedure.
- 5.22 However, as a Licensing Authority, we will take into account any local considerations that may impact with regard to this licensing objective, particularly in respect to the location of the premises, to ensure the suitability of the gambling premises. When considering whether a disturbance was serious enough to constitute disorder, we will have regard to the individual merits of the situation including, but not limited to, whether police assistance was required and how threatening the behaviour was to those who could see or hear it. We acknowledge that the Gambling Commission highlights in its guidance to local authorities that “disorder is intended to mean activity that is more serious and disruptive than mere nuisance”.
- 5.23 Whilst regulatory issues arising from the prevention of disorder are likely to focus almost exclusively on premises licensing, rather than on operating licences; if there are persistent or serious disorder problems that we consider an operator could or should do more to prevent, we will bring this to the attention of the Commission so that it can consider the continuing suitability of the operator to hold an operating licence.
- 5.24 Licensees and applicants will be expected to demonstrate that they have given careful consideration to preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime.
- 5.25 In addition to the need to consult a local Crime Reduction Officer, the operators of new premises/premises undergoing a refurbishment should also engage with the police’s architectural liaison unit at the design stage to ensure crime prevention and detection.
- 5.26 We encourage that premises liaise with their Neighbourhood Policing Team to develop relationships at a local level and promote effective communication and co-operation. Additionally, operators are expected to actively support and participate in any local business partnership schemes, where any such schemes are in operation, and where such schemes are reasonably consistent with the licensing objectives.
- 5.27 The measures to be considered should include:
- The arrangements in place to control access (preventing unauthorised access shall not be limited to the provision of supervisory personnel; other options may include, but are not limited to, time-lock or maglock entrances)
  - The opening hours
  - The provision of registered door supervisors\*
  - The provision of CCTV
  - The number of staff on duty and effective staff training, especially in relation to lone working
  - The provision of toilet facilities

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- Prevention of antisocial behaviour associated with the premises, such as street drinking, litter, activity outside the premises including the management of clients leaving the premises
- Adequate lighting inside and out (appropriate to the premises in question) to ensure against robbery and other covert activity.

\* Only staff directly employed by Casinos and Bingo Clubs have an exemption from SIA registration. Where door supervisors are provided at these premises the operator should ensure that any people employed in this capacity are fit and proper to carry out such duties. Possible ways to achieve this could be to carry out a criminal records (DBS) check on potential staff and for such personnel to have attended industry recognised training.

## **Ensuring that gambling is conducted in a fair and open way**

5.28 Generally, this objective will be addressed by:

- The management of the gambling business (in conjunction with the Gambling Commission, who are responsible for issuing and enforcement of the operating licence).
- The personal licence holders proving their suitability and actions (which again is the responsibility of the Gambling Commission)

5.29 Where we suspect that gambling is not being conducted in a fair and open way, we will bring this to the attention of the Gambling Commission, for their further consideration, and work in partnership with their officers. In the case of those premises that do not hold an operating licence such as tracks, additional conditions may be required dependent on the risks outlined in the application.

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

5.30 The Gambling Act defines 'children' as those persons under 16 years of age and 'young persons' as those persons aged 16 or 17 years of age. The term 'vulnerable persons' is not defined and what constitutes harm or exploitation will have to be considered on a case-by-case basis.

5.31 Gambling-related harms are the adverse impacts from gambling on the health and wellbeing of individuals, families, communities and society. These harms are diverse, affecting resources, relationships and health, and may reflect an interplay between individual, family and community processes. The harmful effects from gambling may be short-lived but can persist, having longer-term and enduring consequences that can exacerbate existing inequalities.

5.32 Regard will be had to current evidence in relation to vulnerability to gambling-related harm. In 2015, Manchester City Council in partnership with Westminster Council commissioned research into this issue and published a report: Exploring area-based vulnerability to gambling-related harm: Who is vulnerable? Findings from a quick scoping review by Heather Wardle, Gambling and Place Research Hub, Geofutures 13th July 2015. Similarly, In 2016 Leeds City Council commissioned Leeds Beckett University to undertake research into Problem Gambling (Problem Gambling in Leeds; Kenyon,

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Ormerod, Parsons and Wardle, 2016) looking specifically at identifying groups of the society that could be considered (more) vulnerable to problem gambling:

- Younger people, including students
- Those who are unemployed and/or with constrained financial circumstances
- Those from minority ethnic groups
- Those under the influence of alcohol or drugs
- Problem gamblers seeking treatment
- Homeless people
- Those living in areas of greater deprivation
- Those with other mental health issues and substance abuse/misuse disorders
- Those with poorer intellectual functioning
- Custodial and non-custodial offenders

5.33 Licensees and applicants will be expected to demonstrate they have carefully considered how to protect children and vulnerable persons from harm and have adequate arrangements for preventing underage gambling on their premises. The measures that should be considered where appropriate are:

- The provision of CCTV
- Location of entrances
- Restricted opening and closing times to protect residents vulnerable to harm
- Supervision of entrances
- Controlled access to the premises by children under the age of 18
- Dealing with pupils who are truanting, and policies to address seasonal periods where children may more frequently attempt to gain access to premises and gamble such as pre and post school hours, half term and school holidays
- Design layout/lighting/fit out to not attract children or vulnerable persons having a nationally-recognised proof of age scheme – Think 21/25
- The provision of registered door supervisors
- Clear segregation between gaming and non-gaming areas in premises frequented by children
- The provision of adequate signage and notices
- Supervision of machine areas in premises, particularly areas to which children are admitted
- Controlled opening hours
- Effective self-barring schemes
- The provision of materials for GamCare, Betknowmore UK or similar, Citizens Advice Bureau information, local public and mental health and housing/homeless associations, printed in languages appropriate to the customer base.
- Advertising local support services in the area such as Beacon Counselling Trust or the NHS Gambling Clinic.
- The number of staff on duty and effective staff training, especially in relation to the ability to effectively identify and engage with vulnerable persons, including primary intervention and escalation
- A requirement that children must be accompanied by an adult (in premises where children are allowed)
- Enhanced DBS checks of staff

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- Obscuring windows where appropriate and labelling premises so it is clear that they are gambling premises
  - Self-exclusion schemes
- 5.34 With reference to those persons with a mental impairment or mental health difficulties, operators would be well-advised to consult a suitable Mental Health Advisor and formulate a policy to protect this category of vulnerable person from being harmed or exploited by gambling
- 5.35 For multi-occupied premises consideration should be given to the arrangements for controlling access to children and the compatibility of the different uses. Separate and identifiable entrances may be required to ensure that people do not drift inadvertently into a gambling area.
- 5.36 Children are not permitted to use Category C or above machines and in premises where these machines are available and children are permitted on the premises the licensing authority will require:
- all Category C and above machines to be located in an area of the premises which is separated from the remainder of the premises by a physical barrier to prevent access other than through a designated entrance
  - adults only admitted to the area where these machines are located
  - adequate supervised access to the area where the machines are located
  - the area where these machines are located is arranged so that it can be observed by the staff or the licence holder
  - prominent notices displayed at the entrance to, and inside, any such areas there indicating that access to the area is prohibited to persons under 18

## **Expectations of operators: Staffing provision**

- 5.37 Staff in licensed gambling premises are recognised as being subject to risk in the workplace from violence and verbal abuse, especially if working alone. In addition, lone workers may not be able to sufficiently serve and supervise the customers, identify and prevent young people from gambling, protect vulnerable persons, deal with customers who may be consuming alcohol and prevent the premises being used as a source of crime or supporting crime.
- 5.38 We expect premises management to recognise and address this as part of their management arrangements, especially at times where it has been identified that there is a spike in crimes around the premises.
- 5.39 We expect there to be an adequate number of staff and managers on the premises to cover key points throughout the day, especially where premises are close to schools/colleges/universities, pubs, bars, shopping centres and stadia.

## **Expectations of operators: Data gathering and sharing**

- 5.40 Keeping track of the incidence and handling of problem gambling in the Borough of Tameside is a key part of promoting the licensing objectives. We expect all gambling premises to maintain a log and share this and other information with the Licensing Unit upon request.

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5.41 We would expect that all records including time and date along with a short description of the incident and action taken. Data that we consider should be recorded and shared includes (but is not exclusive to) :

- 1) Customer interventions
- 2) Cases where persons who have decided to voluntarily exclude themselves from the premises have tried to gain entry
- 3) Mandatory exclusions needing enforcement
- 4) Attempts to enter by those underage in a calendar month
- 5) Attempts to enter by those underage in the company of adults
- 6) Attempts to enter by those underage with complicit adults
- 7) Incidents of 'at risk behaviour'
- 8) Incidents of 'behaviour requiring immediate intervention'

5.42 We expect that this application will be provided to the licensing authority annually.

5.43 A template for this information to be provided is at **Appendix 2**.

### **Expectation of applicants: Staff Training and Knowledge**

5.44 We expect all customer-facing and management staff in premises licensed under the Gambling Act 2005 to have sufficient knowledge to tackle risks associated with gambling and know how to promote responsible gambling. Amongst other elements, staff knowledge should include (where appropriate):

- 1) The importance of social responsibility (Premises may wish to seek an audit from GamCare in order to obtain a certificate of Social Responsibility)
- 2) Causes and consequences of problem gambling
- 3) Identifying and communicating with vulnerable persons: primary intervention and escalation, supported by high quality training given the challenging nature of these conversations.
- 4) Dealing with problem gamblers: exclusion (mandatory and voluntary) and escalating for advice/treatment including local treatment providers
- 5) Refusal of entry (alcohol and drugs)
- 6) Age verification procedures and need to return stakes/withdraw winnings if under age persons found gambling
- 7) Importance and enforcement of time/spend limits
- 8) The conditions of the licence
- 9) Maintaining an incident log
- 10) Offences under the Gambling Act
- 11) Categories of gaming machines and the stakes and odds associated with each machine
- 12) Types of gaming and the stakes and odds associated with each
- 13) Ability to signpost customers to support services with respect to problem gambling, financial management, debt advice etc.
- 14) Safe cash-handling/payment of winnings
- 15) Identify forged ID and bar those using forged ID from the premises
- 16) Knowledge of a problem gambling helpline number (for their own use as well as that of customers)
- 17) The importance of not encouraging customers to:
  - (a) Increase the amount of money they have decided to gamble
  - (b) Enter into continuous gambling for a prolonged period



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- (c) Continue gambling when they have expressed a wish to stop
- (d) Re-gamble winnings
- (e) Chase losses.

5.45 Above and beyond this we expect managers to have an in-depth knowledge of all of the above and be able to support staff in ensuring the highest standards with regard to protecting children and other vulnerable persons from being harmed or exploited by gambling. In so far as training, we do not intend to duplicate any existing training requirement, such as may be required by the Gambling Commission's Code of Practice.

### **Expectation of applicants: Gaming machines / layouts**

5.46 It is an operator's responsibility to ensure staff are able to effectively monitor gaming machine play for a number of reasons that are part of the operator's licence conditions. Age verification, customer interaction and self-exclusion policies all require operators to take into account the structure and layout of their gambling premises.

5.47 The Licence conditions and code of practice (LCCP) state: 'Facilities for gambling must only be offered in a manner which provides for appropriate supervision of those facilities by staff at all times'.

5.48 A screen or pod around a gaming machine, designed to increase the privacy of the player, could prevent staff in a gambling premises from effectively monitoring gaming machine play.

5.49 Operators will be expected to be able to evidence to the licensing authority how they have considered the risk to the licensing objectives and implemented effective controls, prior to the introduction of any new machine arrangements.

5.50 It will be important to consider the means by which gaming machines are supervised (e.g. line of sight to counter, effective CCTV, mirrors or floor staff) and consider whether that is appropriate for that premises.

5.51 Whether amendments to a premises amount to a 'material change' warranting an application to vary the premises licence under s.187 of the Gambling Act is a matter for local determination and the licensing authority will adopt a common-sense approach.

## 6 PREMISES- SPECIFIC CONSIDERATIONS

### **Adult Gaming Centres**

- 6.1 Adult gaming centres (AGCs) are premises able to make category B, C and D gaming machines available to their customers. Persons operating an AGC must hold a gaming machines general operating licence from the Commission as well as a premises licence from the Council.
- 6.2 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.
- 6.3 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.

### **Casinos**

- 6.4 Tameside has no licensed casino.
- 6.5 The Gambling Act states that a casino is an arrangement whereby people are given the opportunity to participate in one or more casino games whereby casino games are defined as a game of chance which is not equal chance gaming. This means that casino games offer the chance for multiple participants to take part in a game competing against the house or bank at different odds to their fellow players. Casinos can also provide equal chance gaming and gaming machines.

### **'No Casinos' resolution**

- 6.6 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.

### **Bingo premises**

- 6.7 The Gambling Act 2005 does not contain a definition of Bingo. It is to have its ordinary and natural meaning and the Act does stipulate that "bingo" means any version of that game, irrespective of how it is described. Two types of bingo may be offered:
- Cash bingo, where the stakes panel made up the cash prize that's won; or
  - Prize bingo, where various forms of prizes is won, not directly relating to the stakes panel
- 6.8 Subject to the rules of individual operators, 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.

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- 6.9 Where category C or above machines are available in premises to which children are admitted then the council will ensure that:
- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance. For this purpose a rope, floor markings or similar provision will not suffice and the council may insist on a permanent barrier of at least one metre high
  - only adults are admitted to the area where the machines are located
  - access to the area where the machines are located is supervised at all times
  - the area where the machines are located is arranged so that it can be observed by staff
  - at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to people under 18
  - children will not be admitted to bingo premises unless accompanied by an adult.

6.10 The Gambling Commission has provided Guidance for Licensing Authorities and Licence Conditions and Code of Practice which are applied to Operator's Licences. The council will take this into consideration when determining licence applications for bingo premises.

6.11 Where certain measures are not already addressed by the mandatory/default conditions, the Gambling Commission Code of Practice or the applicant, the council may consider licence conditions to address such issues.

## **Electronic bingo gaming machines**

6.12 Where a premises intends on providing electronic terminals to play bingo, we will expect operators (as part of their application) to provide a breakdown of the number of electronic bingo terminals that will be provided at the premises.

## **Gaming machines at bingo premises**

6.13 In addition to bingo, this premises licence will authorise the provision of a limited number of gaming machines in line with the provisions of the Act. Bingo premises licences authorise a maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4.

6.14 Bingo facilities in bingo premises may not be offered between the hours of midnight and 9am. However, there are no restrictions on access to gaming machines in bingo premises.

6.15 The LCCP requires (Social Responsibility Code Provision 9) that gaming machines are only made available in combination with the named non-remote activity of the operating licence. So, unless a bingo premises operator offers substantive facilities for non-remote bingo it should not make gaming machines available for use on the premises in question.

6.16 As the licensing authority, we will need to satisfy ourselves that a premises applying for or licensed for bingo is operating or will operate in a manner which a customer would reasonably be expected to recognise as a premises licensed for the purposes of providing facilities for bingo. Equally, we must ensure that a premises licensed for the purposes of providing facilities for bingo is operating as such and is not merely a vehicle to offer higher stake and prize gaming machines.

