



Civic Centre, Riverside, Stafford

Contact Jim Dean  
Direct Dial 01785 619209

Email [jdean@staffordbc.gov.uk](mailto:jdean@staffordbc.gov.uk)

Dear Members

### **Cabinet**

A meeting of the Cabinet will be held on **Thursday 7 November 2024** at **6.30pm** in the **Craddock Room, Civic Centre, Riverside, Stafford** to deal with the business as set out on the agenda.

Please note that this meeting will be recorded

Members are reminded that contact officers are shown at the top of each report and members are welcome to raise questions etc in advance of the meeting with the appropriate officer.

A handwritten signature in black ink, appearing to read "I. Curran".

Head of Law and Governance

## CABINET - 7 NOVEMBER 2024

Chair - Councillor A T A Godfrey

### AGENDA

- 1 Minutes of 3 October 2024 as circulated and published on 4 October 2024.
- 2 Apologies
- 3 Councillors' Question Time (if any)
- 4 Notice of Motion referred from Council Meeting held on 10 September 2024

- (a) A Notice of Motion pursuant to Paragraph 13.1 of the Council Procedure Rules had been proposed by Councillors J M Pert and A P Edgeller and subsequently referred to Cabinet without discussion, as provided for under rule 13.5 of the Council Procedure Rules:-

'Changes to the Winter Fuel Allowance and Protecting Pensioners from Fuel Poverty

Council notes:

- The Labour Government's recent decision to restrict the Winter Fuel Payment to only pensioners in receipt of means-tested benefits like Pension Credit, as announced by Chancellor Rachel Reeves.
- The estimated impact of this decision, which Age UK says will mean 2 million pensioners who badly need the money to stay warm this winter will not receive it.
- The significant role that Winter Fuel Payments play in helping older residents of Stafford Borough and across the UK afford heating during the coldest months, thereby preventing 'heat or eat' dilemmas and safeguarding health.
- The criticism from Age UK, the Countryside Alliance and other charities, highlighting the social injustice and potential health risks posed by this sudden policy change.
- The additional strain this decision will place on vulnerable pensioners, many of whom do not claim Pension Credit despite being eligible, further exacerbating their financial hardship.
- This is on top of the recently announced increase in the Fuel Price Cap by 10% on 1 October 2024, making it doubly difficult for many pensioners to stay warm without risking turning their heating down or not using it at all this Winter.

Council believes:

- That the Winter Fuel Payment has been a lifeline for many older people across the UK and that restricting its availability solely to those on Pension Credit risks leaving many pensioners in financial hardship.
- While some pensioners currently in receipt of the Winter Fuel Payment may not require it, many thousands across Stafford Borough sit just above the cut-off for Pension Credit and will now lose their allowance.
- The decision to means-test Winter Fuel Payments, especially with such short notice and without adequate compensatory measures, is deeply unfair and will disproportionately affect the health and well-being of our poorest older residents.
- The government's approach fails to consider the administrative barriers and stigma that prevent eligible pensioners from claiming Pension Credit, leaving many without the support they desperately need.

Council resolves to:

- (1) Bring forward a Council-led local awareness campaign to alert those eligible of Pension Credit which in some respects will help access to the Winter Fuel Payment for those most in need.
- (2) Request that the Council Leader write to the Chancellor of the Exchequer, urging a review of the decision to means-test the Winter Fuel Payment and asking the government to ensure that vulnerable pensioners, particularly those who do not claim Pension Credit, are protected from fuel poverty.
- (3) Commit the Council to signing the 'Save the Winter Fuel Payment for Struggling Pensioners' petition being run by Age UK and write to all Members offering them the opportunity to sign the petition themselves.
- (4) Encourage local efforts to promote Pension Credit uptake through council services and partnerships with local charities and community organisations to ensure that all eligible pensioners in Stafford Borough are supported in claiming their entitlement.
- (5) Find ways to support some of the most vulnerable pensioners locally affected by this policy decision throughout the Winter, so that they don't face 'heating or eating dilemma' at a time when some pensioners cannot afford to meet the most basic of needs, especially those in rural areas who have some of the least energy efficient housing.
- (6) Prioritise funding to support those worst affected struggling pensioners by realigning budgets and funding'

5 Proposals of the Cabinet Members (as follows):-

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## **Membership**

### **Chair - Councillor A T A Godfrey**

- |               |   |
|---------------|---|
| A T A Godfrey | - Leader  |
| R Kenney      | - Deputy Leader (Town Centres Regeneration Portfolio) |
| R P Cooke     | - Resources Portfolio                                 |
| I D Fordham   | - Environment Portfolio                               |
| J Hood        | - Community Portfolio                                 |
| G P K Pardesi | - Leisure Portfolio                                   |
| A N Pearce    | - Climate Action and Nature Recovery Portfolio        |
| A F Reid      | - Economic Development and Planning Portfolio         |

## Agenda Item 5(a)i

# Priority Projects for 2024-25

<b>Committee:</b>	Cabinet
<b>Date of Meeting:</b>	7 November 2024
<b>Report of:</b>	Deputy Chief Executive - Resources
<b>Portfolio:</b>	Leader of the Council

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## 1 Purpose of Report

- 1.1 This report sets out the priority projects and key performance indicators that form the basis of the Council's performance management framework for 2024/25.

## 2 Recommendations

- 2.1 Cabinet is asked to approve the list of priority projects set out in paragraph 3.6 and the key performance indicators set out in **APPENDIX 4**

### Reasons for Recommendations

- 2.2 Prioritisation of the Council's work programme for 2024/25 is essential for the effective allocation of resources.

## 3 Key Issues

- 3.1 The Council is ambitious to deliver significant change to Stafford town centre, to deliver its Shared Services agenda and value for money (VFM) in service delivery.
- 3.2 It is proposed that these three themes will be central to the Council's priorities going forward and a new corporate plan is being prepared to reflect this. Work has commenced on the drafting of the new corporate plan and the timetable for its development is set out in **APPENDIX 1**. This will run in tandem with the preparation of the budget for 2025/26. It is also proposed to change the timeline for the review of fees and charges as part of this so that it aligns with the budget cycle in future.

- 3.3 Pending approval of the new corporate plan, the Council's overarching priorities remain as:
- (i) **The Economy** - To deliver sustainable economic and housing growth to provide income and jobs
  - (ii) **Community** - To improve the quality of life of local people by providing a safe, clean, attractive place to live and work and encouraging people to be engaged in developing strong communities that promote health and wellbeing.
  - (iii) **Climate Change** - To tackle Climate Change by implementing our Climate Change and Green Recovery objectives
  - (iv) **The Council** - To be a well-run, financially sustainable and ambitious organisation, responsive to the needs of our customers and communities and focussed on delivering our objectives.
- 3.4 The projects that underpin the delivery of the Council's priorities have been reviewed against the resources available, changes in local circumstances and to reflect the national agenda emerging from the new Government.
- 3.5 In common with many public sector organisations, the Council faces a number of challenges in terms of both funding and capacity, resulting from austerity measures imposed over recent years. Revenue budgets remain tight and future funding is uncertain, with settlements being given for 12 months at a time. Capacity is being impacted by a shortage of suitably qualified and experienced staff in key areas, including support services and the number of projects being supported.
- 3.6 In order to ensure that resources can be allocated effectively, a review has been undertaken of the projects and workstreams for each of the corporate priorities to prioritise them and inform the work programme for 2024/25. The key projects for each of the 4 corporate priorities are set out below:

#### **Corporate Business Objective 1 - The Economy**

1. Economic Growth and Regeneration Projects
2. Local plan – respond to updated National Planning Policy Framework (NPPF) including evidence review
3. Development Management transformation including review of planning enforcement
4. S106 – review of policy and process
5. Land Charges

## **Corporate Business Objective 2 - Community**

6. Housing strategy and homelessness, including new council house building
7. Full review of leisure offering and planning ahead for future delivery including contract procurement/ renewal
8. Health strategy and development of wider approach to health and wellbeing for both Councils
9. Waste contracts including Food waste
10. Tree Management
11. Play area investment and rationalisation
12. Private water supplies

## **Corporate Business Objective 3 - Climate Change**

13. Climate change

## **Corporate Business Objective 4 - The Council**

14. Delivery of the Value for Money (VFM) Improvement Plan
15. Closure of the Accounts, the audit and VFM review for 23/24
16. Transformation of all Services
17. Digital Strategy including IT systems replacements
18. Strategic asset management including the review of key assets.

Further details on the priority projects can be found in **APPENDIX 2**.

3.7 Priority Delivery Plans (PDPs) have been developed, setting out the key actions and milestones for 2024/25. These are attached at **APPENDIX 3**. A separate delivery plan already exists for the VFM Improvement work and will continue to be performance managed outside of the delivery plans to avoid duplication.

3.8 The Priority Delivery Plans are also accompanied by a set of key performance indicators (KPIs) which measure the delivery of operational services (**APPENDIX 4**).

## **4 Relationship to Corporate Priorities**

4.1 The report sets out the priority projects for 2024/25 and these contribute to all of the Councils priorities.



## **5 Report Detail**

### **5.1 Background and Context**

5.1.1 Like many other Councils, the Council faces a range of opportunities and challenges which it must balance. The Council has successfully bid for significant regeneration funds which commits it to wide ranging projects. Whilst offering significant benefits to the Borough, at the same time they create additional work for teams which are already experiencing capacity issues through recruitment difficulties, changes in demand/expectations and legislative changes. The Council also continues to face financial challenges, increasing costs and uncertainty around future settlements from the Government.

5.1.2 As part of the preparations for the development of the new Corporate Plan, a wider review of the Council's position has been undertaken. This has included reviewing existing projects and commitments, emerging work areas and service areas whose performance needs to be improved.

5.1.3 The review has also considered the change in national Government and the new opportunities and expectations this brings. For local government, these include:

- New house building targets
- Creation of new towns and housing affordability
- Speed up and streamline the planning process
- Up-to-date local plans (national planning policy framework)
- Private rented sector - abolition of no-fault evictions
- Building Safety
- Ending homelessness
- Devolution proposals.

### **5.2 Priority Workstreams**

5.2.1 There needs to be a focus on key workstreams in order to make the best use of the resources we have available.

5.2.2 Three key areas have been identified as being central to the Council's plan going forward. These are:

- (i) Delivery of the town centre regeneration schemes;

- (ii) Delivery of the VFM improvement plan; and
- (iii) Delivery of the shared services transformation programme.

- 5.2.2 Economic growth and investment in the Borough is an existing priority project. The Council has been successful in securing substantial funding for schemes to regenerate the town centre. These schemes are significant in scale, complexity and risk but present opportunities to bring in private sector investment to transform and revitalise the town centre. The schemes have to be delivered within a set timescale in accordance with the funding requirements.
- 5.2.3 Delivery of the VFM Improvement plan is a more recent priority project, following receipt of the External Auditor's VFM report earlier this year. The report relates to the VFM review covering the period 2021/22 and 2022/23. It includes a number of recommendations, including one statutory one, and highlighted a large body of work that needs to be completed to ensure that the Council has solid foundations to deliver the priority projects and workstreams as well as day to day activities and appropriate monitoring and governance. An action plan has already been prepared to address the findings of the report and work has commenced on delivering this.
- 5.2.4 There is an ambitious transformation agenda associated with the sharing of services with Cannock Chase Council. This is an existing priority project which needs to be developed and delivered to bring the two Councils' workforces together and maximise the benefits of shared services. Following completion of the restructuring at service manager level, we are now scoping out the transformation work programme. This work cuts across all service areas.
- 5.2.5 The full list of priority projects is summarised below split across each of the corporate priorities. The list also indicates whether the project is an existing priority or a new one.

### **Corporate Business Objective 1 - The Economy**

1. Economic Growth and Regeneration Projects - existing priority project
2. Local plan - respond to updated National Planning Policy Framework (NPPF) including evidence review - existing priority project
3. Development Management transformation including review of planning enforcement - existing priority project
4. S106 - review of policy and process - new priority project
5. Land Charges - new priority project

### **Corporate Business Objective 2 - Community**

6. Housing strategy and homelessness, including new council house building - homelessness is an existing priority project whereas council house building is a new priority.
7. Full review of leisure offering and planning ahead for future delivery including contract procurement/ renewal - new priority project
8. Health strategy and development of wider approach to health and wellbeing for both Councils - new priority project
9. Waste contracts including food waste - new priority project
10. Tree Management - new priority project
11. Play area investment and rationalisation - new priority project
12. Private water supplies - new priority project

### **Corporate Business Objective 3 - Climate Change**

13. Climate change - existing priority project

### **Corporate Business Objective 4 - The Council**

14. Delivery of the Value for Money (VFM) Improvement Plan - new priority project
15. Closure of the Accounts, the audit and VFM review for 23/24 - new priority project
16. Transformation of all Services - existing priority project
17. Digital Strategy including IT systems replacements - new priority project
18. Strategic asset management including the review of key assets - new priority project

5.2.6 Further details on the priority projects are given in **APPENDIX 2**.

### **5.3 Monitoring and Management of the Delivery of the Priority Projects**

- 5.3.1 Delivery plans have been established for each of the priority projects. Performance in delivering these will be reported to Cabinet and the relevant Scrutiny Committee. The Delivery Plans are set out in **APPENDIX 3**.
- 5.3.2 A VFM improvement plan is already in place and progress is being reported to Cabinet and the Audit and Accounts Committee. This will remain separate from the Delivery Plans to avoid duplication.

5.3.3 The Transformation Strategy is to be reported to Cabinet separately and this will set out the proposed governance arrangements for managing the delivery of this work and reporting on this to Members.

5.3.4 Performance in the delivery of operational services will be monitored through the Key Performance Indicators set out in **APPENDIX 4**. These have been modified from those set out in the Corporate Plan, to reflect the changes made to the work programme for 2024/25 but they are also being subject to a further, more in-depth review as part of the development of the new corporate plan.

## **6 Implications**

### **6.1 Financial**

Budgets will be required to deliver the corporate priorities listed above. As the projects are developed business cases will be prepared which detail the financial requirements and resource needs of each. These will then be presented for approval to members, being clear where the funds are being allocated from. There may be competing demands for limited resources from the above projects which will lead to members and officers needing to ensure that decisions on the allocation of resources are robust.

### **6.2 Legal**

The Local Government Act 1999 requires local authorities to make arrangements to secure continuous improvement in the way in which their functions are exercised, having regard to a combination of economy, efficiency and effectiveness (the Best Value Duty). Regard must be had to the statutory guidance which advises authorities to set clear and achievable priorities, to review corporate plans to ensure they are current and realistic, and to ensure resources are used effectively having regard to any capacity constraints.

### **6.3 Human Resources**

Capacity has been identified as an issue in the report. It is important that this is managed to protect the wellbeing of employees.

### **6.4 Risk Management**

Capacity has been identified as a risk on the Council's strategic risk register. Prioritisation of key projects will assist in the management of this risk.