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- 6.17 Therefore, we will expect operators (as part of their application) to provide information on:
- any times they intend to provide gaming machines at any times that bingo facilities are not provided
  - how the premises will be recognised as a premises licensed for providing facilities for bingo
  - A breakdown of gaming machine numbers (by category)
- 6.18 The licensing authority is concerned that later opening hours will attract the more vulnerable, such as those who are intoxicated or who have gambling addictions. The licensing authority will expect applicants can demonstrate that robust measures will be in place to protect the vulnerable and the additional hours are not being sought to take advantage of the gaming machine entitlement.
- 6.19 The licensing authority will use their power to restrict the circumstances in which they are available for use when appropriate by way of conditions. When considering imposing conditions, the licensing authority will take into account, among other factors:
- the size and physical layout of the premises
  - the number of counter positions and staff on the premises
  - the ability of staff to monitor the use of machines by children, young persons under the age of 18 or vulnerable people
- 6.20 The licensing authority will not seek to limit the number of gambling machines by category as this entitled provision is defined in the Gambling Act. However, we will seek to ensure that the number and provision of gaming machines are only provided in a manner which a customer would reasonably be expected to recognise as a premises licensed for the purposes of providing facilities for bingo.
- 6.21 To contain the unavoidable risk to the licensing objectives associated with gaming machines, premises which offer machines must be appropriately supervised.
- 6.22 The licensing authority will information required from an applicant for a new premises or for a variation to an existing premises in order to satisfy themselves as to the matters set out at s153 of the Act. This includes the codes of practice and the Gambling Commission's guidance to licensing authorities.
- 'Entertainment' Bingo**
- 6.23 A phenomenon over recent years has been the evolution of businesses, such as Bongo's Bingo, providing facilities for high turnover bingo (the aggregate stakes or prizes for bingo in any seven day period may exceed £2,000); typically providing equal chance gaming at pubs and nightclubs, in reliance on the alcohol licence held by the premises, and therefore doing so under the rules for exempt gaming.
- 6.24 We note that it is a condition of some such companies' operator's licence that they must notify both the Commission and the relevant LA at least 28 days before any event takes place in new premises, by providing a description of the event taking place, a copy of the premises contract and any amendment to the rules of the bingo.

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6.25 We would encourage venues hosting such events to promote responsible gambling messaging at them.

## **Betting Premises**

6.26 We encourage operators to participate in the Safebet Alliance in order to help ensure the highest standards for the safety and security of staff working at betting premises. Where an operator does not participate in the scheme, it is expected that they can satisfactorily demonstrate the security measures they incorporate are adequate.

6.27 Licensed betting premises are only permitted to offer gambling facilities between 7am and 10pm, unless the licensing authority has granted a variation application to extend these hours. The licensing authority is concerned that later opening hours will attract the more vulnerable, such as those who are intoxicated or who have gambling addictions. The licensing authority also has concerns that licensed betting premises operators may seek to extend the permitted hours for the primary purpose of making gaming machines available to customers for longer.

6.28 As a consequence, the licensing authority is unlikely to grant variation of hours' applications unless applicants can demonstrate that robust measures will be in place to protect the vulnerable and the additional hours are not being sought to take advantage of the gaming machine entitlement.

6.29 The licensing authority will use their power to restrict the number of betting machines (bet receipt terminals), their nature and the circumstances in which they are available for use when appropriate by way of conditions. When considering imposing conditions, the licensing authority will take into account, among other factors:

- the size and physical layout of the premises
- the number of counter positions and staff on the premises
- the ability of staff to monitor the use of machines by children, young persons under the age of 18 or vulnerable people

6.30 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. It is noted that that children are not able to go into premises with the benefit of a Betting Premises Licence.

## **(Licensed) Family Entertainment Centres**

6.31 The Act creates two classes of family entertainment centre (FEC). Licensed FEC's provide category C and D machines and require a premises licence. Unlicensed FEC's provide category D machines only are regulated through FEC gaming machine permits.

6.32 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. Operators should ensure that a proof of age scheme is in force.

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6.33 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.

### **Occasional use notices**

6.34 Occasional Use Notices (OUN) are designed to allow licensed betting operators to provide betting facilities at genuine sporting events, such as point-to point racecourses and golf courses for major competitions, within the boundaries of the identified venue on a specific date.

6.35 An OUN must be submitted for EACH day that the betting activity will be conducted on the premises. For example, four notices for four consecutive days of betting and not one notice covering the four days.

6.36 We will liaise with the Gambling Commission should we receive an OUN that does not relate to a genuine recognised sporting event to ensure that OUN's are not misused, for example, venues seeking to become tracks through a contrived sporting event, utilising OUNs to solely or primarily facilitate betting taking place on events occurring away from the identified venue

## 7. PERMITS AND OTHER PERMISSIONS

### **Alcohol Licensed Premises Gaming Machine Permits**

7.1 Premises licensed to sell alcohol that have a bar and the alcohol is not ancillary to food for consumption on the premises, having more than two gaming machines, will need to apply for a permit and must also notify the Licensing Authority if they have one or two machines. In considering whether to grant a permit, the licensing authority will have regard to the licensing objectives, guidance issued by the Gambling Commission and any other relevant matters. Permits will not be granted to licensees who have failed to demonstrate compliance with the Gambling Commission's Code of Practice.

7.2 In addition to the requirements of the Gambling Commission's Code of Practice, the Licensing Authority expects applicants to:

- display adequate notices and signs, advertising the relevant age restrictions
- position machines within view of the bar in order for staff to be able to monitor the machines for use by under age or misuse of the machines
- challenge anyone suspected of being under age and refuse access
- provide information leaflets and / or help-line numbers for organisations such as GamCare and Betknowmore UK.

### **Prize Gaming Machine Permits**

7.3 Prize gaming premises will appeal to children and young persons and weight will be given to child protection issues. Therefore, the licensing authority will expect the applicant to demonstrate that they are suitable to hold a permit (i.e. if the applicant has any convictions which would make them unsuitable to operate prize gaming) and the suitability of the premises.

7.4 The licensing authority expects applicants to set out the types of gaming machines that they intend to offer and 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

7.5 The Gambling Commission website gives advice on types of permits, conditions, stakes and prizes. See <https://www.gamblingcommission.gov.uk>.

### **Unlicensed FECs (uFEC)**

7.6 Unlicensed family entertainment centres (FEC's) will perhaps be most commonly located at places such as airports and at motorway service centres, and will cater for families, including unaccompanied children and young persons. Unlicensed FEC's will be able to offer only category D machines in reliance on a gaming machine permit.

7.7 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). As a result, it is generally not permissible for such premises to correspond to an entire shopping centre, airport, motorway service station or similar. Typically, the machines would be in a designated, enclosed area.

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7.8 Given that the premises is likely to appeal particularly to children and young persons, when considering applications for permits we will give weight to matters relating to protection of children from being harmed or exploited by gambling and are keen to ensure that staff supervision adequately reflects the level of risk to this group. Therefore, we will generally expect such risks to be addressed through effective:

- Staff supervision and training
- Detailed plan
- Social responsibility policies
- Staff being easily identifiable
- Clear signage

7.9 As part of an application for a uFEC, it is our policy that a plan for the uFEC must be submitted.

## **Small Society Lotteries**

7.10 A lottery is small if the total value of tickets put on sale in a single lottery is £20,000 or less and the aggregate value of the tickets put on sale in a calendar year is £250,000 or less.

7.11 To be 'non-commercial' a society must be established and conducted:

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

7.12 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
- The eligibility of society as 'non-commercial'



## 8. APPENDIX 1 – RESPONSIBLE AUTHORITIES

### **Licensing Authority**

Tame Street Depot  
Tame Street  
Stalybridge  
Tameside  
SK15 1ST

### **Environmental Health**

Tame Street Depot  
Tame Street  
Stalybridge  
Tameside  
SK15 1ST

### **Greater Manchester Police**

Licensing Officer  
Ashton-under-Lyne Police Station  
Manchester Road  
Ashton-under-Lyne  
OL7 0BQ

### **Safeguarding Board**

Hyde Town Hall  
Market Street  
Hyde  
Tameside

### **SK14 1ALHM Revenue & Customs**

Excise Processing Teams  
BX9 1GL

### **Planning**

Planning & Building Control  
Tameside MBC  
PO Box 304  
Ashton-under-Lyne  
Tameside  
OL6 0GA

### **Gambling Commission**

Victoria Square House  
Victoria Square, Birmingham, B2 4BP

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## 10. APPENDIX 3 – GLOSSARY

Term	Description
ATM	Auto teller machine or cash machine.
Betting	Betting is defined as making or accepting a bet on the outcome of a race, competition or other event or process or on the outcome of anything occurring or not occurring or on whether anything is or is not true. It is irrelevant if the event has already happened or not and likewise whether one person knows the outcome or not. (Spread betting is not included within this definition).
Betting Machines / Bet Receipt Terminal	Betting machines can be described as automated betting terminals where people can place bets on sporting events removing the need to queue up and place a bet over the counter.
Bingo	There are essentially two types of bingo: cash bingo, where the stakes paid make up the cash prizes that can be won and prize bingo, where various forms of prizes can be won, not directly related to the stakes paid.
Book	Running a 'book' is the act of quoting odds and accepting bets on an event. Hence the term 'Bookmaker'.
Casino games	A game of chance, which is not equal chance gaming. Casino games includes Roulette and black jack etc.
Chip	Casinos in the UK require you to use chips to denote money. They are usually purchased and exchanged at a cashier's booth.
Coin pusher or penny falls machine	A machine of the kind which is neither a money prize machine nor a non-money prize machine
Crane grab machine	A non-money prize machine in respect of which every prize which can be won consists of an individual physical object (such as a stuffed toy) won by a person's success in manipulating a device forming part of the machine so as to separate, and keep separate, one or more physical objects from a group of such objects.
Default condition	These are prescribed in regulations and will be attached to all classes of premises licence, unless excluded by the Authority.
Equal Chance Gaming	Gaming which does not involve playing or staking against a bank.
Fixed odds betting	If a gambler is able to establish what the return on a bet will be when it is placed, (and the activity is not 'gaming' see below), then it is likely to be betting at fixed odds.
Fixed Odds betting terminals (FOBTs)	FOBTs are a type of gaming machine which generally appear in licensed bookmakers. FOBTs have 'touch-screen' displays and look similar to quiz machines familiar in pubs and clubs. They normally offer a number of games, roulette being the most popular.
Gaming	Gaming can be defined as 'the playing of a game of chance for winnings in money or monies worth, whether any person playing the game is at risk of losing any money or monies worth or not'.
Gaming Machine	Any type of machine allowing any sort of gambling activity including betting on virtual events but not including home computers even though users can access online gaming websites.
Licensing Objectives	The licensing objectives are three principal goals which form the basis of the Act. Stakeholders who have an interest in the Act need to try and promote these objectives. The licensing objectives are: <ul style="list-style-type: none"> <li>• Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.</li> <li>• Ensuring that gambling is conducted in a fair and open way.</li> <li>• Protecting children and other vulnerable people from being harmed or exploited by gambling.</li> </ul>
Lottery	A lottery generally refers to schemes under which prizes are distributed by chance among entrants who have given some form of value for their chance to take part. A lottery is defined as either a simple lottery or a complex lottery. A simple lottery is one where people are required to pay to participate and one or more prizes are allocated to one or more members of a class and the prizes are allocated by a process which relies wholly on chance. A complex lottery is where people are required to pay to participate and one or more members of a class and the prizes are allocated by a series of processes where the first of those processes relies wholly on chance. Prize means money, articles or services provided by the members of the class among whom the prize is allocated. (It should be noted that the National Lottery is not included in this definition of lottery and is regulated by the National Lottery Commission).
Money prize machine	A machine in respect of which every prize which can be won as a result of using the machine is a money prize.

# APPENDIX 1

Term	Description
Non-money prize machine	A machine in respect of which every prize which can be won as a result of using the machine is a non-money prize. The winner of the prize is determined by: (i) the position in which the coin or token comes to rest after it has been inserted into the machine, together with the position of other coins or tokens which have previously been inserted into the machine to pay a charge for use, or (ii) if the insertion of a single coin to pay the charge for use enables the person using the machine to release one or more tokens within the machine, the position in which such tokens come to rest after being released, together with the position of other tokens which have previously been so released.
Odds	The ratio to which a bet will be paid if the bet wins, e.g. 3-1 means for every £1 bet, a person would receive £3 of winnings.
Off-course betting operator	Off-course betting operators may, in addition to premises away from the track, operate self-contained betting premises within a track premises. Such self-contained premises will provide facilities for betting on both events taking place at the track (on-course betting), as well as other sporting events taking place away from the track (off-course betting). In essence such premises operate like a traditional high street bookmakers. They will however only normally operate on race days.
On-course betting operator	The on-course betting operator is one who comes onto on a track, temporarily, while races are taking place, and operates at the track side. On-course betting operators tend to offer betting only on the events taking place on the track that day (on-course betting).
Pool Betting	For the purposes of the Gambling Act, pool betting is made on terms that all or part of the winnings: 1) Shall be determined by reference to the aggregate of the stakes paid or agreed to be paid by the people betting 2) Shall be divided among the winners or 3) Shall or may be something other than money. For the purposes of the Gambling Act, pool betting is horse-race pool betting if it relates to horse-racing in Britain.
Regulations or Statutory instruments	Regulations are a form of law, often referred to as delegated or secondary legislation. They have the same binding legal effect as Acts and usually state rules that apply generally, rather than to specific people or things. However, regulations are not made by Parliament. Rather, they are made by people or bodies to whom Parliament has delegated the authority to make them, such as a minister or an administrative agency.
Representations	In the context of the Gambling Act representations are either positive statements of support or negative objections which are made in relation to a licensing application. Representations must be made in time, e.g. during a designated notice period.
Responsible authority (authorities)	Responsible authorities (RAs) are agencies which have been appointed by the Gambling Act or regulations to fulfil a designated role during the licensing process. RAs must be sent copies of all licensing applications and have the power to make representations about such applications. RAs also have the power to ask for licences to be reviewed.
Skill machine / Skill with prizes machine	The Act does not cover machines that give prizes as a result of the application of pure skill by players. A skill with prizes machine is one on which the winning of a prize is determined only by the player's skill – any element of chance imparted by the action of the machine would cause it to be a gaming machine. An example of a skill game would be trivia game machines, popular in pubs and clubs, which require the player to answer general knowledge questions to win cash prizes.
Spread betting	A form of investing which is more akin to betting, and can be applied either to sporting events or to the financial markets. Spread betting is regulated by the Financial Services Authority.
Stake	The amount pledged when taking part in gambling activity as either a bet, or deposit to the bank or house where the house could be a gaming machine.
Statement of principles document	A document prepared by the Authority which outlines the areas that applicants need to consider before applying for gaming permits.
Table gaming	Card games played in casinos.
Tote	"Tote" is short for Totaliser, a system introduced to Britain in 1929 to offer pool betting on racecourses.
Track	Tracks are sites (including horse tracks and dog tracks and stadia) where races or other sporting events take place

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## Mike Robinson

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**From:** g.licensing@gmp.police.uk  
**Sent:** 06 January 2022 16:52  
**To:** Mike Robinson  
**Cc:** Claire.Galt@gmp.police.uk  
**Subject:** FW: CONSULTATION ON REVISED STATEMENT OF GAMBLING POLICY  
**Attachments:** Draft Gambling Policy.pdf

Good afternoon Mike.

I have read the attached Tameside MBC Statement of Principles 2022-2025 for the Gambling Act 2005. As Licensing Officer for Tameside with delegated responsibility, on behalf of the Chief Officer of Police I offer no representation to the contents of the updated policy and agree with in content.

Regards

### 14627 Thorley | PC

Delegated District Licensing Officer | Tameside 'G'  
Internal **69484** Telephone **0161 856 9484** Work Mobile – **07393145364**  
Email [14627@gmp.police.uk](mailto:14627@gmp.police.uk) or [g.licensing@gmp.police.uk](mailto:g.licensing@gmp.police.uk)  
Address **Ashton DHQ, Manchester Road, Tameside, OL7 0BQ**



---

**From:** Mike Robinson [mailto:mike.robinson@tameside.gov.uk]  
**Sent:** 13 December 2021 09:38  
**Subject:** FW: CONSULTATION ON REVISED STATEMENT OF GAMBLING POLICY

### Mike Robinson

#### Regulatory Services Manager (Licensing)

Environmental Services (Public Protection)  
Operations and Neighbourhoods  
Place

[Tameside MBC](#) | [Twitter](#) | [Facebook](#) | [Instagram](#)

Tame Street Depot | Tame Street | Stalybridge | Tameside | SK15 1ST

Tel. 0161 342 4122  
Mobile. 07971285294  
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**From:** Mike Robinson

**Sent:** 13 December 2021 09:36

**Subject:** CONSULTATION ON REVISED STATEMENT OF GAMBLING POLICY

Dear Sir/Madam,

Tameside Council is currently consulting in respect of a revised statement of gambling policy in accordance with the Gambling Act 2005.

The draft new policy can be viewed at <https://www.tameside.gov.uk/tbc/gamblingpolicy2022-25consultation>

Comments can also be submitted via the same link.

The consultation runs until Monday 24 January 2022.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Mike Robinson', enclosed in a thin black rectangular border.

**Mike Robinson**  
**Regulatory Services Manager (Licensing)**  
**Operations and Neighbourhoods**

**Mike Robinson**  
**Regulatory Services Manager (Licensing)**  
Environmental Services (Public Protection)  
Operations and Neighbourhoods  
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*Thank you for your co-operation.*

## APPENDIX 3

### Power Leisure Bookmakers Limited response to Tameside Metropolitan Borough Council's Consultation on its draft Statement of Gambling Principles 2022-2025

Paddy Power is Ireland's biggest Bookmaker and operates both as retail business through licensed betting offices and an online/telephone business. Paddy Power is a leading national operator of betting premises with clear and proactive policies to promote the Gambling Licensing Objectives. Operators of premises licences have full authority to provide their services by the provision of an Operating Licence granted by the Gambling Commission. The UK's gambling regulator has therefore approved the measures implemented and those policies have been developed that ensure responsible trading in accordance with gambling legislation, the licensing objectives and the Licence Conditions and Codes of Practice. Of particular relevance are the obligations and requirements now placed upon operators under the social responsibility provisions of the LCCP, introduced by the Gambling Commission.

#### Foreword

We strongly disagree with the commentary included in the draft policy as it does not appropriately identify the permissive regime envisioned by Parliament and implemented by the Gambling Act 2005. Comments relating public health, and the imposition of additional obligations/conditions placed on operators fail to consider the extensive social responsibility provisions now contained in the governing legislation. The Authority's policy, as per section 349 of the Gambling Act 2005, should contain the principles that it proposes to apply in exercising its functions under the Act, it is therefore not an appropriate document to contain additional commentary, which is beyond the scope of the policy's function, and it should be removed.

#### 3.11 Public Health

*'For every person who gambles, it is estimated that between six and ten people are 'affected others' and experience similar harms. These may be dependents, parents, partners, friends or colleagues.'*

*'Anyone who gambles is vulnerable to harm.'*

*'It is estimated that for every day of the year, one person takes their own life as a result of gambling disorder.'*

The above statements provide no supporting evidence and are inflammatory. We value local data that helps to identify and provide evidence of local risks of harm associated with gambling as this assists licensees to develop and apply appropriate and proportionate measures to mitigate risk and uphold the licensing objectives. Commentary must be based on current evidence rather than broad, generic statements or macro-societal trends that may have little to no relevance regarding the immediate local area.

We suggest that these sections/comments are speculative and misleading as they are based on hypothetical and unquantifiable risks that could potentially arise from gambling. Suggestions that all gambling is harmful does not consider empirical evidence that the significant majority of individuals that participate in gambling do so in a responsible manner without harm. It is not the licensing authority's role to limit gambling rather than 'aim to permit' gambling that is in accordance with the relevant codes of practice and guidance issued by the Gambling Commission and is reasonably consistent with the Licensing Objectives.

The third licensing objective places a fundamental obligation on all operators to ensure that the appropriate policies, procedures, and safeguards are in place to mitigate any of these potential risk factors.

### **3.43 Premises ‘ready for gambling’**

Paragraph 3.40 states: *‘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.’*

This statement requires updating following the case of R (on the application of) Betting Shops Services Limited-v-Southend-on-Sea Borough Council [2008] EWHC 105 (admin). Other than the right to occupy, there is no legal reason preventing an operator from applying for a premises licence and we therefore suggest that this section is amended to reflect this.

See also the guidance issued within the Guidance to Licensing Authorities 5th edition at paragraph 7.64: *“If faced with an application in respect of uncompleted premises which it appears are not going to be ready to be used for gambling for a considerable period of time, a licensing authority ought to consider whether – applying the two-stage approach advocated above – it should grant a licence or whether the circumstances are more appropriate to a provisional statement application. For example, the latter would be the case if there was significant potential for circumstances to change before the premises opens for business. In such cases, the provisional statement route would ensure that the limited rights of responsible authorities and interested parties to make representations about matters arising from such changes of circumstance are protected. Licensing authorities may choose to discuss with individual applicants which route is appropriate, to avoid them having to pay a fee for an application that the licensing authority did not think was grantable.”*

### **5.25 Preventing gambling from being a source of crime or disorder**

*‘In addition to the need to consult a local Crime Reduction Officer, the operators of new premises/premises undergoing a refurbishment should also engage with the police’s architectural liaison unit at the design stage to ensure crime prevention and detection.’*

Whilst operators are under an obligation to provide risk assessments for their premises and update these for any material changes that may affect the level of risk, the need to consult an officer over what may be a simple refurbishment (e.g., upgrading the premises/furniture etc). is disproportionate to what is required. Where there is no impact on the licensing objectives and changes are insignificant in that regards, it would not be rational to impose an obligation on operators to consult a Crime Reduction Officer each time any insignificant change is made.

It is incumbent that operators ensure they assess the risks, and that premises are appropriately supervised as required by the Licensing Conditions and Codes of Practice (LCCP) attached to all operating licences. Any failure to do so would be a breach of the LCCP and potentially place the operating licence and premises licence at risk.

### **6.27 and 6.28 Betting premises and Gaming machines**

*‘The licensing authority is concerned that later opening hours will attract the more vulnerable, such as those who are intoxicated or who have gambling addictions. The licensing authority also has concerns that licensed betting premises operators may seek to extend the permitted hours for the primary purpose of making gaming machines available to customers for longer.’*

*As a consequence, the licensing authority is unlikely to grant variation of hours' applications unless applicants can demonstrate that robust measures will be in place to protect the vulnerable and the additional hours are not being sought to take advantage of the gaming machine entitlement'.*

This statement has no supporting evidence and cannot impose an obligation on licensees to validate their day-to-day operation. Whilst betting facilities may not be offered between the hours of 22:00 and 07:00 under the default provisions provided by the legislation, Parliament has prescribed that the number and type of gaming machines permitted by a betting premises licence is a legal entitlement. Primary gambling activity or purpose is an outdated concept and incorrect legal test. Social responsibility Code 9.1.1(2) prescribes that gaming machines may be made available for use where substantive facilities for non-remote betting are made available. It is not within an authority's power to prescribe an operator's business model or the facilities being used provided that appropriate safeguards are implemented in accordance with the legislation, regulation and Licence Conditions and Codes of Practice.

It is not within the authority's discretion to restrict the legal activities permitted by a licence without robust evidence to support any such restriction. Furthermore, the authority has offered no current or local evidence to support this statement in suggesting that gambling is more attractive to vulnerable persons at later hours of the day, or more so than at any other time, or that appropriate control measures cannot be implemented to mitigate any such risk.

Whilst the authority has every right to exercise its function in controlling where gaming machines may be played, this does not extend to a prescriptive requirement mandating all Betting premises to suspend business or provide a justification for the business activities proposed. Operators are under a requirement to uphold social responsibility and will risk assess any potential concerns that may arise from activity within their premises, including any risk that may be realised during later hours of operation. Paddy Power has effective policies and procedures to manage their premises accordingly and always ensures that there is close supervision and familiarity within their business.

Please see the Gambling Commission's Guidance to Licensing Authorities at paragraph 5.31, which directs authorities to consider conditions, where necessary and proportionate to do so, and 5.34, that provides '*In deciding to reject an application, a licensing authority should rely on reasons that demonstrate that the licensing objectives are not being, or are unlikely to be, met*'. To demonstrate requires evidence.

## **Conclusion**

We are committed to working in partnership with the Gambling Commission and local authorities to continue to promote best practice and compliance in support of the licensing objectives. We look forward to discussion on the proposed Statement of Principles with you.

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## **Merkur Slots UK Limited and Merkur Bingo & Casino Entertainment UK Limited response Tameside Metropolitan Borough Council's Consultation on its draft Statement of Gambling Principles 2022-2025**

The Merkur Group of companies is a leading national operator of bingo, AGC and FEC premises with clear and proactive policies to promote the Gambling Licensing Objectives. Operators of premises licences have full authority to provide their services by the provision of an Operating Licence granted by the Gambling Commission. The UK's gambling regulator has therefore approved the measures implemented and those policies have been developed that ensure responsible trading in accordance with gambling legislation, the licensing objectives and the Licence Conditions and Codes of Practice. Of particular relevance are the obligations and requirements now placed upon operators under the social responsibility provisions of the LCCP, introduced by the Gambling Commission.

### **Foreword**

We strongly disagree with the commentary included in the draft policy as it does not appropriately identify the permissive regime envisioned by Parliament and implemented by the Gambling Act 2005. Comments relating public health, and the imposition of additional obligations/conditions placed on operators fail to consider the extensive social responsibility provisions now contained in the governing legislation. The Authority's policy, as per section 349 of the Gambling Act 2005, should contain the principles that it proposes to apply in exercising its functions under the Act, it is therefore not an appropriate document to contain additional commentary, which is beyond the scope of the policy's function, and it should be removed.

### **3.11 Public Health**

*'For every person who gambles, it is estimated that between six and ten people are 'affected others' and experience similar harms. These may be dependents, parents, partners, friends or colleagues.'*

*'Anyone who gambles is vulnerable to harm.'*

*'It is estimated that for every day of the year, one person takes their own life as a result of gambling disorder.'*

The above statements provide no supporting evidence and are inflammatory. We value local data that helps to identify and provide evidence of local risks of harm associated with gambling as this assists licensee to develop and apply appropriate and proportionate measures to mitigate risk and uphold the licensing objectives. Commentary must be based on current evidence rather than broad, generic statements or macro-societal trends that may have little to no relevance regarding the immediate local area.

We suggest that these sections/comments are speculative and misleading as they are based on hypothetical and unquantifiable risks that could potentially arise from gambling. Suggestions that all gambling is harmful does not consider empirical evidence that the significant majority of individuals that participate in gambling do so in a responsible manner without harm. It is not the licensing authority's role to limit gambling rather than 'aim to permit' gambling that is in accordance with the

relevant codes of practice and guidance issued by the Gambling Commission and is reasonably consistent with the licensing objectives.

The third licensing objective places a fundamental obligation on all operators to ensure that the appropriate policies, procedures, and safeguards are in place to mitigate any of these potential risk factors.

### **3.43 Premises ‘ready for gambling’**

*‘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.’*

Paragraph 3.40 states: *‘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.’*

This statement requires updating following the case of R (on the application of) Betting Shops Services Limited-v-Southend-on-Sea Borough Council [2008] EWHC 105 (admin). Other than the right to occupy, there is no legal reason preventing an operator from applying for a premises licence and we therefore suggest that this section is amended to reflect this.

See also the guidance issued within the Guidance to Licensing Authorities 5th edition at paragraph 7.64: “If faced with an application in respect of uncompleted premises which it appears are not going to be ready to be used for gambling for a considerable period of time, a licensing authority ought to consider whether – applying the two-stage approach advocated above – it should grant a licence or whether the circumstances are more appropriate to a provisional statement application. For example, the latter would be the case if there was significant potential for circumstances to change before the premises opens for business. In such cases, the provisional statement route would ensure that the limited rights of responsible authorities and interested parties to make representations about matters arising from such changes of circumstance are protected. Licensing authorities may choose to discuss with individual applicants which route is appropriate, to avoid them having to pay a fee for an application that the licensing authority did not think was grantable.”

### **5.25 Preventing gambling from being a source of crime or disorder**

*‘In addition to the need to consult a local Crime Reduction Officer, the operators of new premises/premises undergoing a refurbishment should also engage with the police’s architectural liaison unit at the design stage to ensure crime prevention and detection.’*

Whilst operators are under an obligation to provide risk assessments for their premises and update these for any material changes that may affect the level of risk, the need to consult an officer over what may be a simple refurbishment (e.g., upgrading the premises/furniture etc). is disproportionate to what is required. Where there is no impact on the licensing objectives and changes are insignificant to this effect, it would not be rational to impose an obligation on operators to consult a Crime Reduction Officer each time any insignificant change is made.

It is incumbent that operators ensure they assess the risks, and that premises are appropriately supervised as required by the Licensing Conditions and Codes of Practice (LCCP) attached to all



operating licences. Any failure to do so would be a breach of the LCCP and potentially place the operating licence and premises licence at risk.

#### **6.14 Gaming machines at bingo premises**

*'Bingo facilities in bingo premises may not be offered between the hours of midnight and 9am. However, there are no restrictions on access to gaming machines in bingo premises.'*

Whilst the above statement is not incorrect, this only focuses on the default hours offered and disregards an applicant's right to apply for hours beyond these times. There is no evidence to suggest that later opening hours have incurred problems and operators are already under a responsibility to ensure that all premises are effectively managed, risk assessed and supervised accordingly. We suggest this section is amended to also include where a premises licence may have excluded the default hours and therefore be outside the hours of midnight and 9am.