### **6.5 Equalities and Diversity**

None

**6.6 Health**

None

**6.7 Climate Change**

Work on the climate change strategy has been identified as a priority

**7 Appendices**

Appendix 1: Timetable for new Corporate Plan 2025/26 to 2027/28

Appendix 2: Priority Projects for 2024/25

Appendix 3: Delivery Plans for Priority Projects

Appendix 4: Key Performance Indicators for Operational Services

**8 Previous Consideration**

*None*

**9 Background Papers**

VFM report and Improvement Plan

<b>Contact Officer:</b>	Judith Aupers
<b>Telephone Number:</b>	01543 464411
<b>Ward Interest:</b>	All
<b>Report Track:</b>	Cabinet 7 November 2024 (Only)
<b>Key Decision:</b>	Yes

### Timetable for Production of the Corporate Plan for 2025/26 - 27/28

<b>Milestones</b>	<b>Meeting Dates</b>
Discussion with Cabinet on the Priorities	September 2024
Leadership Team - Draft Plan	22 October 2024
Cabinet Briefing - Draft Plan	7 November 2024
Cabinet - Draft Plan	5 December 2024
Consultation & Engagement with stakeholders on the Draft Plan	December 2024 / January 2025
Resources Scrutiny Committee - consultation on the Draft Plan	Additional meeting to be arranged December /early January
Leadership Team - Final Plan	4 February 2025
Cabinet Briefing - Final Plan	20 February 2025
Cabinet - Final Plan	6 March 2025
Council for approval	8 April 2025

**Report Track:** Cabinet 7 November 2024; Resources Scrutiny Committee (date tbc)

**Key Decision:** Yes

## Appendix 2

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### Priority Projects for 2024-25

#### Corporate Business Objective 1 - The Economy

**1. Economic Growth and Delivery of Regeneration Schemes**

- Co-op Scheme
- Guildhall project
- Station Gateway

These 3 major schemes are central to the regeneration of Stafford town centre. The projects are high profile with the public and partners. They have significant external funding to support the delivery. The projects have to be delivered within set timescales as part of the funding conditions. The schemes are substantial in scale and complexity but offer opportunities to attract investment from the private sector into the redevelopment of the town centre.

**2. Local Plan**

The Council is currently producing a new Local Plan for the period 2020 to 2040 to replace the adopted Local Plan (2011 - 2031) which was adopted in 2014. The new Local Plan reached the Regulation 18 (Preferred Option) stage in October 2022. Since then, the previous and new Government have announced reforms to the planning system and a new version of the National Planning Policy Framework (NPPF) is currently out to consultation. The new Government has announced its ambition to significantly increase the volume of housebuilding at national level, particularly affordable and social housing. It is proposed that Local Planning Authorities (LPAs) will be set mandatory housing targets to help achieve the Government's housebuilding ambitions and this will impact on the preparation of the Council's new Local Plan.

There will be a need to review the impact of the new NPPF on the Council's new Local Plan, ensure that the evidence base is refreshed, and a timetable is produced and published, this will also include an assessment of the resources required to progress the new plan.

### **3. Planning Development Management**

Work is ongoing to reduce the total number of outstanding planning applications being processed by the Council, this includes a number of historic cases which have been with the Council for longer than two years. Work is also ongoing to improve the speed of validating applications, the speed of decision making and improve customer service.

Progress in reducing the total number of applications and historic backlogs to date has largely been achieved through the use of significant additional resources. Due to problems in recruiting, this has mainly been done by using agency staff and a contractor. This cannot be sustained going forward. There is need to improve efficiency through the re-design of processes, better use of the planning system and improved performance management. It is proposed to commission an independent external review of the Development Management service. The output of the review will be an initial improvement plan for the next 12 months. The review will also consider wider transformation options and recommendations for the sharing of SBC and Cannock Chase Council's Development Management Service.

### **4. S106 - review of policy and process**

Section 106 Agreements provide the infrastructure required to mitigate negative impacts of development. Planning obligations secured through a S106 Agreement can be used to address issues such as the provision of affordable housing highway improvements, play provision or payments

The Council has historically negotiated and collected significant sums of Section 106 funding and is required to publish an Annual Infrastructure Statement each year to show much funding has been collected and allocated/spent to projects. Although the Council has made progress in ensuring that effective monitoring systems are in place, and that funding is appropriately allocated to projects (Council priorities or local projects); there is a need to review the Council's Section 106 policy and procedures, to ensure that there is a decision making framework in place to increase the pace that funding is allocated to local priorities and that the Council can more effectively use S106 funding to deliver against its own priority projects.

### **5. Land Charges**

Part of the Land Charges Service is due to be transferred to His Majesty's Land Registry (HMLR). This on its own is a substantial piece of work. But in addition, the IT system used by the service needs to be replaced as a priority as it will not be supported by the supplier after 31 March 2025. The IT system is integral to successfully migrating the service to HMLR). The new IT system will need to be supported by transformation of the supporting processes to maximise efficiency benefits to the service and its customers.



## **Corporate Business Objective 2 - Community**

### **6. Housing and Homelessness Strategy and Council Owned Housing**

A new housing strategy will be produced that will encompass the Council's ambition to own housing. It will develop a framework to guide housing development and/or acquisition and result in Stafford Borough Council owning stock. The strategy will go beyond the Council owning housing and will inform the ambitions of the strategic housing service. This will be produced alongside the statutory homelessness and rough sleeper strategy, which among other aims will look to reduce costly use of Bed and Breakfast accommodation.

### **7. Review of Leisure Service Provision**

The initial 10-year contract with Freedom Leisure finishes at the end of November 2027 and a decision needs to be made on whether to extend the contract or reprocure the services. This priority will review the way leisure, culture and heritage is delivered in the Borough and determine what should be provided and the arrangements that would best deliver these services going forward.

### **8. Health strategy and development of wider approach to health**

The newly formed Integrated Care Systems aim to improve health and care services with a focus on prevention, better outcomes and reducing health inequalities. Councils are well placed to support and influence this critical agenda through both core services and focussed activity. This workstream will set out the strategic direction and delivery plans on how we are going to make an impact in this area.

### **9. Waste and Recycling (inc Food Waste Collections)**

All councils across England are being mandated to provide separate weekly food waste collections from April 2026 as part of central governments Resources and Waste Strategy 2018. While work has already begun, there is still much work to be undertaken before this can happen including, planning the new services, agreeing disposal points, negotiating with contractors, procurement of containers, and communications with residents.

Although the Government is providing funding for the initial implementation and service delivery, ongoing funding may be an issue. While this is a statutory function, the manner that it is delivered gives the Council choices. These will need to be reviewed to ensure that they meet the statutory requirements.

The 10-year waste and recycling collection contract does not end until March 2028, and has the option to extend for a further 10 years. However, industry and market conditions have changed since the original tender. The waste and

commercial services team will be reviewing the existing contract, the needs of residents, and looking at the extension and other options during the period.

## **10. Tree Management**

There are approximately 45,000 trees on Council land that we have a statutory duty to inspect and maintain. The Council also has a statutory duty to manage tree protection orders across the district/borough, including in their issuing, registration, amendment, reapplication, and revocation. In order to ensure this is carried out correctly it is considered essential that the Council develops a work and investment strategy and plan well for the future. Sitting alongside this, there will need to be a review of the funding available for tree inspections and the maintenance of them.

Due to the large number of trees and amount of associated data involved, the Council also needs to update its electronic tree management system to aid the efficient management of trees and tree protection orders. It is intended the system should be accessible in part to the public to allow ease of access to tree management information, including tree protection order details and tree protection alteration applications.

This is a substantial piece of work and will continue into 2025/26. It will be undertaken jointly with Cannock Chase District Council as part of the shared services transformation work.

## **11. Play area investment and rationalisation**

The Council recognises the importance of good quality play areas and parks for its residents and visitors. The Council has undertaken improvement works to a number of its play areas over the last few years, including a £1.4m investment in Westbridge Park in Stone, which was officially opened in April. Over the period it is intended to review all of the Council owned play areas across the borough with a view to prioritising their improvement. It is also intended to review the play areas, especially in relation to the area they serve and their ongoing budgetary requirements for investment and maintenance over the coming years, in a bid to maximise best value.

## **12. Private water supplies**

The Environmental Health team is responsible for monitoring private water supplies to ensure that quality standards are met and the water is safe to drink. Improvements need to be made in the delivery of this service moving forward to ensure that targets set externally by the Drinking Water Inspectorate are met.

## **Corporate Business Objective 3 - Climate Change**

### **13. Climate Change**

As Climate Change mitigation is a significant priority, it is important for us to have a plan that lays out how we as a Borough work towards addressing the Climate Emergency. This will include setting out the Council's strategy for Nature Recovery. These strategic aspirations are supported by a Climate Change Action Plan to ensure we are working towards our net zero targets, and these are incorporated in operational delivery by all service areas. The strategy will also put in place a robust governance process chaired by the relevant Cabinet Member and or the Deputy Chief Executive for Place.

## **Corporate Business Objective 4 - The Council**

### **14. Delivery of the VFM Improvement Plan**

The VFM improvement plan was produced in response to the External Auditor's Annual Report for 2021/22 and 2022/23. It is multifaceted and will be challenging to deliver, despite the investment that has been agreed as part of the budget process, as many of the officers involved with this work have other key workstreams to deliver.

Delivery of the VFM improvement plan is vital as it will improve our ability to deliver services, manage the running of the Council and make effective decisions. It is also essential that we are seen by stakeholders and the External Auditors to be making progress against the agreed improvement plan.

### **15. Closure of the accounts, the audit and VFM review for 23/24**

Whilst the intention is to not proceed with the outstanding audits of accounts for 2021/22 and 2022/23, we will need to proceed with preparation of the 23/24 accounts. At present it is anticipated that due to depleted resources coupled with the pressures on the Finance Team from the wider organisation, it will not be possible to prepare the 23/24 accounts on time. This will have an impact on the VFM improvement plan and require a re-planning of the Finance Team work plan going forwards to ensure that this does not become a repeat of the current position with outstanding accounts and audits.

In addition to the closure of the accounts, considerable work will be involved in supporting the External Auditors to complete the audit of the accounts and the VFM review for 2023/24. As we will have new external auditors to work with, it is going to take more time in this first year for them to gain an understanding of the two Councils and we will be under close scrutiny given the VFM report covering the last two years.

## **16. Shared Services - Transformation of all Services**

With the completion of the senior management restructure, work is now commencing on bringing the service teams together and planning for the transformation work that is needed. This will include team restructures and process redesign as well as software changes to deliver further savings and efficiencies. These will happen in phases to allow managers time to familiarise themselves with their new roles and according to service need.

A transformation programme of this scale is the first to be undertaken. It is estimated that it will take 2-3 years to deliver. It has the potential to deliver significant improvements for our customers, improve efficiency and deliver savings.

Whilst some additional resources have been agreed to fund setting up a corporate team to support and manage delivery of the programme, it is going to require significant input from the service areas directly affected and the corporate support services.

## **17. Digital Strategy including IT systems replacements**

There is a need to invest in and modernise the Council's IT infrastructure and service platforms. A digital strategy has been developed to support this work.

Investment has been approved by Council for new switches and to replace the platform that hosts our virtual machines. Installation of the new equipment is being planned for and is due to commence shortly.

A number of key systems are coming to end of support and are in need of replacing to both improve the efficiency of service delivery and our cyber security arrangements. There is a lack of clarity about the software and technology needs of the service areas and a patchwork of various software solutions has evolved organically which is complicated and does not meet the needs of the Council. This needs to be tied into the workforce and asset strategy as well as tied to the needs of the end users. The Technology Service will liaise with managers to work up a full understanding of the organisation and a review of contracts in place to ensure we are compliant.

Ongoing development of the new Customer Portal (Goss) will also be a key part of our transformation programme to improve customer service. We also need to invest in new software BI to support the development work on performance management etc as referred to in the VFM report.

## **18. Strategic Asset Management**

A review of our approach to asset management is needed to set the strategic direction and rationalisation/estate usage. The review will include a clear approach to asset appraisal, determining its value to the authority not just on a financial basis but also for the delivery of outcomes.

As part of the review of the Council's assets, consideration is to be given to the future of the existing office accommodation and depots. The buildings are in need of refurbishment work and the costs of this will be significant. The move to hybrid working, though the final position on this has yet to be agreed, has resulted in under-occupancy of the building and letting vacant space is currently a competitive market. The sharing of services with CCDC will also have an impact on both office and depot space requirements depending on the outcome of the transformation work.

The asset review is also to include researching, procuring and implementing a new IT system to provide a comprehensive record all of the Council's assets, valuation, maintenance schedules etc.

There is currently a proposal to adopt Corporate landlord model but this needs work to understand/reallocate budgets and set up guidance and processes. It also needs to be determined what the staffing structure and expertise required are to support this model.

**The Economy**  
**Priority Delivery Plan for 2024-25**

Project	Actions and Milestones	Q1	Q2	Q3	Q4
Delivery of major economic growth regeneration projects	<b>Stafford Town Centre Transformation (Future High Street Fund)</b>				
	<ul style="list-style-type: none"> <li>Commence work on Station Approach project</li> </ul>				X
	<ul style="list-style-type: none"> <li>Conclude acquisition of former Co-operative department store</li> </ul>		X		
	<ul style="list-style-type: none"> <li>Secure planning consents for demolition of Guildhall Shopping Centre and former Co-operative department store</li> </ul>			X	
	<ul style="list-style-type: none"> <li>Commence demolition works to Guildhall Shopping Centre</li> </ul>			X	
	<ul style="list-style-type: none"> <li>Commence demolition works to former Co-operative department store</li> </ul>			X	
	<ul style="list-style-type: none"> <li>Identify development delivery route for cleared Guildhall and Co-op sites including delivery model, scheme development mix, funding model and procurement and details of public consultation</li> </ul>				X
	<b>Stafford Station Gateway</b>				
	<ul style="list-style-type: none"> <li>Establish Programme Board and governance arrangements</li> </ul>		X		

## The Economy

Project	Actions and Milestones	Q1	Q2	Q3	Q4
	<ul style="list-style-type: none"> <li>Acquisition of commercial interests (subject to confirmation of Levelling Up Funding award from MHCLG)</li> </ul>			X	
	<ul style="list-style-type: none"> <li>Commence remediation works on site (subject to confirmation of Levelling Up Funding award from MHCLG)</li> </ul>				X
	<b>UK Shared Prosperity Fund</b>				
	<ul style="list-style-type: none"> <li>Implement and deliver the UKSPF projects in year 3 of the Council's approved Investment Plan, working towards full allocation of spend by 31 March 2025 and delivery of outputs</li> </ul>				X
Local Plan	<ul style="list-style-type: none"> <li>National Planning Policy Framework (NPPF) consultation response and local impacts</li> </ul>		X		
	<ul style="list-style-type: none"> <li>Review of evidence base for new Local Plan</li> <li>Review approach to Development Strategy for new Local Plan</li> </ul>			X	
	<ul style="list-style-type: none"> <li>Revised Local Development Scheme (LDS) &amp; Local Plan resource requirements including evidence base</li> <li>Agree approach to Design Coding and Conservation Area Appraisals</li> </ul>				X