#### **6.18 Gaming machines at bingo premises**

*'The licensing authority is concerned that later opening hours will attract the more vulnerable, such as those who are intoxicated or who have gambling addictions. The licensing authority will expect applicants can demonstrate that robust measures will be in place to protect the vulnerable and the additional hours are not being sought to take advantage of the gaming machine entitlement.'*

*The licensing authority will use their power to restrict the circumstances in which they are available for use when appropriate by way of conditions.'*

This statement has no supporting evidence and cannot impose an obligation on licensees to validate their day-to-day operation. Whilst bingo facilities may not be offered between the hours of midnight and 9am under the default provisions provided by the legislation, Parliament has prescribed that there are no default restrictions regarding gaming machines (see guidance to licensing authorities' part 18). Gaming machine operation outside the default bingo hours permitted in bingo premises is an entitlement provided by the regulations and it is not within the authority's discretion to restrict the legal activities permitted without robust evidence to support any such restriction. Furthermore, the authority has offered no current or local evidence to support this statement in suggesting that gambling is more attractive to vulnerable persons at later hours of the day than any other time.

Whilst the authority has every right to exercise its function in controlling where gaming machines may be played, this does not extend to a prescriptive requirement mandating all Bingo premises to suspend business. As discussed in point 5.13, operators are under a requirement to uphold social responsibility and will have risk assessed any potential concerns that may arise from activity within their premises. Merkur has effective policies and procedures to manage their premises accordingly and always ensures that there is close supervision and familiarity within their business.

#### **Conclusion**

We are committed to working in partnership with the Gambling Commission and local authorities to continue to promote best practice and compliance in support of the licensing objectives. We look forward to discussion on the proposed Statement of Principles with you.

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EVALUATION OF CONSULTATION RESPONSES RESPONDENT PARA COMMENTS CONSIDERATION

RESPONDENT	PARA	COMMENTS	CONSIDERATION
Power Leisure Bookmakers Limited	Foreword	We strongly disagree with the commentary included in the draft policy as it does not appropriately identify the permissive regime envisioned by Parliament and implemented by the Gambling Act 2005. Comments relating public health, and the imposition of additional obligations/conditions placed on operators fail to consider the extensive social responsibility provisions now contained in the governing legislation. The Authority’s policy, as per section 349 of the Gambling Act 2005, should contain the principles that it proposes to apply in exercising its functions under the Act, it is therefore not an appropriate document to contain additional commentary, which is beyond the scope of the policy’s function, and it should be removed.	Policy amended to include Para’s 1.2 – 1.5 which give context.
	3.11	<p><i>‘For every person who gambles, it is estimated that between six and ten people are ‘affected others’ and experience similar harms. These may be dependents, parents, partners, friends or colleagues.’</i></p> <p><i>‘Anyone who gambles is vulnerable to harm.’</i></p> <p><i>‘It is estimated that for every day of the year, one person takes their own life as a result of gambling disorder.’</i></p> <p>The above statements provide no supporting evidence and are inflammatory. We value local data that helps to identify and provide evidence of local risks of harm associated with gambling as this assists licensees to develop and apply appropriate and proportionate measures to mitigate risk and uphold the licensing objectives. Commentary must be based on current evidence rather than broad, generic statements or macro-societal trends that may have little to no relevance regarding the immediate local area.</p> <p>We suggest that these sections/comments are speculative and misleading as they are based on hypothetical and unquantifiable risks that could potentially arise from gambling. Suggestions that all gambling is harmful does not consider empirical evidence that the significant majority of individuals that participate in gambling do so in a responsible manner without harm. It is not the licensing authority’s role to limit gambling rather than ‘aim to permit’ gambling that is in accordance with the relevant codes of practice and guidance issued by the Gambling Commission and is reasonably consistent with the Licensing Objectives.</p> <p>The third licensing objective places a fundamental obligation on all operators to ensure that the appropriate policies, procedures, and safeguards are in place to mitigate any of these potential risk factors.</p>	Comments noted.

	3.43	<p>Paragraph 3.40 states: <i>'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.'</i></p> <p>This statement requires updating following the case of R (on the application of) Betting Shops Services Limited-v-Southend-on-Sea Borough Council [2008] EWHC 105 (admin). Other than the right to occupy, there is no legal reason preventing an operator from applying for a premises licence and we therefore suggest that this section is amended to reflect this.</p> <p>See also the guidance issued within the Guidance to Licensing Authorities 5th edition at paragraph 7.64: "If faced with an application in respect of uncompleted premises which it appears are not going to be ready to be used for gambling for a considerable period of time, a licensing authority ought to consider whether – applying the two-stage approach advocated above – it should grant a licence or whether the circumstances are more appropriate to a provisional statement application. For example, the latter would be the case if there was significant potential for circumstances to change before the premises opens for business. In such cases, the provisional statement route would ensure that the limited rights of responsible authorities and interested parties to make representations about matters arising from such changes of circumstance are protected. Licensing authorities may choose to discuss with individual applicants which route is appropriate, to avoid them having to pay a fee for an application that the licensing authority did not think was grantable."</p>	Policy amended – due regard has been given to this comment and the word 'made' has been replaced with 'considered'.
	5.25	<p><i>'In addition to the need to consult a local Crime Reduction Officer, the operators of new premises/premises undergoing a refurbishment should also engage with the police's architectural liaison unit at the design stage to ensure crime prevention and detection.'</i></p> <p>Whilst operators are under an obligation to provide risk assessments for their premises and update these for any material changes that may affect the level of risk, the need to consult an officer over what may be a simple refurbishment (e.g., upgrading the premises/furniture etc). is disproportionate to what is required. Where there is no impact on the licensing objectives and changes are insignificant in that regards, it would not be rational to impose an obligation on operators to consult a Crime Reduction Officer each time any insignificant change is made.</p> <p>It is incumbent that operators ensure they assess the risks, and that premises are appropriately supervised as required by the Licensing Conditions and Codes of Practice (LCCP) attached to all operating licences. Any failure to do so would be a breach of the LCCP and potentially place the operating licence and premises licence at risk.</p>	Comments noted
	6.27 & 6.28	<p><i>'The licensing authority is concerned that later opening hours will attract the more vulnerable, such as those who are intoxicated or who have gambling addictions. The licensing authority also has concerns that licensed betting premises operators may seek to extend the permitted hours for the primary purpose of making gaming machines available to customers for longer.'</i></p>	Comments noted – the policy does not preclude an applicant applying to vary hours, factors will be taken into account

		<p><i>As a consequence, the licensing authority is unlikely to grant variation of hours' applications unless applicants can demonstrate that robust measures will be in place to protect the vulnerable and the additional hours are not being sought to take advantage of the gaming machine entitlement'.</i></p> <p>This statement has no supporting evidence and cannot impose an obligation on licensees to validate their day-to-day operation. Whilst betting facilities may not be offered between the hours of 22:00 and 07:00 under the default provisions provided by the legislation, Parliament has prescribed that the number and type of gaming machines permitted by a betting premises licence is a legal entitlement. Primary gambling activity or purpose is an outdated concept and incorrect legal test. Social responsibility Code 9.1.1(2) prescribes that gaming machines may be made available for use where substantive facilities for non-remote betting are made available. It is not within an authority's power to prescribe an operator's business model or the facilities being used provided that appropriate safeguards are implemented in accordance with the legislation, regulation and Licence Conditions and Codes of Practice.</p> <p>It is not within the authority's discretion to restrict the legal activities permitted by a licence without robust evidence to support any such restriction. Furthermore, the authority has offered no current or local evidence to support this statement in suggesting that gambling is more attractive to vulnerable persons at later hours of the day, or more so than at any other time, or that appropriate control measures cannot be implemented to mitigate any such risk.</p> <p>Whilst the authority has every right to exercise its function in controlling where gaming machines may be played, this does not extend to a prescriptive requirement mandating all Betting premises to suspend business or provide a justification for the business activities proposed. Operators are under a requirement to uphold social responsibility and will risk assess any potential concerns that may arise from activity within their premises, including any risk that may be realised during later hours of operation. Paddy Power has effective policies and procedures to manage their premises accordingly and always ensures that there is close supervision and familiarity within their business.</p> <p>Please see the Gambling Commission's Guidance to Licensing Authorities at paragraph 5.31, which directs authorities to consider conditions, where necessary and proportionate to do so, and 5.34, that provides 'In deciding to reject an application, a licensing authority should rely on reasons that demonstrate that the licensing objectives are not being, or are unlikely to be, met'. To demonstrate requires evidence.</p>	when determining the application.
Merkur Slots UK Limited and Merkur Bingo & Casino Entertainment UK Limited	6.14	<p><i>'Bingo facilities in bingo premises may not be offered between the hours of midnight and 9am. However, there are no restrictions on access to gaming machines in bingo premises.'</i></p> <p>Whilst the above statement is not incorrect, this only focuses on the default hours offered and disregards an applicant's right to apply for hours beyond these times. There is no evidence to suggest that later opening hours have incurred problems and operators are already under a responsibility to ensure that all premises are effectively managed, risk assessed and supervised accordingly. We suggest this section is amended to also include</p>	Comments noted - Current text sufficiently describes the restrictions of hours. There is no legal basis to amend.

		where a premises licence may have excluded the default hours and therefore be outside the hours of midnight and 9am.	
	6.18	<p><i>'The licensing authority is concerned that later opening hours will attract the more vulnerable, such as those who are intoxicated or who have gambling addictions. The licensing authority will expect applicants can demonstrate that robust measures will be in place to protect the vulnerable and the additional hours are not being sought to take advantage of the gaming machine entitlement.</i></p> <p><i>The licensing authority will use their power to restrict the circumstances in which they are available for use when appropriate by way of conditions.'</i></p> <p>This statement has no supporting evidence and cannot impose an obligation on licensees to validate their day-to-day operation. Whilst bingo facilities may not be offered between the hours of midnight and 9am under the default provisions provided by the legislation, Parliament has prescribed that there are no default restrictions regarding gaming machines (see guidance to licensing authorities' part 18). Gaming machine operation outside the default bingo hours permitted in bingo premises is an entitlement provided by the regulations and it is not within the authority's discretion to restrict the legal activities permitted without robust evidence to support any such restriction. Furthermore, the authority has offered no current or local evidence to support this statement in suggesting that gambling is more attractive to vulnerable persons at later hours of the day than any other time.</p> <p>Whilst the authority has every right to exercise its function in controlling where gaming machines may be played, this does not extend to a prescriptive requirement mandating all Bingo premises to suspend business. As discussed in point 5.13, operators are under a requirement to uphold social responsibility and will have risk assessed any potential concerns that may arise from activity within their premises. Merkur has effective policies and procedures to manage their premises accordingly and always ensures that there is close supervision and familiarity within their business.</p>	Comments noted - Current text sufficiently describes the restrictions of hours. There is no legal basis to amend.

## Tameside & Glossop Strategic Commission Equality Impact Assessment (EIA) Form

<b>Subject / Title</b>	Gambling Statement of Principles 2022-2025
------------------------	--

Team	Department	Directorate
Licensing	Environmental Services	Place

Start Date	Completion Date
10 October 2021	24 May 2022

<b>Project Lead Officer</b>	Mike Robinson
<b>Contract / Commissioning Manager</b>	Sharon Smith
<b>Assistant Director/ Director</b>	Emma Varnam / Ian Saxon

EIA Group (lead contact first)	Job title	Service
Emma Varnam	Assistant Executive Director	Operations and Neighbourhoods
Sharon Smith	Head of Public Protection	Public Protection
Mike Robinson	Regulatory Services Manager (Licensing)	Licensing

### **PART 1 – INITIAL SCREENING**

*An Equality Impact Assessment (EIA) is required for all formal decisions that involve changes to service delivery and/or provision. Note: all other changes – whether a formal decision or not – require consideration for an EIA.*

*The Initial screening is a quick and easy process which aims to identify:*

- *those projects, proposals and service or contract changes which require a full EIA by looking at the potential impact on, or relevance to, any of the equality groups*
- *prioritise if and when a full EIA should be completed*
- *explain and record the reasons why it is deemed a full EIA is not required*

*A full EIA should always be undertaken if the project, proposal and service / contract change is likely to have an impact upon, or relevance to, people with a protected characteristic. This should be undertaken irrespective of whether the impact or relevancy is major or minor, or on a large or small group of people. If the initial screening concludes a full EIA is not required, please fully explain the reasons for this at 1e and ensure this form is signed off by the relevant Contract / Commissioning Manager and the Assistant Director / Director.*

**Tameside & Glossop Strategic Commission  
Equality Impact Assessment (EIA) Form**

<b>1a.</b>	<b>What is the project, proposal or service / contract change?</b>	Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles that they propose to apply when exercising their functions under the above legislation. The statement must be published at least every three years
<b>1b.</b>	<b>What are the main aims of the project, proposal or service / contract change?</b>	The Gambling Act 2005 requires the Council, to update the existing statement of principles in order to keep the policies relevant and up-to-date.

<p><b>1c. Will the project, proposal or service / contract change have either a direct or indirect impact on, or relevance to, any groups of people with protected equality characteristics?</b></p> <p><b>Where there is a direct or indirect impact on, or relevance to, a group of people with protected equality characteristics as a result of the project, proposal or service / contract change please explain why and how that group of people will be affected.</b></p>				
Protected Characteristic	Direct Impact/Relevance	Indirect Impact/Relevance	Little / No Impact/Relevance	Explanation
Age			✓	
Disability			✓	
Ethnicity			✓	
Sex			✓	
Religion or Belief			✓	
Sexual Orientation			✓	
Gender Reassignment			✓	
Pregnancy & Maternity			✓	
Marriage & Civil Partnership			✓	
<b>Other protected groups determined locally by Tameside and Glossop Strategic Commission?</b>				
Group (please state)	Direct Impact/Relevance	Indirect Impact/Relevance	Little / No Impact/Relevance	Explanation
Mental Health			✓	



**Tameside & Glossop Strategic Commission  
Equality Impact Assessment (EIA) Form**

Carers			✓	
Military Veterans			✓	
Breast Feeding			✓	
<b>Are there any other groups who you feel may be impacted by the project, proposal or service/contract change or which it may have relevance to?</b> <i>(e.g. vulnerable residents, isolated residents, those who are homeless)</i>				
<b>Group (please state)</b>	<b>Direct Impact/Relevance</b>	<b>Indirect Impact/Relevance</b>	<b>Little / No Impact/Relevance</b>	<b>Explanation</b>
Low or no income groups			✓	

*“Low or no income groups” should be included as a key consideration when assessing the impact of your project, proposal, policy or service/contract change.*

*Wherever a direct or indirect impact or relevance has been identified you should consider undertaking a full EIA or be able to adequately explain your reasoning for not doing so. Where little / no impact or relevance is anticipated, this can be explored in more detail when undertaking a full EIA.*

<b>1d.</b>	<b>Does the project, proposal or service / contract change require a full EIA?</b>	<b>Yes</b>	<b>No</b>
			✓
<b>1e.</b>	<b>What are your reasons for the decision made at 1d?</b>	<p>The changes proposed in the revised Gambling Act policy are not anticipated to impact on protected characteristic groups or the wider community.</p> <p>The policy itself is intended to have an overall positive impact on the area and its residents, supporting the safe operation of licensed premises in the Tameside.</p>	

*If a full EIA is required please progress to Part 2.*

**Tameside & Glossop Strategic Commission  
Equality Impact Assessment (EIA) Form**

**PART 2 – FULL EQUALITY IMPACT ASSESSMENT**

<b>2a. Summary</b>
Not required

<b>2b. Issues to Consider</b>
N/A



<b>2c. Impact/Relevance</b>
N/A

**Tameside & Glossop Strategic Commission  
Equality Impact Assessment (EIA) Form**

<b>2d. Mitigations</b> (Where you have identified an impact/relevance, what can be done to reduce or mitigate it?)	
N/A	

<b>2e. Evidence Sources</b>
N/A

<b>2f. Monitoring progress</b>		
<b>Issue / Action</b>	<b>Lead officer</b>	<b>Timescale</b>
N/A	N/A	N/A

<b>Signature of Contract / Commissioning Manager</b>	<b>Date</b>
	14 April 2022
<b>Signature of Assistant Director / Director</b>	<b>Date</b>
	14 April 2022

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<b>Report to:</b>	<b>COUNCIL</b>
<b>Date:</b>	24 May 2022
<b>Reporting Officer:</b>	Ian Saxon, Director of Place
<b>Subject:</b>	<b>REVISED STATEMENT OF LICENSING POLICY – LICENSING ACT 2003</b>
<b>Report Summary:</b>	<p>Licensing authorities are required to prepare, consult on, and publish a Statement of Licensing Policy every five years. The policy details how the Council will administer and enforce the provisions of the Licensing Act 2003.</p> <p>This report presents the Council's proposed Statement of Licensing Policy for 2022-2027.</p>
<b>Recommendations:</b>	That Council adopt the Licensing Policy set out herein.
<b>Corporate Plan:</b>	<p>The proposals contained in this report will support the delivery of the Corporate Plan;</p> <p>Starting Well – Reduce the impact of adverse childhood experiences.</p> <p>Living Well – Reduce levels of anti-social behaviour, victims of crime/fear of crime.</p>
<b>Policy Implications:</b>	There is a statutory requirement for the Council to review the Statement of Licensing Policy every five years. This proposal would replace the existing Statement of Licensing Policy.
<b>Financial Implications: (Authorised by the statutory Section 151 Officer &amp; Chief Finance Officer)</b>	<p>There are no direct financial implications arising from the report.</p> <p>However, Members should note all related licence fees that apply to the policy are approved by the Council within the annual Council budget report.</p> <p>Licence fees that apply to the 2022/23 financial year were approved at the 22 February 2022 Council meeting</p>
<b>Legal Implications: (Authorised by the Borough Solicitor)</b>	<p>Under Licensing Act 2003, licensing authorities are required to prepare and consult on a statement of licensing policy (SLP), setting out their strategic approach to local licensing, every five years.</p> <p>The licensing policy will be a material consideration when the Council is considering applications and reviewing licenses under the statutory code.</p> <p>The revised Licensing Policy reflects recent changes in legislation including the Immigration Act 2016, which states that Licensing Act 2003 applicants must have a right to work check and provide evidence of your entitlement to work in the UK.</p> <p>There is an absolute duty to consult on any changes given the implications for individual's livelihoods. All the legal requirements as to consultation must be followed. Failure to properly consult on these proposals could result in a legal challenge from the trade or their representatives through a judicial review.</p> <p>Members will need to consider the consultation process carried out and the removal of the Cumulative Impact Policies before agreeing</p>

the revised Policy, in line with its equality duty, to ensure there is no challenge to its lawfulness and the Council's duty to protect vulnerable persons.

Failure to agree the revised licensing policy would leave the Authority vulnerable to challenge and would prohibit the Licensing committee making any decisions. The Authority would also have failed to comply with the duty imposed on it by Section 5 of the Licensing Act 2003.

**Risk Management:**

This review of the Statement of Licensing Policy is a key document in relation to the Council's position in continuing to implement the Licensing Act's objectives and consideration of subsequent licensing applications.

Failure to properly consult on these proposals could result in a legal challenge from the trade or their representatives through a judicial review. This risk has been managed by carrying out an extensive consultation as outlined in the report.

**Background Information:**

The background papers relating to this report can be inspected by contacting Sharon Smith, Head of Regulatory Services and Public Protection



Telephone: 0161 342 2277



e-mail: [sharon.smith@tameside.gov.uk](mailto:sharon.smith@tameside.gov.uk)

## 1. INTRODUCTION

- 1.1 The Council is under a duty to keep its Statement of Licensing Policy under review every five years and a review of the Council's Cumulative Impact Policy.
- 1.2 The Licensing Policy sets out the principles that the authority will apply to promote the licensing objectives when making decisions on applications for licences made under the Act for the subsequent five years and on the Authority's expectations of licence holders in promoting the licensing objectives:
- The prevention of crime and disorder;
  - Public safety;
  - The prevention of public nuisance and;
  - The protection of Children from harm.
- 1.3 Tameside Council's Statement of Licensing Policy was last revised in January 2016. Due to the impact of the coronavirus pandemic a full review of the Licensing Policy was unable to take place, therefore the policy was extended for a period 12 months in May 2021.
- 1.4 The revised draft policy reflects recent changes to legislation including the Immigration Act 2016. The most significant change is the proposed removal of the Cumulative Impact Policies (in Stalybridge town centre and Ashton-under-Lyne town centre).
- 1.5 A copy of the proposed Statement of Licensing Policy is attached at **Appendix 1**.

## 2. CUMULATIVE IMPACT

- 2.1 In its previous Statement of Licensing Policy, Tameside Council adopted two cumulative impact policies in relation to premises licensed to sell alcohol for consumption on the premises in Stalybridge town centre and Ashton-under-Lyne town centre.
- 2.2 When the policy was published in January 2016 cumulative impact was a concept introduced in the Government's Section 182 Guidance issued under the Licensing Act 2003. The Policing and Crime Act 2017, with effect from 6 April 2018, introduced cumulative impact policies into law so that they now have a legal footing.
- 2.2 A Cumulative Impact Assessment may be published by the Licensing Authority to help limit the number or type of applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. Cumulative impact relates to new premises and club premises certificates and variations. The assessment must be reviewed every three years.
- 2.3 A Cumulative Impact Assessment must include a statement saying that the Licensing Authority considers that the number of premises in the identified area is causing a cumulative impact. The statement must encompass that if the cumulative impact is not put in place then it will impact on the ability of the Licensing Authority to uphold the Licensing Objectives. The cumulative impact once identified must relate to licensable activities.
- 2.3 The supporting evidence for both Cumulative Impact Policies has now expired. Therefore, the revised policy proposes to remove both Cumulative Impact Policies that are currently in place. Applications for premises licence will continue to be assessed on their individual merit by the responsible authorities to ensure the licensing objectives are promoted.

### **3. CONSULTATION**

- 3.1 In accordance with Government Guidance, a full consultation process was undertaken between 29 November 2021 and 24 January 2022.
- 3.2 The consultation was circulated widely, national trade bodies, interested parties and all premises licence holders were written to, directing them to a consultation page on the Council's website. In addition, the Council used its social media accounts to publicise the consultation.
- 3.3 Copies of the draft policy were made available for the public to view electronically online and a hard copy was kept at the Licensing Office.
- 3.4 Only one response was received from Greater Manchester Police which was in support of the draft policy being approved, this is attached at **Appendix 2**.
- 3.5 An Equality Impact Assessment (EIA) has been completed showing there is no adverse impact on the community. The EIA form is attached at **Appendix 3**.

### **4. RECOMMENDATIONS**

- 4.1 As set out at the front of the report.





**TAMESIDE  
METROPOLITAN  
BOROUGH COUNCIL**

**Statement of Licensing Policy  
2022 - 2027**

**Foreword from Cllr Allison Gwynne, Executive Member for Neighbourhoods,  
Community Safety and Environment**



This is the Council's fifth statement of licensing policy and covers the period from March 2022 to March 2027. It provides an opportunity to develop the Council's approach to administering the Licensing Act 2003, taking into account other related policies and strategies.

The policy reflects the increasingly innovative approach taken by Tameside Council in addressing issues related to licensable activities and in particular the sale, supply and consumption of alcohol.

The council recognises that Tameside is nationally ranked very highly as an area which suffers from alcohol related harm, especially health-related harms and crime & disorder. This policy reflects the work already being carried out by the council in building partnerships with other agencies and working collectively to tackle alcohol-related harms.

It also demonstrates that the council is willing to work creatively and innovatively by making full use of all available powers and legislation in its approach to administering licences and licensed premises within the borough.

In addition, the policy is also designed to encourage operators and licence holders to remain compliant and to run businesses which make a positive contribution to the local area and towards improving the lives of Tameside residents.

This statement of licensing policy not only outlines how the Licensing Authority will act to promote the four current licensing objectives, but it also demonstrates how it will promote the protection and improvement of public health across the borough, as well as supporting Tameside Council's vision:

To maximise the wellbeing of the people of the borough by:

- Supporting economic growth and opportunity
- Increasing self-sufficiency and resilience of individuals and families
- Protecting the most vulnerable.

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## Background to this Statement of Licensing Policy

- 1.1 Section 5 of the Licensing Act 2003 requires each licensing authority to publish a statement of its licensing policy at least every five years. It is designed to set out the council's ambitions, strategies and policies relating to licensing for the next five years.
- 1.2 The previous statement of licensing policy set out the procedures in which the council would consider applications for licences. This new statement of licensing policy also covers applications for licences, but in addition, sets out the council's requirements and expectations for existing licence holders and licensed businesses and the actions it expects such businesses to take in order to promote the licensing objectives. It also sets out the council's approaches to ensuring such businesses remain compliant with their licences and the action it will take – in partnership with other organisations and responsible authorities – when licensing and other legislation is breached.
- 1.3 The policy also recognises that public health – and the effect of alcohol consumption on public health – is of serious concern and that Tameside is ranked very highly, both regionally and nationally, in terms of alcohol-related health harms. Although public health is not currently a licensing objective, the policy recognises the recent introduction of public health bodies as a responsible authority, and outlines the positive steps it expects the holders of premises licences to undertake in order to promote public health.

### 1.4 **Licensable Activities**

For the purpose of the 2003 Act, and therefore for the purposes of this statement of licensing policy, the following are licensable activities:

- The sale by retail of alcohol;
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club;
- The provision of regulated entertainment; and
- The provision of late night refreshment.

### 1.5 **Authorisations or permissions**

The 2003 Act provides for four different types of authorisation or permission, to which this statement of licensing policy also relates, as follows:

- Premises licence – to use premises for licensable activities;
- Club premises certificate – to allow a qualifying club to engage in qualifying club activities as set out in section 1 of the Act;
- Temporary event notice – to carry out licensable activities at a temporary event; and

- Personal licence – to sell or authorise the sale of alcohol from premises in respect of which there is a premises licence.

## 1.7 **Licensing Objectives**

In exercising its functions, the licensing authority will have regard to the licensing objectives as set out in section 4 of the Act, and will carry out its functions under the Act with a view to promoting these objectives. The licensing objectives are:

### **The prevention of crime and disorder**

#### **Public safety**

#### **The prevention of public nuisance**

#### **The protection of children from harm**

- 1.8 In addition to these four existing licensing objectives, the licensing authority also expects holders of premises licences or other permissions which allow the sale or supply of alcohol for consumption on or off the premises to carry out their activities with a view to promoting:

### **The Protection and Improvement of Public Health**

## 1.9 **Home Office Guidance**

The statement of licensing policy takes into account guidelines issued under section 182 of the Licensing Act 2003.

## 1.10 **Corporate Objectives**

The statement of licensing policy is designed to support Tameside Council's vision, as described in the corporate plan:

#### **To maximise the wellbeing of the people of the borough by:**

- ***Supporting economic growth and opportunity***
- ***Increasing self-sufficiency and resilience of individuals and families***
- ***Protecting the most vulnerable.***

## 1.11 **Functions within the Council**

The Council has a number of different functions under the Act, including acting as both the Licensing Authority and as a number of different responsible bodies. For this reason, the Licensing Policy refers to the Council as the Licensing Authority and individual responsible bodies by their departmental names, notwithstanding they are also part of the same Council.

- 1.12 A summary of the scheme of delegation is attached at **Appendix 1**.

### 1.13 **Limitations of the Statement of Licensing Policy**

This statement of policy does not undermine the right of any person to apply under the terms of the 2003 Act for a variety of permissions and to have any such application considered on its individual merits.

1.14 In addition, the statement of policy does not override the right of any person to make representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the 2003 Act.

1.15 The council is clear that licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from a licensed premise and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in town centres.

### 1.16 **Conditions**

The council accepts that licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the 2003 Act; and conditions attached to various authorisations will be focused on matters which are within the control of individual licence holders and others with relevant authorisations, i.e. the premises and its vicinity.

### 1.17 **Planning etc.**

Planning permission, building control approval and licensing regimes are properly separated to avoid duplication and inefficiency. Planning and licensing regimes involve consideration of different (albeit related) matters. The council's Speaker's panel (Liquor Licensing) is not bound by decisions made by the Speaker's panel (Planning), and vice versa.

1.18 There are circumstances when as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant or licence holder must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law. The council's planning function is, however, a responsible authority under the Licensing Act and by working in partnership with officers from the Licensing Department, the council will aim to ensure that the planning and licensing regimes avoid any possible conflict between the two regulatory regimes.

### 1.19 **Promotion of Equality**

It is recognised that the Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics.

1.20 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

1.21 In order to ensure compliance with this legislation, an equality impact assessment will be conducted.

**1.22 Partnership Working**

The Council is keen to work closely with existing partner agencies and to build working relationships with new partners with a view to promoting the licensing objectives.

1.23 Regular meetings are held with partners to ensure that any problem premises or other emerging issues are identified early and to enable strategies to be implemented quickly to prevent issues from developing.

**1.24 Enforcement & Compliance**

The Council is working closely with all 9 other Greater Manchester authorities to develop a joint enforcement and compliance guide. This guide will outline all available enforcement and compliance options available to local authorities and will ensure a consistent approach to these issues across Greater Manchester.

1.25 As such, this statement of licensing policy does not outline in detail the council's approach to enforcement and compliance issues. When the joint guide is complete, it will be included as an appendix to this policy.

**1.26 Late Night Levy / Early Morning Restriction Orders**

In April 2012, the Licensing Act 2003 was amended by the Police reform and Social Responsibility Act 2011. There were a number of changes included in the amendments, including the opportunity for Local Authorities to introduce Early Morning Restriction Orders (EMROs) and a Late Night Levy.

1.27 Both of these options were considered by the council and although it was felt that an EMROs were not currently suitable for Tameside, the Council took the decision to consult on the question of introducing a Late Night Levy.

1.28 The Levy is a financial contribution towards policing the night-time economy from those alcohol licensed premises which are licensed until the early hours of the morning. The amount paid depends on the rateable value of the premise. Those paying the lowest level of business rates would pay £299 per year, whereas the largest businesses would pay around £1500 per year.