## The Economy

Project	Actions and Milestones	Q1	Q2	Q3	Q4
Development Management service improvement and transformation	<ul style="list-style-type: none"> <li>Re-introduce pre-application advice on a chargeable basis</li> </ul>			X	
	<ul style="list-style-type: none"> <li>Commission External review of Development Management service</li> </ul>		X		
	<ul style="list-style-type: none"> <li>Complete External review of Development Management service and development of improvement service delivery plan</li> </ul>			X	
	<ul style="list-style-type: none"> <li>New Planning system scoping and specification</li> </ul>				X
	<ul style="list-style-type: none"> <li>Review planning enforcement service provision and protocols/ policy</li> </ul>				X
Planning Obligations - Review of Policy and Allocations	<ul style="list-style-type: none"> <li>Charging schedules for Section 106 and Biodiversity Net Gain (BNG) monitoring fees <ul style="list-style-type: none"> <li>Cabinet approval</li> <li>Implementation</li> </ul> </li> </ul>		X	X	
	<ul style="list-style-type: none"> <li>Implement Exacom system for BNG</li> </ul>			X	
	<ul style="list-style-type: none"> <li>Planning obligations Working Group <ul style="list-style-type: none"> <li>Establish group and terms of reference</li> <li>Agree governance and schedule of meetings</li> </ul> </li> </ul>		X		
	<ul style="list-style-type: none"> <li>Programme and Project Allocations including Cannock Chase SAC and Leisure through updated evidence base</li> </ul>			X	X



## The Economy

Project	Actions and Milestones	Q1	Q2	Q3	Q4
Land Charges	Full review of Land Charges Service to include a review of current processes and IT systems		X		
	Transformation of Land Charges scoped and timeline in place to drive this forward			X	
	Procure replacement IT System				X
	Working towards transformed service				X

**Community  
Priority Delivery Plan for 2024-25**

<b>Project</b>	<b>Actions and Milestones</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>
Housing and Homelessness Strategy and approach to building new Council homes	Prepare documents to commission Stafford Housing Strategy including approach to developing Council Housing.			X	
	Start procurement for Stafford Housing Strategy.				X
	Prepare documents to commission consultants to scope the feasibility of a housing development on Council owned land			X	
	Start procurement to scope the feasibility of development on a Council owned site				X
	Completion of Stafford Homelessness and Rough Sleeper Strategy				X
SBC - Review of the Leisure, Culture and Heritage Contract	Finalise Freedom Leisure Strategic Partnership Plan				X
Design and Deliver Stafford Borough's approach to Health	Complete delivery of health inequalities funded projects		X		
	Evaluation of health inequalities funded projects to inform future activity			X	
	Commence work on drafting Community Wellbeing Strategy, setting out priorities across community safety and health.				X

## Community

Project	Actions and Milestones	Q1	Q2	Q3	Q4
Waste and Recycling - Kerbside collection contract (2025-2032)	Review current waste collection service			X	
	Review potential extension options with incumbent waste collection contractor				X
	Report to Cabinet on extension option or re-procurement requirement				X
Waste and Recycling - Introduction of mandatory food waste kerbside collections [ * denotes action subject to confirmation of government funding settlement]	Design of new service model and discussions with contractor			X	
	Consider and action revenue settlement offered by Government			X*	
	Cabinet approval for new service, start date, and permission to spend				X*
	Prepare to tender for the procurement of food waste caddies				X*
Tree Management	Review current services and establish requirements (including Tree Protection Orders)				X
Play Area / Parks Improvements	Review condition of current play areas and funding availability for improvements and cyclical maintenance			X	
	Create improvement programme				X

## Community

Project	Actions and Milestones	Q1	Q2	Q3	Q4
Private Water Supply	Review of current position	X			
	Ensure staff have undergone training and are certified competent to deliver this testing regime.	X			
	Formulate a delivery plan for testing for all supplies due to be tested		X		
	Commence testing program		X		
	Complete testing program for 24/5. Plan program from 25/6				X

**Climate Change  
Priority Delivery Plan for 2024-25**

Project	Actions and Milestones	Q1	Q2	Q3	Q4
Climate Change Strategy	Revised Climate Change Strategy developed and in place			X	
	Recruitment of staff to support delivery of strategy and monitor operational delivery			X	
	New Governance Structure in place to track operational delivery			X	

**The Council**  
**Priority Delivery Plan for 2024-25**

<b>Project</b>	<b>Actions and Milestones</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>
VFM Improvement Plan	There is a standalone improvement plan which is being reported on separately to the Cabinet and Audit and Accounts Committee				
Closure of the Accounts	Closure of the accounts 23/24				X
	Catch up on closure of previous years accounts			X	
Transformation Strategy and Plan	Approval of the Transformation Strategy and Plan		X		
	Brief Senior Management Team on the strategy		X		
	Complete scoping work to support development of the Transformation work programme			X	
	Develop the Transformation work programme				X
Digital Strategy	Finalise the digital technology strategy		X		
	Procurement of switches for Infrastructure Upgrade	X			
	Plan for installation of new switches		X		
	Installation of new switches			X	X
	Identify IT systems in need of replacing over next 3 years		X		
	Assessment and prioritisation of systems to be replaced		X		

## The Council

Project	Actions and Milestones	Q1	Q2	Q3	Q4
	Technology Board to approve systems to be replaced			X	
	Project plans will be developed for each system once prioritisation has been agreed and the PDP will be updated accordingly				
Strategic asset management including the review of key assets	<b>Corporate Assets ICT System</b>				
	Research Systems available		X		
	Draft specification for new system				X
	<b>Insurance Reinstatement Valuations</b>				
	Secure Budget			X	
	Commission Service Provider to complete Valuations				X

## Key Performance Indicators (KPIs) for 2024/25

<b>KPIs for Business Objective 1 - The Economy</b>
<b>Planning</b>
Major Planning Applications determined within time
Non-major Planning Applications determined within time
Major Planning Applications overturned at appeals as percentage of no. applications determined
Non-major Planning Applications overturned at appeals as percentage of no. applications determined
<b>Building Control</b>
Applications registered and acknowledged within 3 days of valid receipt
Full plans applications with initial full assessment within 15 days of valid receipt
Customers satisfied or very satisfied with the service

<b>KPIs for Business Objective 2 - The Community</b>
<b>Operations - Waste and Recycling</b>
% collections completed first time
Number of missed bin collections (including assisted) / 100,000 / qtr.
% Household waste sent for re-use, recycling and composting
Amount of household residual waste collected per household (Kgs)
<b>Operations - Streetscene</b>
% residents' satisfied with the appearance of town centres (Stafford / Stone)
<b>Environmental Health</b>
% of food businesses inspected
% of food businesses inspected which are broadly compliant (rating of 3 or better)
% of service requests responded to within target (all service areas)
% Environmental Protection Act permitted processes inspected in line with risk rating
% Taxi / PHV fleet inspected / compliant
% of eligible private water supplies tested and follow up actions completed
<b>Leisure</b>
Annual Report from Freedom Leisure setting out the performance of all facilities, including comparison to previous years as well as narrative on the wider wellbeing work and events they facilitate.
<b>Housing Assistance</b>
No of DFGs completed



<b>Strategic Housing and Homelessness</b>
% households had a positive outcome and secured accommodation for 6 + months
Delivery of affordable housing per year working with Registered Providers, Developers and Homes England (Annual)
<b>Community Safety and Partnerships</b>
Total value of financial outcomes achieved as a result of the CAB contract
Community Safety Partnership Hub referrals and case closures within 3 months

<b>KPIs for Business Objective 4 - The Council</b>
<b>Local Taxation and Benefits</b>
Days taken to process new HB/CT Claims
Days taken to process new HB/CT change of circumstances
% of Council Tax collected annually
% National non-domestic rates (NNDR) collected
<b>Transformation and Assurance</b>
% of calls answered
Average call wait time
<b>Law and Governance</b>
FOI requests within time i.e. 20 working days
<b>Corporate Assets</b>
% of buildings with a valid annual landlord Gas Safety Record
% of buildings with a valid Electrical Certificate (within 5 years)
% of passenger lifts that have a valid 6 monthly thorough examination record
% of buildings that have a current Legionella risk assessment
% of buildings that have a current Fire risk assessment

**Agenda Item 5(b)i****Statement of Licensing Policy 2025 - 2030**

<b>Committee:</b>	Cabinet
<b>Date of Meeting:</b>	7 November 2024
<b>Report of:</b>	Head of Regulatory Services
<b>Portfolio:</b>	Environment Portfolio

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**1 Purpose of Report**

- 1.1 Cabinet is asked to consider the draft 'Statement of Licensing Policy' under the Licensing Act 2003 ('the Act') following consultation on statutory review and note its contents. The next review is due by January 2025.

**2 Recommendations**

- 2.1 To approve this Statement of Licensing Policy 2025 and to recommend Council adopt and publish the Statement at **APPENDIX 1** to this report;
- 2.2 That the Head of Regulatory Services be authorised to make any amendments to the Policy required due to changes in legislation or government guidance and minor variations to the Policy in the interests of operational efficiency.

**Reasons for Recommendations**

- 2.2 A requirement of the Act is that all local authorities (or Licensing Authorities as they are known under the Act) must draft, consult on and publish a "Statement of Licensing Policy". The Statement of Licensing Policy must have regard to the content of a set of guidance notes published by the Secretary of State.
- 2.3 The Act requires each Authority to review its Statement of Licensing Policy whenever necessary and, in any case, every five years. The current Policy was reviewed and approved in November 2019 and published in January 2020, and therefore a new Policy is required to be in place by the end of December 2024 in readiness for publication from the beginning of January 2025.

### 3 Key Issues

- 3.1 The Policy changes reflect the current issues that are now prevalent and relevant, therefore spiking advice and guidance has been added as well as counter terrorism guidance. There is also updated information on pavement licences which have now been permanently introduced following changes made by the Levelling-up and Regeneration Act 2023 to the Business and Planning Act 2020.

### 4 Relationship to Corporate Priorities

- 4.1 The Policy supports the priority to improve the quality of life of local people by providing a safe, clean, attractive place to live and work and encouraging people to be engaged in developing strong communities that promote health and wellbeing.

### 5 Report Detail

- 5.1 Since the Act came into force the Licensing Authority has been responsible for issuing authorisations for premises in the Borough in respect of the sale and supply of alcohol, the provision of regulated entertainment and late-night refreshment.
- 5.2 The new Policy has been produced by officers in partnership with colleagues at Cannock Chase District Council. The reason for this is that Cannock Chase District and Stafford Borough are a shared service, and the statutory and legal principles are the same. A further reason is that both Councils have the same partner organisations that are “Responsible Authorities” under the Act. The draft Statement of Licensing Policy is attached as **APPENDIX 1**.
- 5.3 The content of the Policy follows the statutory guidance set out by the Secretary of State and is supported with local content which is appropriate and relevant for each authority.
- 5.4 The intention is for the Policy to be overarching and therefore a number of links are included to other relevant information which is likely to be subject to minor change within the next five years. Any changes in legislation or other fundamental issues will lead to the Council reviewing the Policy as a whole.
- 5.5 This draft Policy has highlighted several key areas for the Council and other Responsible Authorities to embrace, which have gained in emphasis since the last Policy was approved
- safeguarding and the prevention of child sexual exploitation (CSE)
  - the importance of promoting and supporting licensed premises and the night-time economy
  - the need to encourage and promote live music, dancing and theatre for the wider cultural benefit of the local community.

- the importance of licensing public spaces owned by the Council.
- spiking in licensed premises
- counter terrorism
- pavement licences.

5.6 The draft Policy was out for consultation from 9 August - 6 September 2024 and was sent to the following statutory consultees:

- The Chief Officer of Police
- The Fire and Rescue Authority
- The Local Authority's Director of Public Health
- Persons/bodies representative of premises licence holders
- Persons/bodies representative of club premises certificate holders

5.7 In addition the consultation included:

- publishing on Stafford Borough Council's website.
- consultation with other Responsible Authorities, e.g. Safeguarding, Trading Standards,
- focus groups with the business community, e.g. Pub Watch, Local Responsible, Bodies Group, Town Centre Partnership,
- disability and equality groups,
- Stafford and Surrounds Health and Wellbeing Group,
- reference to the consultation was included on all Licensing communications with the trade.

5.8 The Council received one response to the consultation from Staffs Police and Police Licensing, requesting consideration be given for the inclusion of a Cumulative Impact Assessment (CIA) as part of the wider policy, stating that provision of a CIA for a specified area can be relied upon, when appropriate to prevent a further rise in alcohol related crime and disorder in relation to licensed premises.

5.9 The process for introduction of a CIA is detailed in Section 5A of the Licensing Act 2003, which sets out what a licensing authority needs to do in order to publish a CIA and review it, including the requirement to consult with the persons listed in section 5(3) of the 2003 Act. Officers will undertake further work to assess the request from the Police and will present options to members in due course in line with the Council's Constitution.

5.10 During the consultation an information note was released by the Institute of Licensing, regarding spiking and contains useful resources and downloads, therefore this had now been added into the policy document under Spiking 8.12.

## **6 Implications**

### **6.1 Financial**

None identified; the fees for processing and issuing all licences are currently set by the Government.

### **6.2 Legal**

The revised Policy ensures the Council discharges its statutory licensing functions effectively and that decisions made by Officers and Members are transparent, proportionate and comply with Human Rights and Equalities legislation. The Policy provides assurances that decisions made can withstand challenge and scrutiny by outside bodies including the Courts.

### **6.3 Human Resources**

None

### **6.4 Risk Management**

The Policy ensures the Council is able to effectively discharge its statutory licensing functions. Failure to regularly review the Policy could leave the Council open to challenge or sanctions.

### **6.5 Equalities and Health**

An Equality Impact Assessment has been carried out for the Policy. The Policy Document will be made available in large print, Braille and as an audio version, on request.

The Policy confirms that the Council is committed to a Health in All Policies (HIAP) approach. This will help identify how best to tackle the health inequalities within our Borough and ensure that all our policies and services include consideration of the health impact, notwithstanding that Public Health is not a specific objective of the Licensing Act.

### **6.6 Climate Change**

None

## **7 Appendices**

Appendix 1 - Revised Statement of Licensing Policy

Appendix 2 - Cumulative Impact request and supporting documents.

## **8 Previous Consideration**

Statement of Licensing Policy November 2020

Licensing Committee - 18 October 2024 - Minute No LC2/24

## **9 Background Papers**

None

**Contact Officer:** Julie Wallace

**Telephone Number:** 01785 619605

**Ward Interest:** All

**Report Track:** Licensing Committee 18 October 2024  
Cabinet 7 November 2024  
Council 3 December 2024

**Key Decision:** N/A

# Statement of Licensing Policy for Licensing Act 2003

**DRAFT**

**January 2025 - 2030**

Effective January 2025

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## 1. **Foreword by Councillor Ian Fordham**

I am pleased to introduce Stafford Borough Council's Licensing Policy 2025-2030. This Policy has been prepared in accordance with the Licensing Act 2003 and Guidance issued under Section 182 of the Act.

The Policy sets out how the Council administers its licensing functions under the Act and how decisions will be made. The Policy is valid for five years and will be subject to review and further consultation prior to any substantial changes.

The Policy focuses on the Licensing Act's four objectives:

- prevention of crime and disorder,
- ensuring public safety,
- prevention of public nuisance,
- protection of children from harm.

Whilst promoting public health is not a specific licensing objective, the Council is committed to adopting a Health in All Policies approach and recognises that the Licensing function has a role to play in reducing the harms caused by excessive alcohol consumption. The Council will work with partners and operators wherever possible to achieve better local health outcomes.