1.29 Following a full public consultation, the question as to whether the Council should introduce a levy was put to the full Council on 16 September 2014. The decision of the Council was that it would not introduce a Late Night Levy in Tameside at that time, but the Council did resolve that:

*“The Council would introduce a late night levy if the legislation allowed us to confine it to town centres rather than having to have a blanket policy across the whole borough”*

### 1.30 **Alcohol Delivery Services**

There are considerable risks associated with the provision of “to the door” alcohol delivery services and these types of businesses are particularly difficult to regulate.

- 1.31 The Licensing Authority recognises that alcohol can be delivered safely and appropriately to households as part of a wider grocery delivery or similar service. Equally, however, the Authority also recognises that businesses which operate solely with the intention of delivering alcohol to home addresses, often at unsocial hours or at times when other alcohol retail outlets are closed, bring with them a significant risk of undermining the licensing objectives.
- 1.32 As such, any applications for premises licences which would allow the home delivery of alcohol will be scrutinised very closely by the licensing authority and must contain sufficient measures within the operating schedule to satisfy the authority that the business will operate fully within the conditions of their licence, and in a way which promotes the licensing objectives.
- 1.33 In particular, the policy of the council will be to refuse any applications for “alcohol only” delivery services (and services whereby a limited supply of other goods is available alongside alcohol). Such businesses are extremely difficult to regulate and the authority takes the view that – unless the applicant can demonstrate to a very high degree that their business will actively promote the licensing objectives – the general policy will be to refuse such applications.



## **Prevention of Crime & Disorder**

### **2.1 Introduction & Partnership Working**

The licensing authority looks to the police as the main source of advice on crime and disorder, but where appropriate, we will also seek to involve the local Community Safety Partnership (CSP). Tameside Licensing Department has built close links with Greater Manchester Police and other partner organisations such as HMRC and the Home Office Immigration Authority. We will continue to build on these existing partnerships, and to forge new partnerships in order to ensure that all available compliance and enforcement powers are used where appropriate, and to ensure that all relevant information from partner organisations and responsible authorities are taken into account when making licensing decisions.

### **2.2 The Security Industry Authority**

In the exercise of its functions, the licensing authority seeks to co-operate with the Security Industry Authority (“SIA”) as far as possible and will consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.

### **2.3 Conditions**

Conditions will be targeted on deterrence and preventing crime and disorder. For example, where there is good reason to suppose that crime or disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

2.4 When addressing crime and disorder, an applicant for a premise licence should initially identify any particular issues (having regard to their particular type of premises and/or activities), which are likely to adversely affect the promotion of the crime and disorder objective. Such steps, as are required to deal with these identified issues, should be included within the applicant’s Operating Schedule, and will be translated into appropriate, enforceable conditions by the licensing officer.

2.5 A comprehensive list of potential conditions is attached at **Appendix 2**.

## 2.6 **CCTV**

In partnership with Greater Manchester Police, Tameside Council has developed a comprehensive and detailed CCTV condition which will ensure, where appropriate, that any CCTV system installed at a licensed premise will provide sufficient coverage and provide images of a suitable quality. The condition also ensures that footage is stored for an appropriate time period, that the CCTV system is regularly tested and that footage can be provided – immediately if necessary – to police and other responsible authorities on request. This CCTV condition can be viewed at **Appendix 2** on page 30.

2.7 Although it is not the policy of the Council to impose blanket conditions on all licensed premises, the benefits of good CCTV systems in licensed premises are clear and such systems have proved invaluable in both preventing crime and disorder, and in helping to detect crimes, ranging from minor shoplifting through to murder. All applicants for new premises licences to allow the sale or supply of alcohol by retail for consumption on or off the premises are therefore encouraged to consider installing a CCTV system and where appropriate, such applicants will be encouraged to add the Council's CCTV condition to their licence.

2.8 In addition, where incidents of crime and/or disorder have occurred at licensed premises, the Licensing Department, together with Greater Manchester Police and other partners, may request a premises licence holder to amend their premises licence by way of a minor variation to add the CCTV condition if it is felt it is appropriate. The use of minor variation as an alternative to a review of a premises licence will be offered in some circumstances where officers from responsible authorities have sufficient evidence to apply for a review of the premises licence, but the premises licence holder is willing to negotiate an appropriate outcome such as the addition of conditions to the licence, reduction of licensed hours etc.

## 2.9 **Door Supervision**

Conditions relating to the provision of door supervisors and security teams are valuable in town centre locations and premises operating after 9.00pm in:

- preventing the admission and ensuring the departure from the premises of the drunk and disorderly, without causing further disorder;
- keeping out excluded individuals (subject to court bans or imposed by the licence holder or local Pubwatch scheme);
- searching and excluding those suspected of carrying illegal drugs, or carrying offensive weapons; and
- maintaining orderly queuing outside of venues prone to such queuing.

2.10 Where door supervisors conducting security activities are to be a condition of a licence, conditions may also need to deal with the number of such supervisors, the displaying

of name badges, the carrying of proof of registration, where and at what times they should be stationed on the premises, and whether at least one female supervisor should be available (for example, if female customers are to be the subject of body searches). Door supervisors also have a role to play in ensuring public safety.

#### **2.11 Glass Control**

Glass can be a major factor in disturbances around licensed premises and the Council may impose special conditions on certain types of venue in relation to glass control both within the premises, at disposal points and through unauthorised removal of glass from the premises.

2.12 In particular, the Authority may consider it appropriate to ensure licensed premises have regular glass collection services in certain types of venue and keep control of waste bottles & glasses.

2.13 It should be noted that the use of plastic, polycarbonate or paper drinks containers and toughened glass may also be relevant as measures appropriate to promote the reduction of crime and disorder and public safety.

#### **2.14 Pubwatch**

Tameside Council recognises that voluntary schemes can be an effective alternative method of reducing crime and disorder and improving the collective licensed trade within particular localities.

2.15 Pubwatch schemes have been introduced in several Tameside towns and they continue to grow in popularity and attendance. The licensed trade in Droylsden in particular have developed an extremely well-attended and effective Pubwatch scheme which has helped to dramatically reduce crime and disorder, helped to effectively tackle organised crime groups and drug dealing and generally improve the image of the licensed trade within Droylsden.

2.16 The Council will continue to actively encourage holders of premises licences and designated premises supervisors to attend their local Pubwatch groups, and to set up such groups where they do not currently exist. Members are encouraged to take a “barred from one, barred from all” approach in dealing with disruptive customers. Pubwatch members will also be encouraged to subscribe to the Pubwatch online service which allows members to share photographs and information about barred members whilst remaining compliant with data protection legislation.

#### **2.17 Drugs**

All Licensed premises within Tameside are expected to adopt a “zero tolerance” policy in respect of the sale, supply and use of illegal drugs. Operators of premises which are licensed to sell or supply alcohol for consumption on the premise are expected to be aware of any drug activity which may be taking place within their premises and to take appropriate action to stop such activity, and prevent it from taking place.

- 2.18 Steps which licensees are expected to take include regular checks of the toilet areas, monitoring of suspicious behaviour and the display signage which makes clear that drug use will not be tolerated within the premises.
- 2.19 Operators of premises which are licensed to sell or supply alcohol for consumption off the premises must also adopt a zero tolerance approach towards the sale, supply and use of illegal drugs. In particular, the Council does not expect any licensed premises to sell, supply or advertise any drug-related paraphernalia such as bong pipes, grinders and small plastic “snap” bags commonly used for the supply of drugs.
- 2.20 Premises licence holders, designated premises supervisors and any other staff employed at licensed premises within Tameside are expected to report any instances of drug supply or use within or in the vicinity of their premise to the police or the local authority as soon as practicable.
- 2.21 **New Psychoactive Substances (Legal Highs)**
- 2.22 The Council’s policy is that no licensed premises will be allowed to sell, supply, advertise or keep as stock any type of “new psychoactive substances” (NPS) commonly known as “legal highs”. This includes any substance which mimics the effects of illegal drugs, irrespective of whether the substance is labelled as “not for human consumption” and also includes nitrous oxide in any form
- 2.3 In addition, any other substance, item or other thing which may, from time-to-time be identified as having an intoxicating effect by the police or local authority must not be sold, supplied, advertised or kept in stock at any licensed premise. Where appropriate, conditions in respect of NPS will be attached to premises licences.
- 2.24 **Supply of Illegal, Illicit, Smuggled or Counterfeit Alcohol**
- The supply of illegal, illicit, smuggled and counterfeit alcohol puts the public at risk of serious harm and is linked to serious and organised criminal gangs. The Council expects the holders of premises licences which permit the sale and supply of alcohol by retail to have strong policies and procedures in place to prevent such activity.
- 2.25 In particular, premises licence holders, designated premises supervisors and anyone else employed at licensed premises must ensure that alcohol sold or supplied to the public has only been obtained from legitimate sources.
- 2.26 As a minimum, the council expects such stock to only be purchased from legitimate and recognised suppliers, and for premises to keep a record of where they have obtained the stock and to retain all receipts for such stock and produce them for inspection by any responsible authority on request.
- 2.27 Stock must not be purchased from any unidentified individuals travelling from premise-to-premise selling alcohol from a vehicle.
- 2.28 Where appropriate, conditions in respect of such activity will be attached to premises licences.

## 2.29 **Employment of illegal immigrants**

The Council expects holders of premises licences, designated premises supervisors and anyone else associated with the management of licensed premises to have sufficient policies and procedures in place to ensure that no person who is unlawfully in the UK, or who cannot lawfully be employed as a result of a condition on their leave to enter, is employed at a licensed premise.

- 2.30 Section 36 of and Schedule 4 to the Immigration Act 2016 made a number of amendments to the Licensing Act 2003 to introduce immigration safeguards in respect of licensing applications made in England and Wales on or after 6 April 2017. The intention of these changes is to prevent illegal working in premises licensed for the sale of alcohol or late-night refreshment.
- 2.31 The statutory prevention of crime and disorder licensing objective in the Licensing Act 2003 includes the prevention of immigration crime and the prevention of illegal working in licensed premises. The Council will work with the Home Office (Immigration Enforcement) as well as the police, in respect of these matters.
- 2.32 Section 36 of and Schedule 4 to the Immigration Act 2016 (the 2016 Act) amended the 2003 Act to provide that in England and Wales:
- Premises licences to sell alcohol or provide late night refreshment and personal licences cannot be issued to an individual who does not have permission to be in the UK, or is not entitled to undertake work relating to the carrying on of a licensable activity;
  - Licences issued to those with limited permission to be in the UK will lapse when their permission to be in the UK and work in a licensable activity comes to an end;
  - Immigration offences, including civil penalties, are ‘relevant offences’ as defined by the 2003 Act;
  - The Home Secretary (in practice Home Office (Immigration Enforcement)) was added to the list of responsible authorities in the licensing regime, which requires Home Office (Immigration Enforcement) to receive premises licence applications (except regulated entertainment only licences) and applications to transfer premises licences, and in some limited circumstances personal licence applications, and permits Home Office (Immigration Enforcement) to make appropriate representations and objections to the grant of a licence; and
  - Immigration officers are permitted to enter premises which they have reason to believe are being used to sell alcohol or provide late night refreshment, to investigate whether immigration offences are being committed in connection with the licensable activity.
- 2.33 The Licensing Authority will have regard to any guidance issued by the Home Office in relation to the immigration related provisions now contained in the Licensing Act 2003.
- 2.34 The Licensing Authority will also work in partnership with the Home Office (Immigration Enforcement) and Greater Manchester Police with a view to preventing illegal working in premises licensed for the sale of alcohol and/or late-night refreshment.

## **Public Safety**

### **3.1 Fire Safety**

Fire precautions and means of escape from licensed premises are particularly important. Large numbers of people, some of whom may be under the influence of alcohol, must be safely contained, managed and, if necessary, evacuated from premises. The attachment of conditions to a premises licence or club premises certificate will not in any way relieve employers of the statutory duty to comply with the requirements of other legislation including the Health and Safety at Work etc. Act 1974, associated regulations and especially the requirements under the Management of Health and Safety at Work Regulations 1999 and the Regulatory Reform Fire Safety Order 2005 to undertake risk assessments. Employers should assess the risks, including risks from fire, and take measures necessary to avoid and control these risks.

3.2 Consideration should be given to conditions which deal with Living accommodation attached to or accessed via Licensed Premises, such as:

- ensuring that sufficient fire safety arrangements are in place to detect and warn occupants and all other relevant persons
- ensuring adequate fire separation and means of escape is provided between the mixed use premises.

### **3.3 Risk Assessments**

When addressing public safety, an applicant or licence holder should initially identify any particular issues (having regard to their particular type of premises and/or activities), which are likely to adversely affect the promotion of the public safety objective. Such steps as are required to deal with these identified issues should be included within the applicant's Operating Schedule.

3.4 It is also recognised that special issues may arise in connection with outdoor and large scale events. Risk assessment must be used to assess whether any measures are necessary in the individual circumstances of any premises.

### **3.5 Disability**

Consideration should be given to conditions that ensure that:

- when disabled people are present, adequate arrangements exist to enable their safe evacuation in the event of an emergency; and
- disabled people on the premises are made aware of those arrangements.

### **3.6 Special Effects**

The use of special effects in venues of all kinds being used for regulated entertainment is increasingly common and can present significant risks. Any special effects or

mechanical installation should be arranged and stored so as to minimise any risk to the safety of the audience, the performers and staff. Special effects which should be considered include:

- dry ice machines and cryogenic fog;
- smoke machines and fog generators;
- pyrotechnics, including fireworks;
- real flames;
- firearms;
- motor vehicles;
- strobe lighting;
- lasers (see HSE Guide The Radiation Safety of lasers used for display purposes [HS(G)95] and BS EN 60825: Safety of laser products), and;
- explosives and highly flammable substances.

3.7 It may be appropriate to require that certain special effects are only used with the prior notification of the licensing authority or the fire authority.

### 3.8 **Transport**

Consideration should be given to conditions that deal with:

- the adequacy of transportation arrangements to ensure customers are able to travel safely to and from the premises (including procedures for preventing people from consuming excess alcohol and driving);
- ensuring that any arrangements or advertising of taxis and private hire vehicles only relate to such vehicles licensed by the Authority;

### 3.9 **Hypnotism**

If an applicant or licence holder wishes to host any performance of stage hypnotism at any time this should be detailed in the Operating Schedule. In the event of any performance of stage hypnotism the council will normally require written request for consent in accordance with section 1 of the Hypnotism Act 1952. Where consent is given for this type of entertainment the council will impose specific licence conditions.

## The Prevention of Public Nuisance

### 4.1 Introduction

The Licensing Act 2003 covers a wide variety of premises which require licences, including cinemas, concert halls, theatres, nightclubs, public houses, cafes, restaurants, fast food outlets and takeaways. Each of these premises presents a mixture of risks, with many common to most premises and others unique to specific operations. It is important that premises are constructed or adapted and maintained so as to acknowledge and safeguard occupants and neighbours against these risks as far as is practicable.