We want to encourage businesses to come to our Borough. We want to give them clear support and advice so they know what their responsibilities are. We want to make sure that all businesses, new and established, maintain the standards required of them by law. In doing this we can help businesses flourish while protecting our residents and visitors.

This document will inform the work of the Council for all matters related to the Licensing Act 2003. It should be considered by all those carrying out licensable activities in the Borough.

I am confident the Policy will contribute to the prosperity of our communities, the success of local businesses, and the safety and quality of life for residents and visitors.



Councillor I Fordham  
Cabinet Member for Environment

## **2. Introduction**

### **Consultation**

- 2.1 A licensing Policy consultation process took place between 9 August and 6 September 2024 and followed the Cabinet Office Guidance on Consultation Principles first published in July 2012 and last updated in March 2018.

This document is available at [www.staffordbc.gov.uk/surveys](http://www.staffordbc.gov.uk/surveys)

- 2.2 The Council circulated the draft Policy to local stakeholders / partners, including Responsible Authorities and the local trade representatives, including the Town Centre Partnership and PubWatch groups in Stafford and Stone seeking contributions, feedback and comments.
- 2.3 The Council highlighted the consultation on the Council's website inviting comments and contributions for the draft Policy.

### **Commencement**

- 2.5 This Policy will come into force on 5 January 2025 subject to approval from Council.

### **Future Changes**

- 2.6 The Council is aware that the Government may from time to time amend the Licensing Act 2003, subordinate legislation and statutory guidance. The Council does not intend to automatically revise this Policy document because of any such amendments and readers of this document are advised to check on the Home Office/Gov.uk website to ensure they have the latest information.
- 2.7 The Council will continue to monitor the effectiveness of the Policy in promoting the licensing objectives and will consider further reviews as and when appropriate.
- 2.8 The Council will consider changes to the Policy in the light of new legislation and developments affecting the local area and will consult with stakeholders at the time it is considering such changes. The Council must review and publish this statement of principles at least every five years.

### **Data Protection**

- 2.9 The Licensing Authority will exchange information with bodies responsible for auditing, administering public funds and for the prevention and detection of crime, such as the Home Office, other Government agencies, public bodies such as the Staffordshire Fire and Rescue Service, other Council departments and Enforcement agencies (when required and is necessary) and the National Fraud Initiative.

2.10 Any information provided will be used by Stafford Borough Council, which is the data controller, to allow it to carry out its statutory obligations in relation to the administration, compliance, and enforcement of the licensing function within the Borough. The Council will share information with agencies involved in licence processing, or licensing enforcement where the law requires or permits us to do so. For further information, see the following [www.staffordbc.gov.uk/licensing-excluding-taxi-licensing-how-we-use-your-personal-information](http://www.staffordbc.gov.uk/licensing-excluding-taxi-licensing-how-we-use-your-personal-information)

2.11 While certain information may be disclosed under the Freedom of Information Act, and some information will be held on a publicly available register, and may be posted onto the Council website, personal data will be protected unless it is also official business data (e.g. a trader whose registered business address is also his home).

### **Equality and Diversity**

2.12 Through the Council's policies and service delivery the Council's main aims for equality and diversity are to:

- Eliminate unlawful discrimination
- Promote equality of opportunity
- Promote good relations between diverse communities

2.13 A link to the Council's Equalities and Diversities Policy can be found [www.staffordbc.gov.uk/equalities-and-diversity1](http://www.staffordbc.gov.uk/equalities-and-diversity1)

### **Crime and Disorder Act**

2.14 Under section 17 of the Crime and Disorder Act 1998 the Council is required to promote the prevention of crime and disorder within its area. The Council works closely with Responsible Authorities to ensure that the Licensing Objectives are promoted and seeks to ensure that Council decisions are proportionate and appropriate.

2.15 The Council will work in partnership with licence holders, local businesses, Responsible Authorities, Councillors and local people with the aim of promoting the licensing objectives.

2.16 The Licensing Authority should look to the Police as the main source of advice on crime and disorder. The Council will also liaise with its Community Safer Partnerships Team.

2.17 A map of Stafford Borough and its Wards can be viewed [www.staffordbc.gov.uk/DemServWards](http://www.staffordbc.gov.uk/DemServWards)

### **3. The Licensing Objectives, Responsible Authorities and Licensable Activities**

#### **The Licensing Act 2003**

- 3.1 The Licensing Act 2003, its explanatory notes and any statutory instruments made under it may be viewed online at [www.legislation.gov.uk](http://www.legislation.gov.uk)

The statutory instruments include regulations setting out the content and format of application forms and notices.

#### **Statutory Guidance Published Under Section 182 Licensing Act 2003**

- 3.2 The Home Office publishes statutory guidance for the Licensing Act 2003, which is updated from time to time and can be found by searching for “section 182 guidance” at [www.gov.uk/government/organisations/home-office](http://www.gov.uk/government/organisations/home-office)

#### **Licensing Objectives**

- 3.3 Whenever the Council acts as Licensing Authority it must ensure it promotes the four licensing objectives of the Act. These objectives are:-

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

- 3.4 The Act makes it clear that none of these objectives are to be given priority over the others. All four objectives should be considered to have equal importance.

- 3.5 Further details on the Licensing Objectives can be found in the statutory guidance for the Licensing Act at:

[assets.publishing.service.gov.uk/media/65a8f578ed27ca000d27b1f9/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_-\\_December\\_2023.pdf](https://assets.publishing.service.gov.uk/media/65a8f578ed27ca000d27b1f9/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_-_December_2023.pdf)

#### **Responsible Authorities**

- 3.6 The following organisations are Responsible Authorities, and may make representations where appropriate in cases where licensable activities may impact on the promotion of the licensing objectives -

- This Council
- Staffordshire Police
- Staffordshire and Stoke-on-Trent Fire and Rescue Service
- Staffordshire County Council Trading Standards

- The Council as the Local Planning Authority
- The Council's Environmental Health Service
- Health and Safety (either this Council or the Health and Safety Executive)
- Staffordshire County Council Children Services
- Director of Public Health
- Home Office

3.7 A number of these organisations meet on a regular basis as part of the Council's Responsible Bodies Group (RBG). At times, they will also meet as the core members of the Council's Event Safety Advisory Group (SAG).

3.8 Contact details for all of the authorities can be found at:  
[www.staffordbc.gov.uk/responsible-authorities](http://www.staffordbc.gov.uk/responsible-authorities)

### **Licensable Activities**

3.9 The definition of the "licensable activities" is set out in the Act. The Council is required to regulate all licensable activities, and such activities will require the benefit of an appropriate authorisation obtained from the Council - a Premises Licence, a Club Premises Certificate or a Temporary Event Notice.

3.10 Licensable activities are defined by the Act as:-

- 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 late-night refreshment between 11pm and 5am.
- the provision of regulated entertainment

3.11 A further explanation of licensable activities is available at:  
[www.gov.uk/guidance/alcohol-licensing](http://www.gov.uk/guidance/alcohol-licensing)

## **4. How to Use This Policy Statement**

### **Licensing Act 2003**

4.1 Licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the 2003 Act. The Licensing Act 2003 and the statutory guidance issued under section 182 of the Act provide for fundamental principles of licensing. The Council's Statement of Licensing Policy is intended to add to these fundamental principles and to give general guidance as to how it will approach issues arising under the Act. No part of the Council's Statement of Licensing Policy is intended to be inconsistent with or to undermine the provisions of the Licensing Act 2003.

## **Decision Making**

- 4.2 This Policy is to be considered when the Council makes decisions relating to the Act, although the Council will also have regard to the Act and the guidance issued by the Secretary of State under Section 182 of the Act. The Policy is intended to show how decision making will be approached, and how the Council will work with others to promote the Licensing Objectives. The Policy is considered when decisions are made by the Licensing Committee, the Licensing Sub Committee and authorised officers.

## **Applications and Representations**

- 4.3 Applicants, Responsible Authorities and other parties should refer to this Policy when making applications or representations under the Act. A glossary of terms and their definitions are included in **Section 11**.

## **Contents of This Policy**

- 4.4 The first part of this Policy details the Council's vision and explains some of the matters that have to be considered when applications are made under the Licensing Act 2003. The Policy then goes on to explain how to make applications and how people can raise concerns. The latter part of the Policy explains how certain issues are to be considered, including the admission of children to premises, the licensing of petrol stations and the licensing of premises that provide adult entertainment. The last two parts of the Policy address some wider licensing considerations and explain how the Council delegates responsibility for the functions it has to carry out under the Act.

## **5. Our Approach**

### **The Licensing Authority**

- 5.1 Under the Licensing Act 2003 the Council is called the "Licensing Authority". As Licensing Authority, the Council is responsible for the licensing of restaurants, pubs, the sale of alcohol in retail premise, cafes, and takeaways. Throughout this document, all references to Licensing Authority mean the Council.

### **Responsibilities for Functions**

- 5.2 The Licensing Authority's functions are carried out by the Licensing Committee, the Licensing Sub Committee and authorised officers of the Council. Some of the most important functions and details of the persons with responsibility for the functions and decision making are set out in Section 10.



## **Training of Members**

- 5.3 Before sitting as members of the Licensing Sub Committee Council members will need to attend a Licensing Act 2003 training session with officers from Legal Services and Licensing. Members will need to attend refresher training every year that they remain as a member of the Licensing Committee.

## **Decision Making**

- 5.4 In carrying out its functions under the Act the Licensing Authority will seek to ensure that any decision it makes is evidence based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.
- 5.5 It should be noted 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 the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned.
- 5.6 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 and city centres.
- 5.7 The Council will take account of the statutory guidance when it makes decisions under the Act. The Council will also seek to take decisions that help to advance the following issues:
- Improving the quality of life for local residents through a reduction of crime and disorder
  - The protection of children from sexual exploitation
  - Reducing anti-social behaviour in and around licensed premises
  - Encouraging more family-friendly premises
  - Improving quality of life by bringing greater choice to residents' consumers, tourists and businesses about where, when and how they spend their leisure time
  - Developing a culture of live music, theatre and sport.
  - Encouraging a diverse range of premises for both the day-time and night-time economy
  - Giving licence holders greater flexibility to meet their customers' needs and expectations.
  - Encouraging responsible retailing and consumption of alcohol by preventing underage sales and alcohol related health issues.
- 5.8 The Council recognises that its decisions can have significant effects on residents, customers and local businesses. The Council will often have to assess competing interests and will have to try to make a decision that is balanced and fair to all parties involved.

- 5.9 The Council is therefore keen to encourage a dialogue not only with local licence holders, PubWatch and Responsible Authorities, but also with community groups and individuals. The Council supports local partnership working and is keen to encourage regular liaison between the licensed trade, local communities and Responsible Authorities. If there is a regular forum for discussion between these groups of people, then it is more likely that people will have their voices heard.

### **Licensed Venues and Local Communities**

- 5.10 The Licensing Authority will seek to encourage the provision of a wide range of high quality and well-managed venues in the Borough of Stafford. The Licensing Authority will seek to ensure that premises are safe, vibrant meeting places for people who live, work and visit the area.
- 5.11 The Licensing Policy will respect the individual characteristics of all premises and recognise that pubs, nightclubs, restaurants, hotels, theatres, and other clubs may all wish to sell alcohol and serve food with contrasting types of patrons, styles of entertainment and characteristics. Proper regard will be given to those differences and the differing impact they are likely to have on the promotion of the licensing objectives.
- 5.12 The Council's Economic Growth Strategy aims to develop a high value, high skill, innovative and sustainable economy and maximising our visitor offer in Stafford, the market towns of Stone and Eccleshall and villages across the Borough is a key delivery priority.
- 5.13 As we strengthen and grow our economy, we must also ensure that we continue to provide a safe and healthy environment that people want to be a part of.
- 5.14 It's important that supporting a vibrant economy is balanced with a controlled expansion of licensed premises and what follows, and the need to ensure public safety and quality of life for local people.

### **Links with Other Policies**

- 5.15 This Licensing Policy is intended to help ensure the proper integration of the licensing function with local crime prevention, planning, transport, tourism, equality schemes, cultural strategies and future local economy plans.
- 5.16 The Council will ensure that from time to time it is kept informed on issues relating to all these matters in order that they can be reflected within their considerations.

## **6. How to Make an Application**

### **Applications**

- 6.1 Applicants cannot assume that their applications will be successful as applications under the Licensing Act 2003 have to be considered in terms of whether the Licensing Objectives are promoted. In many cases the suitability of an applicant and the suitability of premises are part of such considerations.

### **Online Applications**

- 6.2 Applications can be made using the forms on the Home Office website. [www.gov.uk/guidance/beer-licensing](http://www.gov.uk/guidance/beer-licensing)
- 6.3 Online applications can also be made via the government website [www.gov.uk](http://www.gov.uk)
- 6.4 The Council's web site has links to these government websites [www.staffordbc.gov.uk/responsible-authorities](http://www.staffordbc.gov.uk/responsible-authorities)

### **Online Payments**

- 6.5 In order to fulfil its obligations under the Provision of Services Regulations 2009 (and the EU Services Directive) the Council will support and encourage applications and payments made online.

### **Personal Licences**

- 6.6 Applicants for personal licences must be free from police objection and be able to demonstrate that they have the right to live and work in the UK.
- 6.7 Between 2005 and 2015, personal licences were issued for a period of 10 years. In April 2015, the law was changed, and personal licenses no longer expire. Consequently, there is no longer a need to renew a personal licence.
- 6.8 Licence holders must contact the Licensing Section for a replacement licence where there has been a change of circumstances in respect of the licence holders name or address, or they have committed a relevant offence. It is also possible to replace an old or lost licence. More information on relevant offences can be found here. [www.legislation.gov.uk/ukpga/2003/17/schedule/4](http://www.legislation.gov.uk/ukpga/2003/17/schedule/4)

### **Minor variations**

- 6.9 Licence holders can apply to make small changes to premises licences or club premises certificates through the minor variation process, which is cheaper, easier and quicker than the full variation process.

- 6.10 A minor variation is defined as one that could not impact adversely on any of the four licensing objectives. (These are: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.) An example may be an amendment to the layout of the premises or the removal of outdated or obsolete licence conditions.
- 6.11 The Minor Variations process cannot be used to add the retail or supply of alcohol to a licence.
- 6.12 The minor variation application form and further guidance on minor variations can be found on the Home Office website [www.gov.uk/government/publications/minor-variations-to-premises-licence-application-form](http://www.gov.uk/government/publications/minor-variations-to-premises-licence-application-form)

### **Temporary Event Notices**

- 6.13 The Licensing Act 2003 provides that Temporary Event Notices (TENs) can temporarily authorise licensable activities upon premises, such as the sale or supply of alcohol, the provision of regulated entertainment or the supply of late night refreshments which are not already authorised by either a premises licence or a club premises certificate. The TEN process is one of notification to the licensing authority and the police by the giver of the notice.
- 6.14 Temporary Event Notices (TENs) do not seek permission to carry on licensable activity and do not make application for it. TEN's are a system of notification which the s182 guidance confirms is a light touch process.
- 6.15 There are two types of TEN: a standard TEN and a late TEN. These are subject to different processes: a standard notice is given no later than ten working days before the event to which it relates; and a late notice is given not before nine and not later than five working days before the event.
- [www.gov.uk/government/collections/alcohol-licensing-temporary-events-notices](http://www.gov.uk/government/collections/alcohol-licensing-temporary-events-notices)

- 6.16 If a TEN event is intended to take place outside, and on land which contains a building such as a clubhouse or public house etc., then you may require planning permission for your event. Further information can be obtained from the Council's Planning Department. They can be contacted on: [planning@staffordbc.gov.uk](mailto:planning@staffordbc.gov.uk)

### **Standard temporary event notices**

- 6.17 "Ten working days" (and other periods of days which apply to other requirements in relation to TENs) exclude the day the notice is received and the first day of the event. A notice that is given less than ten working days before the event to which it relates, when the premises user has

already given the permitted number of late TENs in that calendar year, will be rejected and the activities described in it will not be authorised.

- 6.18 The Police and the Council's Environmental Health Service are the only bodies that can make representations regarding standard temporary event notices.
- 6.19 The Police and Environmental Health Service have a period of three working days from when they are given the notice to object to it based on any of the four licensing objectives. At any time before a hearing is held or dispensed with, the Police or Environmental Health Service may, with the agreement of the premises user, modify the temporary event notice by making changes to it.

### **Late Temporary Event Notices**

- 6.20 Late TENs are intended to assist premises users who are required for reasons outside their control to, for example, change the venue for an event at short notice. However, late TENs may, of course, be given in any circumstances providing the limits specified are not exceeded. There is no right of appeal in respect of Police or Environmental Health Service objections relating to late TENs.

### **Event Management**

- 6.21 It is the Policy of Stafford Borough Council to provide a forum within which the local authority and other agencies may develop a coordinated approach to public safety when the local authority becomes involved in, or is made aware of, certain large scale or high-risk events this includes events which take place on local authority land.

The local authority will maintain the Safety Advisory Group (SAG) with the intention of upholding reasonable standards of public safety and to encourage the wellbeing of the public, operatives and competitors.

Determining whether or not to refer an event to a SAG requires a risk-based approach and be determined by considering a combination of:

- Numbers attending (at any one time)
- Levels of risk with the event and
- Events of an unusual nature
- Other events at the same time that may increase the impact and risk

- 6.22 Events which include White Collar Boxing are of concern to the SAG and organisers must advise the Council's Licensing Team in good time of any proposed event. The owners of the venue, even if it is hired out to the promotor of the event, also have a duty to assess the risk of the event and ensure that it can take place safely.

- 6.23 Please see: [www.staffordbc.gov.uk/Safety-Advisory-Group-Terms-of-Reference](http://www.staffordbc.gov.uk/Safety-Advisory-Group-Terms-of-Reference)

## **7. How to Raise Concerns**

### **Contact the Council**

- 7.1 Anyone with concerns about premises or a particular event can contact the Council. It may also be advisable to speak to their local Councillor if they have such concerns.
- 7.2 If you have concerns regarding premises, or a new application for a specific event or premises you should contact the Council's Licensing section, who will be able to advise you.

### **Advice for Residents**

- 7.3 The Home Office and the Institute of Licensing have published a Factsheet for local residents concerned about problem premises.

The Factsheet can be found at:

[www.staffordbc.gov.uk/Advice-for-Local-Residents-Premises-Licence-Reviews](http://www.staffordbc.gov.uk/Advice-for-Local-Residents-Premises-Licence-Reviews)

### **Child Sexual Exploitation**

- 7.4 Licensing authorities must consider the need to protect children from sexual exploitation when undertaking licensing functions. If members of the public have concerns about child sexual exploitation in connection with premises licensed under the Act then they should contact the Police in the first instance also notifying First Response, Staffordshire County Council's child protection service. The local Safeguarding Board also provide advice on how to prevent child sexual exploitation. The Staffordshire Safeguarding Children Board web site provides safeguarding information for the public, parents and carers [www.staffsscb.org.uk](http://www.staffsscb.org.uk)

### **Problem Premises**

- 7.5 The expectation of the Council is that licensed premises shall be well run and well managed. The emphasis of the Policy is on ensuring the promotion of the licensing objectives and proper management and control of licensable activities.
- 7.6 The focus of the Policy is:-
- to ensure that the licensing objectives are met;
  - to ensure individual licensees have proper control over the premises.
  - on the suitability of premises or places being used for licensable activities.
  - on the direct impact of licensable activities on those living, working or otherwise engaged in the area concerned; and,

- on the impact of those activities on the amenity of the immediate residential area and the wider community.

7.7 The transfer of a Premises Licence from one operator to another is a simple and inexpensive process. The prospective licence holder however must be aware that an original Premise Licence was tailored for the business activity of the previous operators and may not accurately reflect the new operator's requirements.

7.8 The licence holder and the Designated Premises Supervisor must ensure that a change of management does not lead to a change in the complexion of the premises. Intensification of the use of the premises or of the licensable activities may lead to complaints and possible breaches of the licence conditions.

### **Enforcement Principles**

7.9 It is the intention of the Licensing Authority to work proactively with all Responsible Authorities and Licence holders. The Licensing Authority will try to ensure proportionate targeting of agreed problem premises and focus on high-risk licensed activities. There will be a corresponding lighter touch for well-run lower risk premises.

7.10 The Council will engage with the licensed trade in tackling underage sales ensuring that there are stringent age verification schemes in place at venues that sell alcohol, tobacco or provide adult entertainment. The Council will discourage irresponsible advertising and drinks promotions in line with the statutory guidance published under Section 182 of the Act.

7.11 In carrying out its enforcement duties with regard to the licensable activities and the powers to institute criminal proceedings under the above Act, the Council will have regard to the Regulators' Code.

[www.gov.uk/government/publications/regulators-code](http://www.gov.uk/government/publications/regulators-code)

7.12 In accordance with the Regulators' Code, Council will aim 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 used friendly.

**Targeted:**

Regulations should be focused on the problem and minimise side effects.

- 7.13 The Council will endeavour to avoid duplication with other regulatory regimes.
- 7.14 The Council will also have regard to any guidance issued and keep itself informed of developments regarding the work of the Office for Product Safety and Standards of the Department for Business and Trade in its consideration of the regulatory functions of local authorities.
- 7.15 The Council's Enforcement Policy, which explains how the Council makes decisions in the event of non-compliance and criminal offences can be found at: [www.staffordbc.gov.uk/environmental-and-health-enforcement-policy](http://www.staffordbc.gov.uk/environmental-and-health-enforcement-policy)
- 7.16 The Council will continue to monitor the effectiveness of this Policy and will consider changes to the Policy in the light of any new legislation, case law, statutory guidance and best practice. It may consult with stakeholders at the time it is considering any such changes.

**Risk Based Inspections**

- 7.17 Although the Act does not require premises inspections to be undertaken, they will take place at the discretion of the Licensing Officers charged with this role and will take place as judged necessary on a risk-based approach.
- 7.18 This will ensure that the Licensing Authority manages its resources efficiently and that 'effective enforcement' is directed at 'problem premises'.

**Reviews**

- 7.19 The availability of a review of licences or club certificates provides a key protection for the community where the Licensing Objectives are being undermined. The review system should allow the Licensing Authority to apply a light touch bureaucracy to the grant or variation of a licence or certificate. The Licensing Authority may then take a more robust approach when problems relating to the Licensing Objectives arise later in respect of any premises.



7.20 At any stage, following the grant of a premises licence or a club premises certificate, a Responsible Authority or any other person, may ask the Licensing Authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.

7.21 The Licensing Authority will accept initial email applications for reviews from Responsible Authorities. This does not however, negate the requirement to serve paper copies on all parties, including the Licensing Authority.

### **Powers of Licensing Sub Committee on a Review**

7.22 The Licensing Sub-Committee must, under section 52(4) of the Licensing Act 2003, having full regard to the representations, take such steps as it considers appropriate for the promotion of the licensing objectives namely;

- (a) to modify the conditions of the licence
- (b) to exclude a licensable activity from the scope of the premises
- (c) to remove the Designated Premises Supervisor
- (d) to suspend the licence for a period not exceeding 3 months
- (e) to revoke the licence.

7.23 It should be noted that there is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- For the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
- For the sale and distribution of illegal firearms;
- For the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- For the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- For prostitution or the sale of unlawful pornography;
- By organised groups of paedophiles to groom children;
- As the base for the organisation of criminal activity, particularly by gangs;
- For the organisation of racist activity or the promotion of racist attacks;
- For employing a person who is disqualified from that work by reason of their immigration status in the UK;
- For unlawful gambling; and
- For the sale or storage of smuggled tobacco and alcohol

- 7.24 Where a premises licence has been revoked or other sanctions imposed by the Council and the same operator applies sometime later for the grant of a new premises licence or variation of an existing licence the applicant must be able to demonstrate that there has been a significant change to the management structure of the business operation, or that the application includes significant positive steps that will improve the promotion of the licensing objectives and effectively prevent the recurrence of the problems that arose previously. If the applicant cannot demonstrate such changes or improvements, then the application may be refused.
- 7.25 Any conditions offered by the applicant in support of their application must also demonstrate that sufficient changes have been made to the business operation and, where there has been a previous revocation of a premise licence, that the new applicant is not connected to the holder of the previous premises licence. If the applicant cannot demonstrate such changes or improvements, then the application may be refused.
- 7.26 In serious cases of crime or significant mismanagement of premises, the licensing authority and their responsible authorities are also likely to require that the premises have a new designated premises supervisor and new licence holder or the premises who are not associated to the previous licence holder.
- 7.27 The Licensing Act 2003 defines associate as:
- A relative or business partner;
  - The spouse or civil partner of that person;
  - A child, parent, grandchild, grandparent, brother or sister of that person;
  - An agent or employee of that person; or
  - The spouse or civil partner of a person listed in either of the two preceding bullet points.

### **Adjournments of Sub Committee Hearings**

- 7.28 On occasion applications are made to the Council that have particularly pressing time limits - for example temporary event notices and premises licence review applications.
- 7.29 In some cases a party will ask for additional time to consider their position and sometimes all parties make a request for an adjournment of the Licensing Sub Committee hearing.
- 7.30 In consequence the Council's Head of Law and Administration, in consultation with the Chairman of the Licensing Committee has delegated powers to make certain decisions where it is in the public interest to do so.

These are:

- To adjourn hearings
- To extend time limits
- To dispense with the need for some hearings where all parties have agreed to this; and
- To take steps to address any irregularities arising from failure to comply with regulations made under the Act.

7.31 For the avoidance of doubt, a High Court judgement in the case of Walk Safe Security Services Ltd v London Borough of Lewisham [2024] EWHC 1787 (Admin), decided that under the Licensing Act 2003 and the Licensing Act (Hearings) Regulations 2005, licensing committees in England may hold licensing hearings remotely.

## 8. Premises Licences and Club Premises Certificates

A premises licence authorises the premises to be used for one or more of the following licensable activities:

- The sale of alcohol by retail
- The provision of regulated entertainment
- The provision of late-night refreshment

A premises licence is used where a premises is open to the general public.

A club premises certificate authorises qualifying clubs to be used to supply alcohol to members only; the general public cannot gain access to the premises and cannot just 'walk in' and buy a drink, as with a normal premises licence.

In licensed club premises, it is important to note that the premises are not open to the general public. Clubs must ensure they adhere to the club rules regarding admission to non-members.

### Conditions

8.1 The licensing regime established by the Licensing Act 2003 is about regulating licensable activities on licensed premises, such as public houses, restaurants, qualifying clubs, and with temporary event notices.

8.2 As Licensing Authority the Council wishes to emphasise that any conditions that are attached to various authorisations should be focused on matters which are within the control of the individual licence holder. The Council will seek to avoid attaching blanket conditions or conditions that duplicate other regulatory regimes. The Council will seek to ensure that conditions applied to licences are appropriate, necessary, and proportionate.

8.3 The Institute of Licensing has produced a helpful document in respect of licence conditions, this can be found at:  
[www.acs.org.uk/sites/default/files/lobbying/the\\_institute\\_of\\_licensing\\_consultation\\_on\\_guidance\\_on\\_premises\\_licence\\_conditions.pdf](http://www.acs.org.uk/sites/default/files/lobbying/the_institute_of_licensing_consultation_on_guidance_on_premises_licence_conditions.pdf)

8.4 Premises that hold a Club Premises Certificate under the Act must ensure that they comply with their own club rules; the statutory conditions in respect of remaining a qualifying club, and general admission to the premises.

The general conditions:

- The general conditions which a club must satisfy if it is to be a qualifying club in relation to a qualifying club activity are the following:
- Condition 1 is that under the rules of the club persons may not be admitted to membership, or be admitted, as candidates for membership, to any of the privileges of membership without an interval of at least two days between their nomination or application for membership and their admission.
- Condition 2 is that under the rules of the club persons becoming members without prior nomination or application may not be admitted to the privileges of membership without an interval of at least two days between their becoming members and their admission.
- Condition 3 is that the club is established and conducted in good faith as a club (see section 63).
- Condition 4 is that the club has at least 25 members.
- Condition 5 is that alcohol is not supplied, or intended to be supplied, to members on the premises otherwise than by or on behalf of the club.

### **Mandatory Conditions**

8.5 The Licensing Act 2003 states that there are certain mandatory conditions. These have to be included in every licence and/or club premises certificate in specified circumstances. Some of the mandatory conditions relate to premises licences that authorise the sale of alcohol, while others relate to conditions for door supervisors. Details of these mandatory conditions can be found at  
[www.legislation.gov.uk/uksi/2014/2440/resources](http://www.legislation.gov.uk/uksi/2014/2440/resources) and  
[www.legislation.gov.uk/uksi/2014/1252/schedule/made](http://www.legislation.gov.uk/uksi/2014/1252/schedule/made)

## Licensing Hours

- 8.6 The Licensing Authority acknowledges that different licensing approaches may be appropriate for the promotion of the licensing objectives in different areas. The Licensing Authority will consider the individual merits of any application or representation. It is clear that longer licensing hours with regard to the sale of alcohol may be an important factor in avoiding a concentration of customers leaving premises simultaneously, however, it must also be recognised that even smaller numbers of patrons leaving licensed premises over a longer period of time, may still lead to significant and persistent problems of disorder and/or public nuisance.
- 8.7 The Licensing Authority acknowledges that greater consumer choice and flexibility is an important consideration when it comes to encouraging a thriving economy. This is important for local investment and employment opportunities. However longer licensing hours should not be permitted if evidence demonstrates that there would have been an adverse impact upon the promotion of the Licensing Objectives.
- 8.8 In some circumstances flexible licensing hours for the sale of alcohol can help to ensure that large numbers of customers do not leave various premises simultaneously, and this can help to promote the Licensing Objectives.