- 4.2 When addressing public nuisance an applicant should initially identify any particular issues (having regard to their particular type of premises and/or activities), which are likely to adversely affect the promotion of the public nuisance objective. Such steps as are required to deal with these identified issues should be included within the applicant's Operating Schedule.
- 4.3 If relevant representations are received, the Authority may impose conditions to prevent nuisance, noise, disturbance, light pollution, noxious smells, vermin and pest infestations and accumulations of rubbish and litter.
- 4.4 A comprehensive list of potential conditions is attached at **Appendix 2**
- 4.5 The following options should be considered as measures which, if appropriate, would promote the prevention of public nuisance.
- 4.6 Noise or vibration should not emanate from the premises so as to cause a nuisance to nearby properties. This might be achieved by a simple requirement to keep doors and windows at the premises closed, or to use noise limiters on amplification equipment used at the premises.
- 4.7 Prominent, clear and legible notices should be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- 4.8 The use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas are restricted (particularly ensuring that firework parties are not managed by persons consuming alcohol), that adequate safety precautions are in place, that fireworks are not set off between 2300hrs and 0700hrs (except on 31st December/1st January).
- 4.9 Conditions may include restrictions on the times when music or other licensable activities may take place and may include technical restrictions on sound levels at the premises.
- 4.10 The council is particularly keen to encourage responsible business owners to deal with waste and litter effectively and responsibly. In particular, it expects that the responsible



person ensures that the areas outside of premises are kept clean, tidy and free from litter and the premise provides sufficient litter/cigarette bins.

- 4.11 In addition, holders of premises licences and club premise certificates are expected to fully comply with all legal requirements in relation to the disposal of their trade waste and to ensure they have an appropriate trade waste contract with an approved disposal company.

## **Protection of Children from Harm**

### **5.1 Introduction**

The protection of children from harm is a key licensing objective and one which Tameside Council seeks to promote rigorously. Holders of premises licences, club premises certificates and other permissions under the licensing act are expected to ensure that their activities are always carried out with the intention of protecting children from harm.

5.2 The council particularly expects licensed businesses to work actively to prevent:

- Child sexual exploitation;
- The sale or supply of alcohol to persons under the age of 18;
- The sale or supply of alcohol to adults seeking to purchase on behalf of persons under the age of 18;
- The sale or supply of any other age restricted products to underage persons;
- Access by children to gambling activities;
- Access by children to any entertainment of a sexual nature.

### **5.3 Child Sexual Exploitation**

Child sexual exploitation involves children being groomed and then sexually abused. Tameside Council recognises that child sexual exploitation is a major child protection issue both locally and across the UK.

5.4 The council takes a strict “zero tolerance” approach in respect of child sexual exploitation and expects licensed businesses to do the same. Applicants for premises licences and other permissions are expected to make reference to child sexual exploitation in their operating schedules and to adopt licence conditions protect children from abuse and grooming.

5.5 Measures designed to prevent underage sales and other harmful activities will have the secondary effect of preventing child sexual exploitation by reducing or removing opportunities for abusers to groom children for sexual purposes.

### **5.6 Underage Sales & Age Verification**

The council expects licenced businesses to work rigorously to prevent the sale or supply of alcohol to children. The mandatory licence conditions include a condition which requires all premises which are licensed to sell or supply alcohol to adopt an age verification policy whereby those who appear to be under 18 will be asked to provide photographic i.d. to prove their age before selling or supplying them with alcohol.

5.7 The council requires licensed businesses to go further than the requirements of the mandatory conditions and expects premises which are licensed for the sale or supply

of alcohol to adopt the voluntary “challenge 25” scheme. This scheme requires members of staff who carry out sales of alcohol to request photographic i.d. from anyone who appears to be under the age of 25 years. This does not preclude anyone over the age of 18 from purchasing alcohol, but does provide a much clearer framework for staff members in deciding when to ask for i.d.

5.8 Applicants for premises licences or other permissions to sell or supply alcohol are expected to include the challenge 25 scheme within their operating schedules and it will be included as a condition where appropriate.

5.9 Holders of premises licences and other permissions to sell or supply alcohol and their designated premises supervisors must ensure that all staff employed at their premises receive regular training. Training must include child protection issues and the prevention of underage sales and proxy sales. Where appropriate this policy will be added as a condition to premises licences or other permissions.

5.10 When asking for photographic i.d. the council expects licensed businesses and their staff to only accept the following forms of identification:

- Passport;
- Photocard driving licence, or;
- PASS accreditation system, which aims to approve and accredit various ‘proof of age’ schemes which are in existence

#### 5.11 **Access to Premises by Children**

Under the Licensing Act, a wide variety of licensable activities can take place at various types of premises and at different times of the day and night. Whilst it may be appropriate to allow children unrestricted access at particular times and when certain activities are not taking place, the council will consider a range of conditions which can be tailored to a particular premises where appropriate. These could include:

- The times during which age restrictions should and should not apply. For example, the fact that adult entertainment may be presented at premises after 8.00pm does not mean that it would be necessary to impose age restrictions for earlier parts of the day;
- Types of event or activity in respect of which no age restrictions may be needed, for example family entertainment or non-alcohol events for young age groups, such as under 18s dances;
- Similarly, types of event or activity, which give rise to a more acute need for age restrictions than normal, for example; during “Happy Hours” or on drinks promotion nights.

#### 5.12 **Display of Films etc.**

In the case of premises giving film exhibitions, the licensing authority expects the holders of premises licences or other permissions to include in their operating schedules arrangements for restricting children from viewing age-restricted films.

# The Protection and Improvement of Public Health

## 6.1 Introduction

Tameside Council recognises that the instances of alcohol-related health harms across the borough are disproportionately high and that Tameside ranks very highly both regionally and nationally in respect of alcohol-related health harms.

6.2 Since the adoption of the previous statement of licensing policy, the Police Reform and Social responsibility Act 2011 amended the Licensing Act by adding local directors of public health to the list of responsible authorities, meaning that local public health bodies are now consulted in respect of every licensing application processed by the local authority.

6.3 Although the Government did not go as far as introducing a 5<sup>th</sup> licensing objective of “promoting public health”, the introduction of public health as a responsible authority went some way towards starting to reduce alcohol-related health harms through use of licensing legislation.

## 6.4 Promotion of Public health

In view of the extremely high levels of alcohol-related health harms across the borough, Tameside Council expects applicants for premises licences (and other permissions which allow the sale or supply of alcohol) to include statements in their operating schedules as to how they will actively promote the protection and improvement of public health.

6.5 Current holders of premises licences and other permissions which allow the sale or supply of alcohol are also expected to promote the protection and improvement of public health.

## 6.6 Possible Measures

Some of the possible measures which licensed businesses should consider are listed below:

### 6.7 Reducing the Strength or Responsible Retailing of High Strength Products

The council recognises the significant harm caused by the sale of very cheap, very strong alcoholic drinks – specifically high strength lagers and ciders with an abv (alcohol by volume) over 6.5%.

6.8 Holders of premises licences and other permissions which allow the sale or supply of alcohol are asked to consider implementing the principles of the “reduce the strength” campaign by removing from sale lagers and ciders with an abv of 6.5% and above, and stopping selling these products.

6.9 Where licence holders choose to continue selling such products, the council encourages them to take a responsible approach to how these items are displayed and

sold. For example, they should consider reducing the size of their display for these items and possibly place them out of reach to the general public, so that they can only be purchased by asking a member of staff.

#### **6.10 Intervention and Brief Advice**

Applicants and Licensed businesses should consider obtaining training for their staff in “intervention and brief advice”. This training – usually available free of charge from local public health bodies – teaches staff members how to recognise when people may have a drinking problem, and how to give them brief advice.

#### **6.11 Voluntary Self Exclusion**

Where a voluntary self-exclusion scheme is in operation, licensed businesses are encouraged to participate in accordance with any advice or instructions given to them by the local authority or police.

## **Cumulative Impact**

### **7.1 Introduction**

Cumulative impact is a term used to describe the potential impact on the promotion of the licensing objectives where there are significant numbers of licensed premises concentrated in one area.

7.2 Licensing Authorities can adopt special policies in relation to cumulative impact where evidence is produced by one or more responsible authorities that the impact of a number of licensed premises in a specific geographical area is having an adverse effect on the promotion of the licensing objectives.

7.3 The effect of a special policy is to reverse the rebuttable presumption that the licensing authority will grant a premises licence or other permission for the sale or supply of alcohol. If a responsible authority submits a representation in which they provide evidence that the granting of a licence or permission (or an application to vary a licence or permission to allow longer hours for the sale/supply of alcohol) is likely to add to the existing cumulative impact of licensed premises, then the Licensing Authority will refuse that application unless the applicant can demonstrate that they will not add to the cumulative impact.

7.4 In simple terms, applicants must submit applications to a very high standard with sufficient measures in place to demonstrate that their premise will not add to the existing problems in that area.

7.5 The absence of a CIA does not prevent any responsible authority or other person making representations on an application for the grant or variation of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives, However, in each case it would be incumbent on the person making the representation to provide relevant evidence of cumulative impact.(The Secretary of State's Guidance – April 2018)

<b>Delegation of Functions</b>		
<b>Application</b>	<b>Speakers Panel (Liquor Licensing) Sub-Committee</b>	<b>Officers</b>
Application for personal licence	If objection notice submitted	If no objection notice submitted
Application for personal licence with relevant unspent convictions	All cases	
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If police objection submitted	If no police objection submitted
Application for new premises licence or club premises certificate	If relevant representation(s) submitted	If no relevant representations submitted
Application for a provisional statement	If relevant representation(s) submitted	If no relevant representations submitted
Application for a full variation of a premises licence or club premises certificate	If relevant representation(s) submitted	If no relevant representations submitted
Application to change a designated premises supervisor	If police objection submitted	If no police objection submitted
Application for an interim authority notice	If police objection submitted	If no police objection submitted
Application for a review of a premises licence or club premises certificate	All cases	
Decisions on the relevance and validity of representations or applications for review		All cases
Determination of a representation in relation to a standard temporary event notice	All cases	
Determination of a representation in relation to a late temporary event notice		All cases

Application for a minor variation of a premises licence or club premises certificate		All cases
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## **List of Potential Conditions to be Considered by Applicants for Premises Licences and Other Permissions Associated With the Licensing Act 2003**

### **1. Crime & Disorder**

#### **1. CCTV**

A tamper-proof digital colour CCTV system must be installed and maintained at the premises to the satisfaction of Greater Manchester Police.

The system must run and record continuously for 24 hours a day, 7 days per week and recorded footage must be stored for a minimum of 28 days.

The system must provide a clear head and shoulders view to an evidential quality on every entry/exit route and within any other vulnerable areas as identified by Greater Manchester Police.

Recorded footage must be provided to a representative of any responsible authority on request. Such footage must be provided in an immediately viewable format and must include any software etc. which is required to view the footage. Any discs, portable drives or other storage media onto which footage is transferred must be provided by the premises and sufficient stock of such storage media must be kept on the premises at all times.

A member of staff who is trained to operate the system and supply footage must be present at the premises at all times when licensable activities are taking place.

The Designated Premises Supervisor must ensure that the CCTV system is checked at least once every week by a suitably trained member of staff. This check must include the operation of the cameras, the recording facilities, the facilities for providing footage and the accuracy of the time & date. A written record of these checks must be kept, including a signature of the person carrying out the check. This written record must be kept on the premises at all times and made available to a representative of any responsible authority on request.

Suitable signage informing customers that a CCTV system is in operation must be placed in prominent positions within the premises, including information on the Data Protection Act and the Human Rights act.

#### **2. Door Staff**

A minimum of 2 SIA registered door supervisors shall be employed at the premises on Friday and Saturday nights and also New Years Eve from 9.00 pm until 20 minutes after the premises closes. Door supervisors will wear high visibility armbands.

### **3. Door Staff Policy**

The management shall produce and implement a Door Supervisor Policy which includes details of disciplinary procedures, and the management's expectations as to the behaviour and professionalism of the door staff. This policy will be submitted to GMP and the Licensing Manager on first implementation and following any subsequent changes to the policy.

### **4. Door Staff Log**

A Door Supervisor Log shall be correctly maintained at the premises. This will include the following details:

- (i) The door staff names, dates of birth and home addresses;
- (ii) Full details, name, address and contact number of employment agency used

And for each individual period of trading:

- (iii) The name of the individual member of door staff
- (iv) His/Her Security Industry Authority licence number
- (v) The time and date He/She starts and finishes duty
- (vi) The time of any breaks taken whilst on duty
- (vii) Each entry shall be signed by the door supervisor, DPS or nominated person

### **5. Incident Book**

An incident book (with the pages numbered sequentially) must be kept on the premises and be made available for inspection by responsible authorities. The incident book must be used to record the following:

- (i) Any incident of violence or disorder on or immediately outside the premises
- (ii) Any incident involving controlled drugs (supply/possession/influence) on the premises
- (iii) Any other crime or criminal activity on the premises
- (iv) Any refusal to serve alcohol to persons who are drunk (On sale and off sale premises only)
- (v) Any refusal to serve alcohol to under 18's or anyone who appears to be under 18
- (vi) Any call for police assistance to the premises
- (vii) Any ejection from the premises
- (viii) Any first aid/other care given to a customer

### **6. Drug Policy**

The management of the premises must introduce a strict "zero tolerance" policy in respect of the use and/or supply of illegal drugs on the premises. The policy to include checks of the toilet areas every half-hour whilst the premises are open and suitable signage to be placed in prominent areas within the premises.

## **7. Use of Polycarbonate Glassware**

All glassware used in the premises must be of Polycarbonate type. Any drinks served in bottles must be in plastic bottles only. All drinks from glass bottles to be decanted into polycarbonate containers.

## **8. Nitenet Radio**

Where available, the premises must subscribe to the Nitenet Radio Service.

## **9. Last Entry to Premise**

There shall be no new entries to the premises by members of the public between 3am and 11am daily.

## **10. Legal Highs**

The premise must not sell, supply, advertise or keep as stock any type of “new psychoactive substances” (NPS) commonly known as “legal highs”. This includes any substance which mimics the effects of illegal drugs, irrespective of whether the substance is labelled as “not for human consumption” and also includes nitrous oxide in any form.

In addition, any other substance, item or other thing which may, from time-to-time be identified as having an intoxicating effect by the police or local authority must not be sold, supplied, advertised or kept in stock.

## **11. Paraphernalia**

The premise must not sell, supply, advertise or keep as stock any drug or NPS paraphernalia, including grinders, bong pipes, pipes, or any other item which is designed to assist with the use, consumption or production of illegal drugs or NPS.

## **2. Public Safety**

### **1. Occupancy Limit**

The total occupancy of the premises must not exceed \*\*\* persons, including staff.

### **2. Event Management Plan**

An Event Management Plan must be produced and forwarded to the Licensing Office for circulation to the responsible authorities a minimum of 21 days before the date of the activity.

### **3. Use of Polycarbonate Glassware**

All glassware used in the premises must be of Polycarbonate type. Any drinks served in bottles must be in plastic bottles only. All drinks from glass bottles to be decanted into polycarbonate containers.

### **4. Glass Collection**

In order to minimise the risk of persons becoming injured by broken glass, the designated premises supervisor must ensure that empty glasses, bottles and other containers are collected and disposed of regularly and at least every half-hour whilst the premise is open.

## **3. Prevention of Public Nuisance**

### **1. Noise Limiter**

A noise limiting device must be installed, fitted and maintained in such a manner as to control all sources of amplified music at the premises. The noise limiting device must be set and maintained at a level to be agreed with Tameside MBC.