## Capacity within licensed premises

- 8.9 Capacity and fire safety issues are covered in this useful guide: [www.staffordshirefire.gov.uk/your-safety/business-safety/business-legislation/the-licensing-act-2003/](http://www.staffordshirefire.gov.uk/your-safety/business-safety/business-legislation/the-licensing-act-2003/)

## Spiking

- 8.10 Many licensed premises work incredibly hard to ensure that their customers can enjoy a night out safely and deter perpetrators.
- 8.11 To support licensed premises, several industry associations produced a factsheet which includes recommendations and some resources for the hospitality sector on how to respond to and prevent spiking. The fact sheet can be found here: [www.local.gov.uk/publications/lga-guidance-note-drink-spiking-prevention](http://www.local.gov.uk/publications/lga-guidance-note-drink-spiking-prevention)
- 8.12 Within the said document, there are some recommended actions for licensed premises:

Please also refer to the Drink Spiking Information Note which provides some Key Resources and can be accessed here: <https://files.constantcontact.com/809c3e67001/85c09cdc-dc04-444d-b034-d1e9cd7fb080.pdf>

Ensure all reports of spiking are acted upon and that all incidents of alleged spiking are recorded and reported to the police. It is also helpful to the police if staff:

- obtain full details of the affected person reporting the incident, including a description of what they are wearing as officers will want to track them on CCTV.
- can provide as detailed a description of the suspected perpetrator as possible, if known, including clothing
- can provide an approximate time of the incident and the location within the premises where they believe it occurred.
- can secure the drinking vessel(s) that is suspected as containing the 'drug' so this can be tested at a later time.
- can seize any drinking vessel that the suspect may have been using.
- ensure the health and safety of the customer, which could be by calling emergency services, ensuring they are with trusted friends who will look after them, offering assistance, if needed, and providing a safe space for the customer.
- ensure appropriate training is provided to relevant members of staff.
- review searching procedures and amend as necessary, as well as reviewing how often toilets are inspected, as victims of spiking have been found in there. Premises should also review the functionality of any CCTV and ensure it is not obscured.
- consider providing information (such as posters) regarding drink spiking in the premises.
- consider if it would be useful to provide anti-spiking bottle stoppers and protective drink covers. It may also be helpful to see if drug testing kits have been made available in your area by the police or council.

8.13 The Ask for Angela initiative aims to ensure that anyone who is feeling vulnerable or unsafe is able to get discreet support. This could be on a night out, on a date or meeting friends. The initiative works by training staff in vulnerability management and what to do when someone 'Asks for Angela'.

8.14 The Council expects that when a trained member of staff hears the code-phrase they should understand that the person is in need of support and will be able to respond in an appropriate, discreet way. This could be offering them an alternative way out of the venue, calling them a taxi or in a more serious situation, alerting venue security and/or the Police. More information can be found here: [violencereductionalliance.co.uk/ask-for-angela/](http://violencereductionalliance.co.uk/ask-for-angela/)

## Counter Terrorism

- 8.15 The licensing authority requires that applicants for premises licences and variation to those licences, to pay particular attention to possible terrorist threats in relation to security and health care provision at appropriate premises and events applying for a licence.
- 8.16 Existing licence holders should also carefully consider the information below and pay particular attention to possible terrorist threats as further legislation and guidance may be forthcoming.
- 8.17 Where appropriate applicants and existing licence holders should consider appropriate access for emergency services and vehicles such as ambulances; good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts and ensuring the presence of sufficient trained first aiders on the premises and appropriate first aid kits.
- 8.18 Guidance on counter terrorism measure and information on further security planning and health care provision in the aftermath of a particular type of incident can be found in an annex at the rear of the S182 statutory guidance. This can be found here:  
[assets.publishing.service.gov.uk/media/65a8f578ed27ca000d27b1f9/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_-\\_December\\_2023.pdf](https://assets.publishing.service.gov.uk/media/65a8f578ed27ca000d27b1f9/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_-_December_2023.pdf)
- 8.19 Applicants for Premises licences and Variations to those licences should also consider:
- That certain members of staff must have completed the free of charge [www.protectuk.police.uk/group/2](https://www.protectuk.police.uk/group/2) training in order that the premises has sufficient member of staff who are trained and available to promptly identify and respond to a terrorist incident.
  - Counter-terrorism awareness training session for their Designated Premises Supervisor (DPS). This will be separate to the training mentioned above and may be available through the Council and other providers.
  - A documented security assessment, which incorporates counter terrorism measures for the premises.
  - Within 28 days of the grant or variation of the licence, the premises licence holder shall evaluate any risks and take prompt steps to reduce the risk as far as is reasonably practicable. Business development support is available at: [www.protectuk.police.uk/](https://www.protectuk.police.uk/)
  - Whether the premises must have a documented security plan, which sets out counter measures to be implemented in response to a terrorist attack at or near your premises. This may be particularly relevant at high profile or large premises or events or where there are factors which may increase attractiveness to attacks, and in particular when in receipt of relevant advice from police counter terrorist staff. More information and support is available at: [www.protectuk.police.uk/](https://www.protectuk.police.uk/)



- 8.20 Further advice is available about risk reduction during ingress and egress to premises from the National Protective Security Authority.

[www.npsa.gov.uk/mitigation-terrorist-threats-venues-during-ingress-and-egress-guidance](http://www.npsa.gov.uk/mitigation-terrorist-threats-venues-during-ingress-and-egress-guidance)

### **Alcohol sold for consumption at 'Off Licence' Premises**

- 8.21 Premises licence holders and DPS' with particular responsibility for town centre Off Licences are reminded of their responsibility in ensuring that sales of alcohol from their premises do not create a direct link to town centre anti-social behaviour or crime and disorder.
- 8.22 In particular, the sale of single cans of alcohol to those who have a tendency to drink in the street or within our town centres should be avoided. Where a direct link is established between sales of alcohol from a premises and anti-social behaviour or crime and disorder caused by those to whom the alcohol has been sold, then formal action may be taken against the licence holder.
- 8.23 Licence holders and DPS' are also reminded that it is an offence under Section 141 of the Act, to knowingly sell alcohol or allow the sale of alcohol to a person who is drunk.

### **Children in premises**

- 8.24 The Council recognises the great variety of premises for which a Premises Licence may be sought and wishes to make it clear that there are a range of alternatives available for limiting the access of children where that is appropriate for the objective of the protection of children from harm.
- 8.25 Measures that may assist in the promotion of the objective relating to the protection of children from harm include:- restrictions on the hours when children may be present; restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place; restrictions on the parts of the premises to which children may have access; age restrictions (below 18); restrictions or exclusions when certain activities are taking place; requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and full exclusion.
- 8.26 The admission of children into licensed premises will normally be at the discretion of the licence holder/management and this should be reflected in the operating schedule submitted to the Council upon application.



8.27 The Council will not seek to limit the access of children to any premises unless it receives representations to that effect. However, where premises give film exhibitions, the Licensing Authority will expect licence holders or clubs to include in their operating schedules arrangements for restricting children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification, or the Licensing Authority itself.

### **Live Music**

8.28 As a result of recent changes made to the Act no licence is required for the following activities –

- a performance of unamplified live music between 08.00 and 23.00 on any day on any premises.
- a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

### **Adult entertainment**

8.29 Adult entertainment is only authorised where the Premises Licence clearly states that such entertainment is permitted. New applicants must make clear on the application form that adult entertainment may take place at the premises.

8.30 Existing licence holders should be aware that if adult entertainment is not mentioned within their current Premises Licence then a variation to the licence or a Temporary Event Notice (TEN) will be required before adult entertainment can take place. The TEN form makes specific reference to the provision of adult entertainment.

- 8.31 The Council has adopted a Sex Establishment Policy which deals with the interface between the adult entertainment and the Licensing Act 2003. The provision of adult entertainment within the Licensing Act 2003 licensed premises can only take place in accordance with the exemptions stated within the Council's Sex Establishment Policy.
- 8.32 This exemption permits adult or "relevant entertainment" to take place only on an "infrequent basis". "Infrequent" means on no more than 11 occasions in any 12-month period; is no more frequently than once a month and with each event lasting no longer than 24 hours.
- 8.33 An explanation and definition of sexual entertainment can be found in the Council's Sex Establishment Policy here: [www.staffordbc.gov.uk/licence-sex-establishment](http://www.staffordbc.gov.uk/licence-sex-establishment)

### **Pavement Licences**

- 8.34 Pavement Licences are granted by the Local Authority, or deemed to have been granted, which allows the licence holder to place removable furniture over certain highways adjacent to the premises. Licences that are deemed to have been granted should remain in place for such period as the local authority may specify in the licence with a maximum limit of 2 years.
- 8.35 The Levelling Up and Regeneration Act 2023 makes permanent the provisions set out in Business and Planning Act 2020 that streamlined the process to allow businesses to secure these licences quickly.
- 8.36 Businesses that are eligible include public houses, cafes, restaurants and bars, coffee shops, snack bars and ice cream parlours which use, or proposes to use, premises for the sale of food or drink for consumption (on or off the premises) can apply for authorisation and a licence.
- 8.37 A licence allows the business to place removable furniture such as tables and chairs on the highway adjacent to their premises to sell or serve food or drink and/or allow it to be used by people for consumption of food or drink supplied from, or in connection with the use of the premises.

More information can be found here: [www.staffordbc.gov.uk/pavement-licence](http://www.staffordbc.gov.uk/pavement-licence)

### **Suspension of Licence/Certificate**

- 8.38 Premises Licence or Club Premises Certificate annual fees are due to be paid to the Licensing Authority on the anniversary of the grant of the premises licence or club premises certificate.
- 8.39 When annual fees fail to be paid the Licensing Act 2003 requires licensing authorities to suspend the premises licence or club premises certificate.

- 8.40 The Premises Licence or Club Premises Certificate is to be suspended unless the holder has failed to pay the fee at the time it became due because of an administrative error, or before or at the time the fee became due, the licence holder notified the authority in writing that the licence holder disputed liability for, or the amount of, the fee.
- 8.41 The suspension can only take place after a 21-day period of grace is afforded to the licence holder which begins on the day after the fee became due. After that 21-day period expires a suspension notice will be served by the Licensing Authority giving at least two working days of the suspension.
- 8.42 The suspension notice will be lifted on the day that the annual fee is paid.
- [www.legislation.gov.uk/ukpga/2011/13/section/120/enacted](http://www.legislation.gov.uk/ukpga/2011/13/section/120/enacted)

### **Petrol Stations s176**

- 8.43 Section 176 of the 2003 Act prohibits the sale or supply of alcohol at motorway service areas (MSAs) and from premises which are used primarily as a garage or are part of premises used primarily as a garage. Premises are used primarily as a garage if they are used for one or more of the following:
- The retailing of petrol;
  - The retailing of derv (diesel);
  - The sale of motor vehicles; and
  - The maintenance of motor vehicles.
- 8.44 It is for the licensing authority to decide, based on the licensing objectives, whether it is appropriate for that premises to be granted a licence, taking into account the documents and information listed in section 17(3) and (4) which must accompany the application.
- 8.45 If a licence is granted in respect of a premises and the primary use of that premises subsequently changes (for example, the primary use becomes that of a garage rather than a shop) it would no longer be legal to sell alcohol on that premises.
- 8.46 If a relevant representation is made, the licensing authority must decide whether or not the premises are used primarily as a garage. The licensing authority may ask the licence holder to provide further information to help establish what the primary use of the premises is.

## 9. Wider Licensing Considerations

### Reduction of Alcohol Harm

- 9.1 Health bodies have been able to act as Responsible Authorities under the Licensing Act 2003 since April 2012. Since the health reforms in April 2013 which saw the formal transfer of public health responsibilities to Local Authorities, health bodies are Directors of Public Health (in England) and they have unique access to data not available to other Responsible Authorities which may inform licensing decisions.
- 9.2 Public Health is not currently a licensing objective and there is not a specific licensing objective related directly to health within the current legislation but Health, Wellbeing and Leisure (HWL) at Staffordshire County Council has much to add in reducing health harms within the current licensing framework.
- 9.3 This Licensing Authority envisages an effective working relationship with the Director of Public Health (DPH) and HWL working together to ensure that the health impacts of alcohol licensing are considered. Although the DPH will be notified of all licence applications, it is acknowledged not every application will need a response from public health. However, any representations must be considered relevant by the Licensing Authority and relate to one or more of the licensing objectives.
- 9.4 Health bodies when making representation are most likely to relate such representations to the objectives on public safety and protecting children from harm but any health evidence will need to relate to a specific premises.
- 9.5 The role of the DPH is to help promote the health and wellbeing of the local populations they serve and in the DPHs annual report '*Reducing alcohol-related harm: everyone's responsibility*' 3 strategic priorities were identified:
- (a) Prevention and early intervention
  - (b) Treatment and recovery
  - (c) Regulation and enforcement
- 9.6 The above three objectives are also underpinned by the cross-cutting theme of 'taking responsibility' in that individuals, families, communities and organisations will all need to take various forms of responsibility if alcohol problems are to be reduced.
- 9.7 The health reforms along with the publication of '*The Governments Alcohol Strategy*' in March 2012 and the development of local structures, lends itself to a joined-up approach in taking the right action locally to tackle alcohol related harm: [www.gov.uk/government/publications/alcohol-strategy](http://www.gov.uk/government/publications/alcohol-strategy)

## **The Licensing Authority as a Responsible Authority**

- 9.8 Although the Licensing Authority is a Responsible Authority (RA), it will not usually need to duplicate representations or applications made by other Responsible Authorities and other persons. However, if these parties do not make representations and the Licensing Authority is aware of relevant grounds to make a representation, it may choose to act in its capacity as a Responsible Authority.
- 9.9 The Licensing Authority may sometimes be in a better position than other RAs to “see the full picture” and connect apparently unrelated reports from different sources.
- 9.10 Where appropriate, the Licensing Authority may seek to impose licence conditions onto applications for new premises licences or to amend or replace conditions on existing premises licences which are considered insufficient to deal with issues which arise at the premises. In most cases the changes to existing premises licences will be by means of Minor Variation and the Licensing Authority will encourage and support the licence holder in making such a minor application.

## **Planning Decisions**

- 9.11 Licensing and Planning are discrete regulatory systems.
- 9.12 There are several key differences between licensing and planning control, and their respective approaches to applications. It could be said that the consideration of a planning application involves looking into how land or buildings are to be used, whereas licensing considers the behaviour of people in terms of the proposed use of the buildings or land and the impact on the licensing objectives.
- 9.13 In some cases, it is possible that the premises have different hours of operation (in particular closing times) upon its planning permission and premises licence. This is because the considerations for obtaining planning consent are different than those for obtaining an authorisation under the Licensing Act 2003.
- 9.14 The distinction between planning and licensing functions needs to be clear, but it is also important that the functions are aligned operationally to provide a joined up and customer focused service to businesses.
- 9.15 Councils are already exploring opportunities to improve customer service for businesses in this area, for example by joining up planning, licensing and other advice at an early stage through pre-application advice services.

## **Cumulative Impact**

- 9.16 In some areas where the number, type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport.

A cumulative impact assessment (CIA) may be published by a licensing authority to help it to limit the number or types of licence 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. CIAs relate to applications for new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates in a specified area.

To date the Council has not consulted on or published a cumulative impact assessment.

## **Early Morning Alcohol Restriction Orders (EMRO)**

- 9.17 Under Section 172 A to E of the Act, the Licensing Authority has the power to make an EMRO prohibiting the sale of alcohol for a specified period between the hours of 24:00 and 06:00. They are designed to address recurring problems with licensed premises, serious public nuisance and other instances of alcohol-related anti-social behaviour which is not directly attributable to specific premises.
- 9.18 It is acknowledged by the Licensing Authority that an EMRO may be restrictive, whilst also being a powerful tool to address recurring problems of alcohol-related crime and disorder, serious public nuisance and alcohol-related anti-social behaviour. Prior to making an EMRO the Licensing Authority will consider whether any other measures (implemented by themselves or with partners) may address the problems that have been identified.
- 9.19 In taking any decision to make an EMRO, the Licensing Authority will follow the statutory process and will invite representations. An EMRO could only be made if the evidence demonstrated that it was justified as appropriate for the promotion of the licensing objectives.
- 9.20 Chapter 17 of the Section 182 statutory guidance deals with EMROs.

[assets.publishing.service.gov.uk/media/65a8f578ed27ca000d27b1f9/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_-\\_December\\_2023.pdf](https://assets.publishing.service.gov.uk/media/65a8f578ed27ca000d27b1f9/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_-_December_2023.pdf)

### **Late Night Levy**

- 9.21 Under Section 125 of the Police Reform and Social Responsibility Act 2011 the Council can adopt a Late-Night Levy, following a consultation process, outlined by the Home Office.
- 9.22 The Late-Night Levy allows the Council to charge an additional fee to any licensed premises that has a licence for the sale of alcohol (on and off sales) between 24:00 and up to 06:00 in order to cover the additional costs associated with late night alcohol trading.
- 9.23 Legislation allows the prescribed time to start from midnight, but it is up to the Council to decide when they wish to apply it.
- 9.24 The Council will consider implementing a Late-Night Levy if this is shown to be justified as appropriate for the promotion of the licensing objectives.

### **Town Centres and Public Spaces**

- 9.25 The Council has licensed some of its public spaces in order to encourage a wide range of licensable activities, subject to prior notification and agreement by the Council.
- 9.26 The public spaces which are currently licensed by the Council are listed below:
- Stafford Town Centre
  - Stone Town Centre
  - Westbridge Park
  - Stafford Castle
  - Victoria Park
  - Rowley Park

## 10. Functions and Decision Making

<b>Matters to be dealt with</b>	<b>Sub Committee</b>	<b>Officers</b>
Application for personal licence	If a police objection	If no objection made
Application for personal licence with unspent convictions	If a police objection	If no objection made
Application for premises licence / club premises certificate	If a relevant representation made	If no relevant representation made
Application for provisional statement	If a relevant representation made	If no relevant representation made
Application to vary premises licence / club premises certificate	If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor	If a police objection	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a police objection	All other cases
Applications for interim authorities	If a police objection	All other cases
Application to review premises licence / club premises certificate	All cases	



<b>Matters to be dealt with</b>	<b>Sub Committee</b>	<b>Officers</b>
Decision on whether a representation is irrelevant frivolous vexatious etc		All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application	All cases	
Determination of an objection to a temporary event notice	All cases	
Determination of application to vary premises licence at community premises to include alternative licence condition	If a police objection	All other cases
Decision whether to consult other responsible authorities on minor variation application		All cases
Determination of minor variation application		All cases

**'Responsible Authorities'** are public bodies, including the police and fire service etc that must be made fully aware of applications and are entitled to make representations to the Licensing Authority in relation to the application for the grant, variation or review of a premises licence or club premises certificate.

**'Licensing Authority'** is Stafford Borough Council.

**'Designated Premises Supervisor'** is the person designated as such and who is responsible for the day to day running of the premises and responsible for the sale of alcohol at the premises concerned.

**'Premises Licence'** is a licence granted under the Act, in respect to any premises, which authorises the premises to be used for one or more licensable activities.

**'Club Premises Certificate'** means a Certificate granted under the Act in respect of a premises which is compliant with Section 62 of the Act and is habitually used for the purposes of a Club.

**'Personal Licence'** is a licence granted to an individual by the Licensing Authority that authorises that individual to sell or supply alcohol in accordance with the premises licence.

**'Drink spiking'** is when someone puts drugs or alcohol into a person's drink without their consent. It can include putting alcohol into a non-alcoholic drink, adding extra alcohol to an alcoholic drink or slipping prescription or illegal drugs into an alcoholic or non-alcoholic drink. Substances used for spiking usually have no taste, odour or colour.

**'Needle spiking'** is when someone injects a victim with a substance using a hypodermic needle (or other form of administration such as a combi-pen).

**'EMRO'** An early morning alcohol restriction order (EMRO) can apply to any period on each day beginning at or after 12am and ending at or before 6am. It does not have to apply on every day and can apply for different time periods on different days. An EMRO can apply to the whole or any part of the licensing authority's area. The EMRO will apply to premises licences, club premises certificates and temporary event notices in relation to premises situated in the specified area. An EMRO can apply for a limited or unlimited period of time. For example, an EMRO may apply for a few weeks in relation to a specific event or apply for an indefinite period.

**‘Late Night Levy.’** The late-night levy is a power, conferred on licensing authorities by provision in Chapter 2 of Part 2 of the Police Reform and Social Responsibility Act 2011. This enables licensing authorities to charge a levy to persons who are licensed to sell alcohol late at night in the authority’s area, as a means of raising a contribution towards the costs of policing the late-night economy.

**‘CIA’** A Cumulative Impact Area is a designated zone where evidence has indicated that the number, type or density of licensed premises is impacting adversely on the licensing objectives, namely, crime and disorder, public safety, public nuisance and the protection of children from harm.

## ANNEX 7

### Fair Processing Notice

#### How we use your personal information:

At Stafford Borough Council we take your privacy seriously and will only keep and use your personal information for reasons that the law requires or allows. We are a data controller for the personal information we hold about you in relation to the processing and renewals of your Licenses. In order to comply with data protection legislation, we want to be sure you understand how we use this information.

The purpose for which your data will be used is to establish your identity and other necessary information about you which will help us determine your fitness, propriety and suitability to hold a licence or other authorisation with this authority.

The following is a generic, non-exhaustive list of relevant legislation which may apply to your particular licensing application or renewal. The information we collect about you will permit us to process your application in compliance with the legislation.

- Licensing Act 2003
- Gambling Act 2005
- The Local Government (Miscellaneous Provisions) Act 1976 and 1982
- The Town Police Clauses Act 1847
- LAIA Regulations 2018
- Dangerous Wild Animals Act 1976
- Zoo Licensing Act 1981
- House to House Collections Act 1939
- Scrap Metal Dealers Act 2013

Stafford Borough Council is required by law to protect the public funds it administers. We may share information provided to us with other agencies involved in licence processing or licensing enforcement where the law requires or permits us to do so.

We may share information about you for the purposes of auditing and administering public funds, preventing and detecting fraud and the prevention and detection of crime. Otherwise, we will only share your data if you ask us to.

We only keep this data for the time specified in our retention schedule or as required by law. Data protection law provides you with certain rights, however not all of these rights will be available to you in all situations, particularly where we process your information as part of one of our statutory duties. Where we are under a legal duty to use data for a particular purpose you will not have the right to prevent it being used in that way.

A full list of the rights you may have, under data protection law, is given in the 'Your Rights' section of this webpage. For specific enquiries regarding personal data which we process you can contact the Data Protection Officer on email: [infomanager@staffordbc.gov.uk](mailto:infomanager@staffordbc.gov.uk) or at Civic Centre, Riverside, Stafford, ST16 3AQ.

If you wish to complain about how your personal information has been handled by Stafford Borough Council, then please contact the Data Protection Officer in the first instance using the details above. If you are not satisfied you can submit a formal complaint to the Council via our website at:

[www.staffordbc.gov.uk/Complaintsprocedure](http://www.staffordbc.gov.uk/Complaintsprocedure)

Finally you can complain to the Information Commissioner's Office at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, Tel: 0303 123 1113 or you can visit their website at [ico.org.uk/](http://ico.org.uk/) You can also find details of how we handle your personal information by visiting [www.staffordbc.gov.uk/PrivacyNotices](http://www.staffordbc.gov.uk/PrivacyNotices)





Consultation Response for Statement of Licensing Policy  
Stafford Borough Council

On receipt of the consultation documentation from Stafford Borough Council regarding the review of their Statement of Licensing Policy, Staffordshire Police have considered the proposed document, and its contents and offers the below response from the Police Licensing Unit as a Responsible Authority.

It is formally requested that consideration be given for the inclusion of a Cumulative Impact Assessment as part of the wider policy.

The provision of the Cumulative Impact Assessment Policy for a specified area can be relied upon when appropriate to prevent a further rise in alcohol related crime and disorder in relation to licensed premises.

It is recognised that these policies should only be relied on when relevant and not be utilised to prevent economic growth within a given location. In addition, in areas where Licensing Authorities have such a policy when the Police use or reference to the policy has been challenged by the legal profession representing the licensing trade, the Police have been able to demonstrate that it has been proportionate in the circumstances to cite it.

The Police continue to assess all applications on their own merits and can demonstrate that through engagement with the applicant Premises Licences have been granted without the need for a hearing before the licensing subcommittee. This has also been the case where such policies exist.

In normal times these businesses continued to flourish, largely with no calls for service to the Police, which shows an operational demonstration that the licensing objectives are not being undermined.

There is a variant of licensed premises situated within the locality that due to a number of factors around them that do bring the need for a policing response whether that be from those operationally policing the locality or the Police Licensing Team, and it is premises of this nature where this type of policy is recognised as being relevant whether it be a new application or a variation to an existing one.

It is appropriate to highlight that it is not just premises that are licensed to sell alcohol that can contribute to incidents of crime and disorder, but also those that are authorised to carry out the provision of late-night refreshment. These premises by the nature of their operation, usually being busiest at the end of a trading night at weekends are focal points for persons already intoxicated to gather which can then and often does lead to incidents of violence and/or disorder. This is referenced in the Revised Guidance issued under section 182 of the Licensing Act 2003, specifically Ch 14, para. 21:-

*In some areas where the number, type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport.*

The Police are also aware that some local authorities nationally previously removed their respective CIA zones due to the Covid pandemic, however there were also a high proportion who retained them as did authorities within Staffordshire. It is also worthy of note that some authorities that removed their respective CIA policies have since reintroduced them as with the correct usage, and also with the scrutiny of the licensing subcommittee should a matter be brought before them, each application can still continue to be viewed on its own merits with the authorities still having the ability where appropriate to utilise the CIA to keep communities safe from an increase in violence and disorder.

This balanced approach is shown by the Police allowing for both businesses to come to the town centre and prosper without impacting on the already existing issue of violence and disorder, and those which can be shown to have a detrimental impact are prevented when appropriate from further negatively contributing.

It is recognised that with the revision of the policing model there is now better coverage of the borough by Staffordshire Police, however this is one strand of tackling crime and disorder.

It is therefore requested that a Cumulative Impact Assessment policy be created and attached to the Statement of Licensing Policy when published, to include alcohol sales (on and off) and the provision of late-night refreshment, as it is considered an appropriate element to be contained within the wider Licensing Policy.

PS 4613 Jim Finn  
Licensing Manager  
Police Licensing Unit  
Stafford Police Station  
Eastgate Street  
Stafford  
ST16 2DQ  
Email: [james.finn@staffordshire.pnn.police.uk](mailto:james.finn@staffordshire.pnn.police.uk)





## STAFFORD BOROUGH LPT

### Town Centre

## CUMULATIVE IMPACT ASSESSMENT REPORT

Author: PCSO 8866 Brough  
Date: August 2024  
Version: 1/24

- The information and data used within this report have been taken from Staffordshire Police recording systems.

## **INTRODUCTION**

Stafford Borough is the focal hub of both the day and night time economies within the Borough. The Borough of Stafford includes Stone Town Centre. There are a number of parishes including Coton and Forebridge and Eccleshall, including the student / business community of Staffordshire University Beacon Group, County Hospital and St, Georges Hospital, contained within the footprint of Stafford Borough.

Stafford Town Centre is the busier area - both from a retail / footfall perspective, and also crime / disorder associated with day and night economy.

Statistics provided are correct as Month to date [MTD] June 2021 to June 2024 [unless stated].

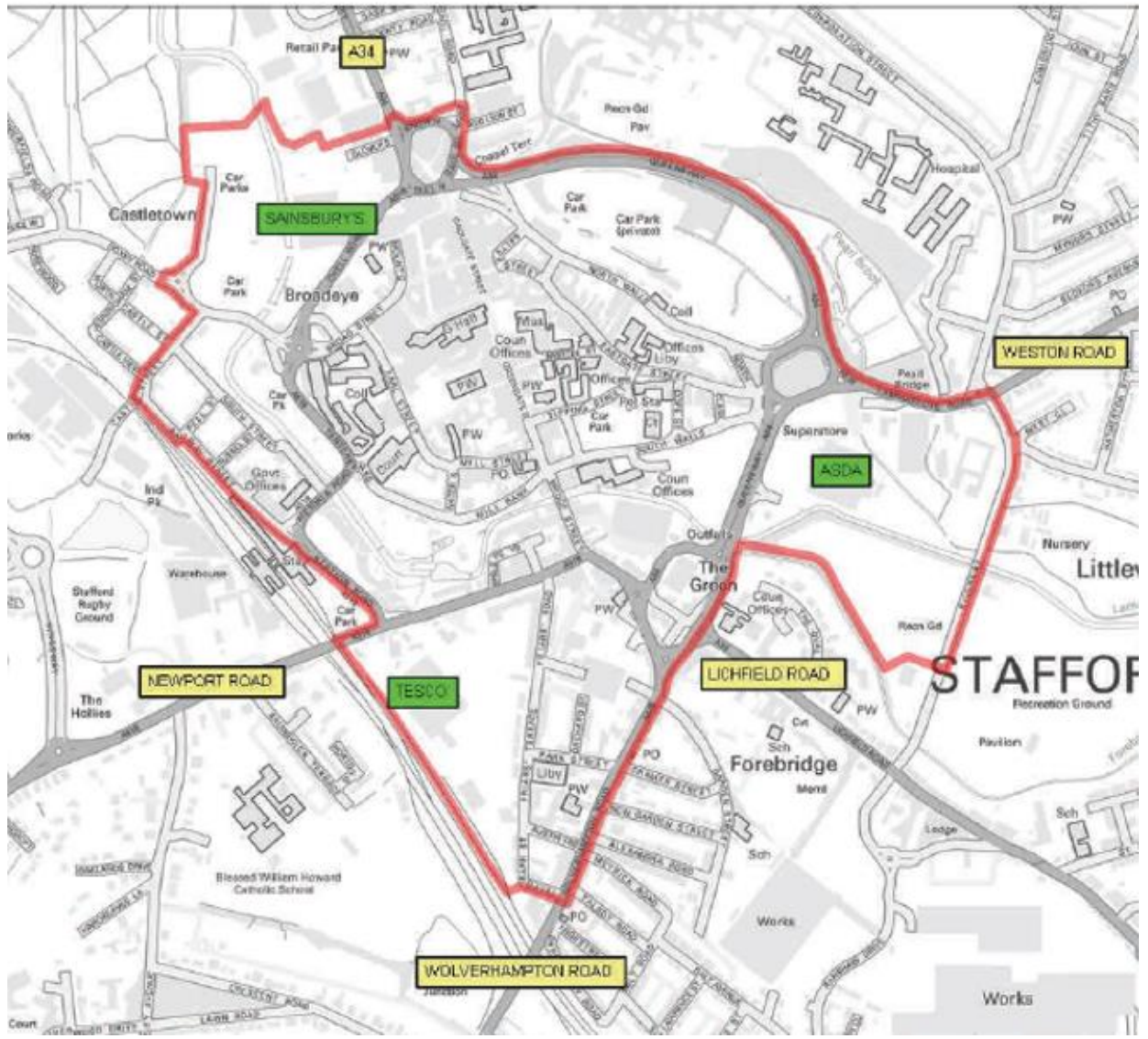
For the most part crime and disorder attributed to the night time economy takes place as bordered within an area known as the PSPO exclusion zone consisting of Gaol Island, Gaolgate Street, Greengate Street, Bridge Street, Newport Road and Victoria Park.