### **2. Doors & Windows**

To prevent noise nuisance, all windows and doors at the premise must be kept closed at any time when regulated entertainment, live music (amplified or unamplified), recorded music or any other type of entertainment (amplified or unamplified) is being performed at the premise, except to allow people to enter or exit.

### **3. Entertainment to be Inaudible**

Noise generated by regulated entertainment, live music (amplified or unamplified), recorded music or any other type of entertainment (amplified or unamplified) must be inaudible at the nearest noise sensitive location.

### **4. Perimeter Inspections**

The Designated Premises Supervisor must ensure that perimeter inspections are undertaken every hour when regulated entertainment, live music (amplified or unamplified), recorded music or any other type of entertainment (amplified or unamplified) is taking place. These inspections must be recorded in a book which must be made available for inspection to Local Authority Officers and Greater Manchester Police on request.

### **5. Notices to Customers**

Notices requesting customers to leave quietly must be displayed in a prominent position next to each entrance/exit. The Designated Premises Supervisor must ensure that customers are encouraged to keep noise to a minimum when leaving the premise.

### **6. Litter Control**

The Designated Premises Supervisor must ensure that a member of staff collects all litter from the curtilage of the premises every day at the conclusion of trading. A written log must be kept of the areas checked and made available to responsible authorities for inspection on request.

### **7. No Drinks Outside**

The Designated Premises Supervisor must ensure that no drinks are taken or consumed outside the premises nor glasses/bottles removed from the premises by patrons when leaving.

## **4. Protection of Children from Harm**

### **1. Challenge 25**

The premises must operate a “Challenge 25” scheme at the premise in relation to age verification for alcohol sales and other age-restricted products. Signs and/or posters must be displayed in prominent positions inside the premise to inform customers of this condition.

### **2. Refusals Book**

A refusals book must be kept at the premises and must be used to record all refusals to sell alcohol for any reason. Where other age restricted products are sold at the premise, any refusals to sell such items to underage persons or persons who appear underage must be recorded. The details to be recorded must be as follows:

- (i) Time, day & date of refusal
- (ii) Item refused
- (iii) Name & address of customer (if given)
- (iv) Description of customer
- (v) Details of i.d. offered (if shown)

The refusals book must be made available for inspection by responsible authorities on request.

### **3. List of Agreed Products**

A list of all items not to be offered for sale will be agreed with the Premises Licence Holder and the responsible authorities, including Trading Standards, and Greater Manchester Police. This list can be subject to further amendment and agreement between the parties. Once the list is agreed, items on the list must not be sold or supplied by the premises.

### **4. Proxy Notices**

The premise must display, in a prominent position, a notice or notices explaining that it is an offence for adults to purchase alcohol and then supply it to persons under 18.

### **5. Door Age Policy**

No persons under the age of 18/21/25 to be allowed entry to the premises at any time when it is open and operating/after \*\*: \*\*hrs.

## **5. All 4 Licensing Objectives**

### **1. Staff Training**

Any staff employed at the premises will receive training by the Designated Premises Supervisor on first appointment and at least every three months thereafter. Training will include input on preventing underage sales, sales of alcohol to people who are drunk, application of the drugs policy and any other relevant matters. A written record will be kept of all training carried out. This record must be kept on the premises and made available for inspection by any responsible authority.

### **2. Personal Licence Holder to be on Premise at All Times**

A Personal Licence Holder must be present at the premises at all times licensable activities, live music (amplified or unamplified), recorded music or any other types of entertainment (amplified or unamplified) are taking place.

### **3. List of Authorised Persons**

The Designated Premises Supervisor must maintain a written record of all members of staff who are authorised to sell alcohol. This record must include a photograph of the relevant members of staff to be kept on the premises at all times and be made available to a representative of any responsible authority on request.

### **4. Pubwatch**

Where such a scheme is in operation, the Designated Premises Supervisor must be an active member of a local Pubwatch scheme or equivalent.

### **5. Purchasing policy**

A purchasing of alcohol and tobacco policy must be implemented at the premises by the designated premises supervisor.

### **6. Purchasing records to be kept.**

All purchases of alcohol and tobacco products must be made from reputable wholesalers and all purchases must be recorded. These records must be made available on request to the police or authorised officer

### **7. Restaurant Condition**

The supply of alcohol for consumption on the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.

The sale of alcohol shall only be by waiter service to seated customers, and there shall be no sales of alcohol at the bar

## List of Responsible Authorities

Tameside Metropolitan Borough Council  
Licensing Department  
Tame Street Depot  
Stalybridge  
SK15 1ST

 [licensing@tameside.gov.uk](mailto:licensing@tameside.gov.uk)

Chief Superintendent  
Greater Manchester Police  
Licensing - 2<sup>nd</sup> Floor, Police Station  
Manchester Road  
Ashton -under-Lyne  
OL7 0BQ

 [g.licensing@gmp.police.uk](mailto:g.licensing@gmp.police.uk)

Tameside Metropolitan Borough Council  
Trading Standards  
Tame Street Depot  
Tame Street  
Stalybridge  
SK15 1ST

 [publicprotection-es@tameside.gov.uk](mailto:publicprotection-es@tameside.gov.uk)

Tameside Metropolitan Borough Council  
Environmental Protection  
Tame Street Depot  
Tame Street  
Stalybridge  
SK15 1ST

 [publicprotection-es@tameside.gov.uk](mailto:publicprotection-es@tameside.gov.uk)

Tameside Metropolitan Borough Council  
Head of Planning  
PO Box 304  
Ashton-under-Lyne  
OL6 0GA

 [planningmail@tameside.gov.uk](mailto:planningmail@tameside.gov.uk)

Tameside Metropolitan Borough Council  
Social Services  
Conference and Review Section  
Union Street  
Hyde  
SK14 1ND

 [Conference&Review@tameside.gov.uk](mailto:Conference&Review@tameside.gov.uk)

Public Health  
Level 3  
Tameside One  
Market Place  
Ashton-under-Lyne  
OL6 6BH

 [publichealth.enquiries@tameside.gov.uk](mailto:publichealth.enquiries@tameside.gov.uk)

Watch Commander Fire Protection  
Tameside Borough HQ  
Hyde Fire Station  
Railway Street  
Hyde  
SK14 1DF

 [FireSafetyStockportTameside@manchesterfire.gov.uk](mailto:FireSafetyStockportTameside@manchesterfire.gov.uk)



**Mike Robinson**

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**From:** g.licensing@gmp.police.uk  
**Sent:** 06 January 2022 16:46  
**To:** Mike Robinson  
**Cc:** Claire.Galt@gmp.police.uk  
**Subject:** FW: CONSULTATION ON REVISED STATEMENT OF LICENSING POLICY  
**Attachments:** Draft Licensing Policy.pdf

Good afternoon Mike.

I have read the attached draft Tameside MBC Statement of Licensing Policy 2022 - 2027  
As Licensing Officer for Tameside on behalf of the Chief Officer of Police I offer no representation to the contents of the updated policy and agree that it is both suitable and relevant.

Regards

**14627 Thorley | PC**

Delegated District Licensing Officer | Tameside 'G'  
Internal **69484** Telephone **0161 856 9484** Work Mobile – **07393145364**  
Email [14627@gmp.police.uk](mailto:14627@gmp.police.uk) or [g.licensing@gmp.police.uk](mailto:g.licensing@gmp.police.uk)  
Address **Ashton DHQ, Manchester Road, Tameside, OL7 0BQ**



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**From:** Mike Robinson [mailto:mike.robinson@tameside.gov.uk]  
**Sent:** 13 December 2021 10:00  
**Subject:** CONSULTATION ON REVISED STATEMENT OF LICENSING POLICY

Dear Sir/Madam

Tameside Council is currently consulting in respect of a revised Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003.

The draft new policy can be viewed at <https://www.tameside.gov.uk/tbc/licensingpolicy2022-27consultation>.  
Comments can also be left via the same link.

The consultation runs until Monday 24 January 2022.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Mike Robinson', enclosed in a thin black rectangular border.

**Mike Robinson**  
**Regulatory Services Manager (Licensing)**  
**Operations and Neighbourhoods**

**Mike Robinson**

**Regulatory Services Manager (Licensing)**

Environmental Services (Public Protection)

Operations and Neighbourhoods

Place

[Tameside MBC](#) | [Twitter](#) | [Facebook](#) | [Instagram](#)

Tame Street Depot | Tame Street | Stalybridge | Tameside | SK15 1ST

Tel. 0161 342 4122

Mobile. 07971285294

Fax. 0161 342 2275

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You can also connect with us on:

- Facebook: [www.facebook.com/GtrManchesterPolice](http://www.facebook.com/GtrManchesterPolice)
- Twitter: [www.twitter.com/gmpolice](http://www.twitter.com/gmpolice)
- Instagram: [www.instagram.com/gtrmanchesterpolice](http://www.instagram.com/gtrmanchesterpolice)
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To find out what is happening in your area, visit [www.gmp.police.uk/a/your-area](http://www.gmp.police.uk/a/your-area) where you will be able to follow local social media accounts.

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*Thank you for your co-operation.*

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**Tameside & Glossop Strategic Commission  
Equality Impact Assessment (EIA) Form**

<b>Subject / Title</b>	Statement of Licensing Policy 2022-2027
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<b>Team</b>	<b>Department</b>	<b>Directorate</b>
Licensing	Environmental Services	Place

<b>Start Date</b>	<b>Completion Date</b>
10 October 2021	24 May 2022

<b>Project Lead Officer</b>	Mike Robinson
<b>Contract / Commissioning Manager</b>	Sharon Smith
<b>Assistant Director/ Director</b>	Emma Varnam / Ian Saxon

<b>EIA Group (lead contact first)</b>	<b>Job title</b>	<b>Service</b>
Emma Varnam	Assistant Executive Director	Operations and Neighbourhoods
Sharon Smith	Head of Public Protection	Public Protection
Mike Robinson	Regulatory Services Manager (Licensing)	Licensing

**PART 1 – INITIAL SCREENING**

*An Equality Impact Assessment (EIA) is required for all formal decisions that involve changes to service delivery and/or provision. Note: all other changes – whether a formal decision or not – require consideration for an EIA.*

*The Initial screening is a quick and easy process which aims to identify:*

- *those projects, proposals and service or contract changes which require a full EIA by looking at the potential impact on, or relevance to, any of the equality groups*
- *prioritise if and when a full EIA should be completed*
- *explain and record the reasons why it is deemed a full EIA is not required*

*A full EIA should always be undertaken if the project, proposal and service / contract change is likely to have an impact upon, or relevance to, people with a protected characteristic. This should be undertaken irrespective of whether the impact or relevancy is major or minor, or on a large or small group of people. If the initial screening concludes a full EIA is not required, please fully explain the reasons for this at 1e and ensure this form is signed off by the relevant Contract / Commissioning Manager and the Assistant Director / Director.*

**Tameside & Glossop Strategic Commission  
Equality Impact Assessment (EIA) Form**

<b>1a.</b>	<b>What is the project, proposal or service / contract change?</b>	<p>Section 5 of the Licensing Act 2003 requires a licensing authority to prepare and publish a statement of its Licensing Policy, reviewed every five years. Such a policy must be published before the authority carries out any function in respect of individual applications and notices made under the terms of the Licensing Act 2003.</p> <p>The policy sets out the general approach to make licensing decisions whilst remaining consistent with the provisions of the Licensing Act 2003.</p>
<b>1b.</b>	<b>What are the main aims of the project, proposal or service / contract change?</b>	The Licensing Act 2003 requires the Council, to update the existing statement of licensing policy in order to keep the policies relevant and up-to-date.

<p><b>1c. Will the project, proposal or service / contract change have either a direct or indirect impact on, or relevance to, any groups of people with protected equality characteristics?</b></p> <p><b>Where there is a direct or indirect impact on, or relevance to, a group of people with protected equality characteristics as a result of the project, proposal or service / contract change please explain why and how that group of people will be affected.</b></p>				
Protected Characteristic	Direct Impact/Relevance	Indirect Impact/Relevance	Little / No Impact/Relevance	Explanation
Age			✓	
Disability			✓	
Ethnicity			✓	
Sex			✓	
Religion or Belief			✓	
Sexual Orientation			✓	
Gender Reassignment			✓	
Pregnancy & Maternity			✓	
Marriage & Civil Partnership			✓	
<b>Other protected groups determined locally by Tameside and Glossop Strategic</b>				

**Tameside & Glossop Strategic Commission  
Equality Impact Assessment (EIA) Form**

<b>Commission?</b>				
<b>Group (please state)</b>	<b>Direct Impact/Relevance</b>	<b>Indirect Impact/Relevance</b>	<b>Little / No Impact/Relevance</b>	<b>Explanation</b>
Mental Health			✓	
Carers			✓	
Military Veterans			✓	
Breast Feeding			✓	
<b>Are there any other groups who you feel may be impacted by the project, proposal or service/contract change or which it may have relevance to?</b> <i>(e.g. vulnerable residents, isolated residents, those who are homeless)</i>				
<b>Group (please state)</b>	<b>Direct Impact/Relevance</b>	<b>Indirect Impact/Relevance</b>	<b>Little / No Impact/Relevance</b>	<b>Explanation</b>
Low or no income groups			✓	

*“Low or no income groups” should be included as a key consideration when assessing the impact of your project, proposal, policy or service/contract change.*

*Wherever a direct or indirect impact or relevance has been identified you should consider undertaking a full EIA or be able to adequately explain your reasoning for not doing so. Where little / no impact or relevance is anticipated, this can be explored in more detail when undertaking a full EIA.*

<b>1d.</b>	<b>Does the project, proposal or service / contract change require a full EIA?</b>	<b>Yes</b>	<b>No</b>
			✓
<b>1e.</b>	<b>What are your reasons for the decision made at 1d?</b>	<p>The changes proposed in the revised Statement of Licensing policy are not anticipated to impact on protected characteristic groups or the wider community.</p> <p>The policy itself is intended to have an overall positive impact on the area and its residents, supporting the safe operation of licensed premises in the Tameside.</p>	

*If a full EIA is required please progress to Part 2.*

**Tameside & Glossop Strategic Commission  
Equality Impact Assessment (EIA) Form**

**PART 2 – FULL EQUALITY IMPACT ASSESSMENT**

<b>2a. Summary</b>
Not required

<b>2b. Issues to Consider</b>
N/A

<b>2c. Impact/Relevance</b>
N/A





**Tameside & Glossop Strategic Commission  
Equality Impact Assessment (EIA) Form**

<b>2d. Mitigations</b> (Where you have identified an impact/relevance, what can be done to reduce or mitigate it?)	
N/A	N/A

<b>2e. Evidence Sources</b>
N/A

<b>2f. Monitoring progress</b>		
<b>Issue / Action</b>	<b>Lead officer</b>	<b>Timescale</b>
N/A	N/A	N/A

<b>Signature of Contract / Commissioning Manager</b>	<b>Date</b>
	14 April 2022
<b>Signature of Assistant Director / Director</b>	<b>Date</b>
	14 April 2022

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