For the purposes of this report 'licensed premises' relates to premises licensed to carry out any licensable activity, including the sale of alcohol for consumption on or off the premises and the provision of late-night refreshment. This includes late night food outlets which are not licensed to sell alcohol.

In 2022, Staffordshire Police changed its policing model and reverted back to having officers based 24/7 at the 10 local policing stations. This has supported a renewed focus on local matters and a more intensive problem solving approach in line with our partner agencies and shared objectives.

The area defined as the town center is illustrated on the map below.

# STAFFORD EXCLUSION ZONE



## Overview

Stafford town has a mixture of retail premises, some of which are licensed to sell food and or liquor and residential premises mainly in the form of multi-story flats, self-contained apartments and residential properties above or connected to business premises.

Supporting the town centre functions are a host of local authority partner agencies, charities and other marshals. Within Stafford town there are three independent retail parks, which consist of The Hough, The Madford and The Friary retail parks.

Recent years have seen business changes with small companies relocating, choosing to invest into the local economy of Stafford town centre, and some businesses either cease trading or relocate elsewhere.

There are three main hotels which offer overnight accommodation in the area – both within walking distance of the town centre and The Swan Hotel and The Vine are directly in the middle of the town centre.

Staffordshire University Beacon Group which also is a short drive from the town center and hosts around 2,000 students in term time. The Beacon Group also host private hire for businesses and local events, such as conferencing and public local authority community meetings.

Within the Borough of Stafford is the army MOD site, Beacon Barracks Division, in addition to private housing development for MOD staff, workers and officers of the MOD families, including the Gurkha regiment. The MOD provide in excess of 1000 homes to officers and families of the MOD and RAF.

### **Licensed Premises**

There are currently 135 licensed premises on Staffordshire Police's Innkeeper system within the areas referred to as Stafford Town 1 and Stafford town 2, and classed as having either a Premises Licence or Club Premises Certificate. This includes all pubs, clubs, micropubs, off-licences and other retail premises where alcohol is purchased. The majority of these are within the area of the CIA but this figure also includes those in the outlying areas that have an impact on the Town Centre and Policing within the Borough of Stafford. This number includes a varied mix of businesses involved within both the daytime and night time economy. The vast majority of venues close between 2300 – 0200hrs with 3 regular premises making use of an extended 0300hrs license on a Friday and Saturday evening. The total number of licensed premises and those with late opening hours can vary as new premises open, current premises close or there is a change of ownership though the figure has consistently sat around the same number.

It is observed through discussion with premise managers that licensed premises will employ discretion and close earlier than their normal licensing hours where it is financially advantageous for them to do so.

Friday and Saturday nights traditionally see the most patrons attending the town with average numbers beginning to increase steadily from 8pm and peaking around 2230 - 2300hrs.

Venues that close between 0200 – 0300hrs will see exiting patrons often gathered in number on both Bridge Street and Newport Road, Stafford due to the late hours fast food businesses, directly adjacent to the premises and immediate Taxi ranks. Progressing into 2024 and beyond, the prospect of large crowds gathering will be an extra factor to consider both from a public order point of view, but also from any new independent licensed premises or continued development of new housing estates within the Borough.

Popular bars which attract greater number of patrons during evening hours are commonly:

CASA, Bridge Street, Stafford

Couture, Newport Road

The Picture House (Wetherspoons), Bridge Street

The Grapes, Bridge Street

Hogarths, Gaolgate Street

The Post House - Tenterbanks

Representations have been made via the support of Staffordshire Police Licensing in recent years to a number of premise owners, and Designated Premise Supervisors (DPS) relating to poor license observations, drunkenness of patrons, drug possession / supply, violence and related criminality.

Any new or updated applications would be subject to very close scrutiny and liaison with Staffordshire Police Licensing and Local Authority Licensing teams.

As part of Stafford Borough's Town Centre Policing Plan officers consistently engage with the local Pubwatch group where we are able to share certain information, obtain intelligence, provide relevant support and make any necessary representations to those involved in the scheme.

### **Public / Private Transport**

With the support of the local authority, both private hire and hackney carriage services are pooled at agreed locations on Waterfront Way and Bridge Street and Stafford has a number of centralized bus pick up locations throughout the Town centre, although the main concentrated bus stations in the Town centre with a higher footfall are located at Northwalls and Stafford Train Station. The bus services operate during the day and evenings and provide direct transport links, in and out of Stafford, to and from Stone, Stoke-On-Trent and Telford. Daytime provisions operate within agreed bus routes, and taxi ranks.

### **Policing**

Night time economy is policed by a small team of officers, complemented by a number of Special Constables based at Stafford Police Station, Eastgate Street and will offer a combination of high visibility and plain clothes foot patrol of the town center area from 1800 – 0300hrs. High visibility patrols on the Town Centre are increased on both Friday & Saturday night time and for specific events that certain license premises hold, for example leavers ball or junior nights where the club Couture, open their doors for teenagers aged under 18 years old.

Officers operate a *meet and greet* theme to ensure patrons and premises staff are reassured by an early policing presence when visiting premises, obtaining number of patrons and then this presence continuing into the night and

monitoring the number of patrons attending locations, throughout the evening/early hours.

Police make frequent use of relevant legislation to prevent, detect and deter crime with the focus of promoting a safer environment for businesses and visitors of the town centre. This is referred to as SAFERNIGHTS OPERATION, in addition to Section 34 Dispersal Orders are put in place for Stafford Town Centre

Within the Town centre as defined by the exclusion zone or PSPO parameters, where a higher footfall centres through the town centre is a pedestrianized area, with Bridge Street allowing one-way access for traffic and bus routes only. The Night time economy, mostly Friday and Saturday nights, Taxi Marshalls assist in patrons leaving the town centre and coordinate a constant flow of available taxis to transport patrons' home, to reduce large numbers of people congregating in one area in a shorter timescale. This allows safer passage of pedestrians throughout the busier areas and offers a more controlled and efficient traffic flow.

Structured licensing checks feature as a regular method of monitoring and supporting licensed premises to ensure a safe environment for staff and patrons.

### **CCTV**

The majority of local businesses offer their own private and independent CCTV systems in addition to a system of CCTV cameras owned by Stafford Borough Council that is managed locally by the Council.

41 x cameras provide both police and the local authority safe, secure and compliant coverage of public areas.

The contact between, license premises, businesses and CCTV operatives, within the town centre is monitored through The Store net radio scheme. Businesses and licensed premises can sign up to the scheme and this facilitates direct communication between CCTV control and Police.

### **Crime (STAFFORD Town)**

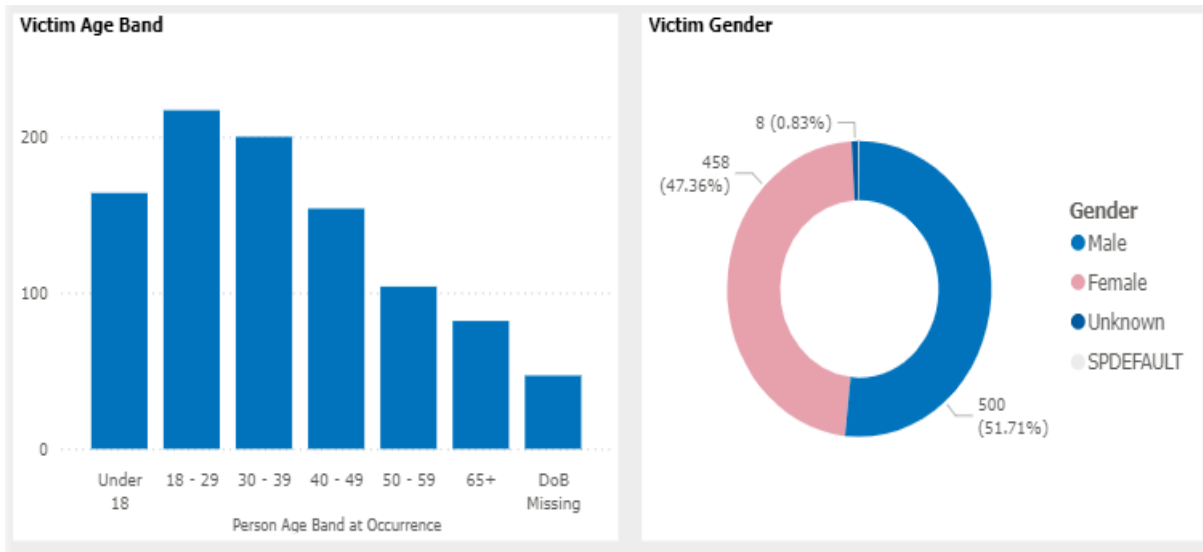
The following comparative reports of crime are summarised.

Information is taken from Staffordshire Police recording system: PowerBI 01/01/2023 – 01/08/2024. This information covers the area of Stafford Town WM01.

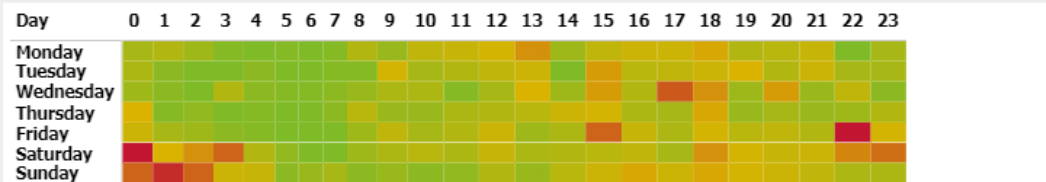
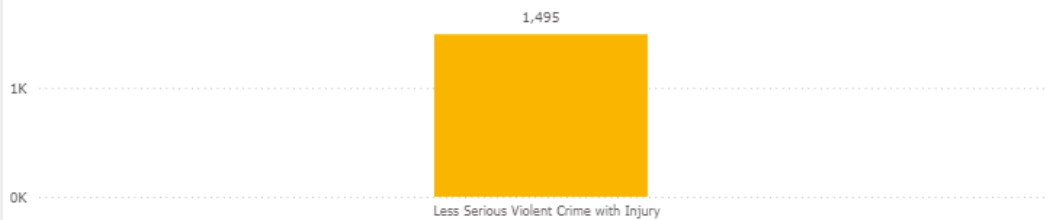
### **CRIME HEAT MAPS**

This information is taken from Staffordshire Police recording system PowerBI. This system breaks down the umbrella offences which have multiple sub-categories for example, under the above violence data there are the three sub-categories of other violence against the person, more serious violence and less serious violence. The below chats provide maps of where the offences were committed, a heat map of the times and days of offences and a graph showing the volume.

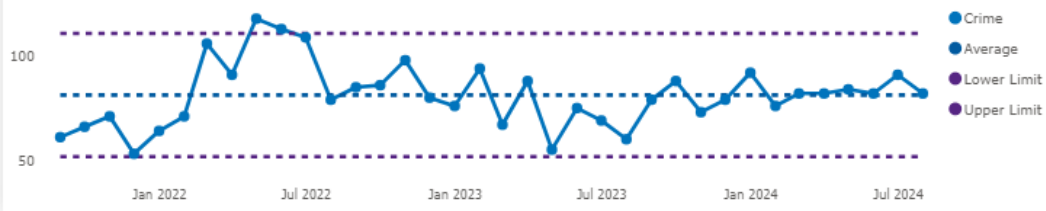
**The below charts reflect violence, less violent offences with injuries and most serious violence with injury and includes data reflective of victims age and gender at the time of the relevant offences;**



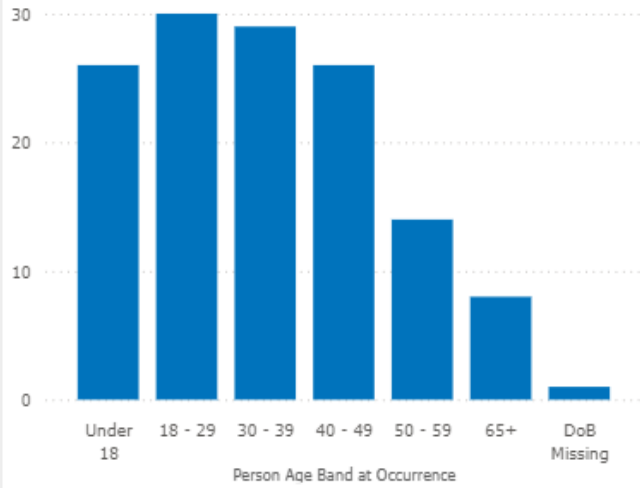
**Crimes by Offence Group**



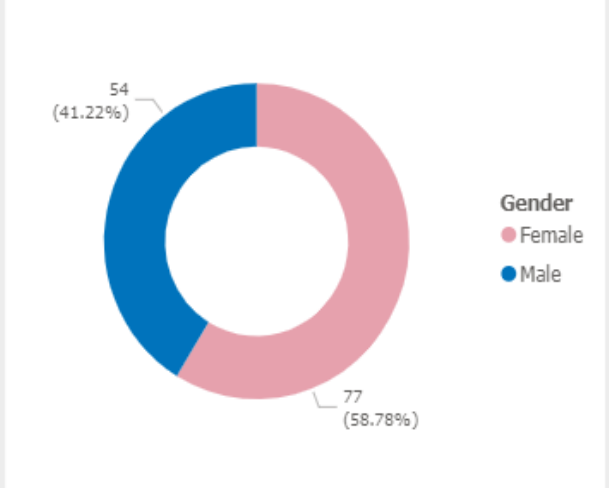
**Crime Volume SPC Chart**



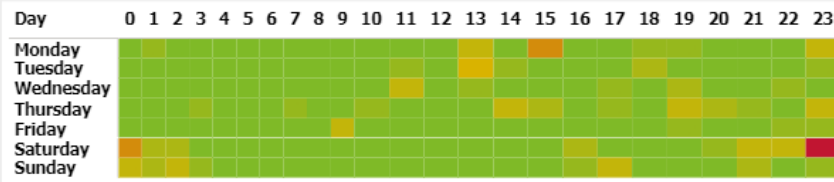
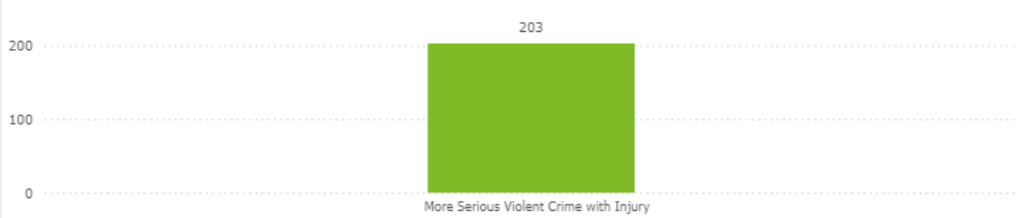
**Victim Age Band**



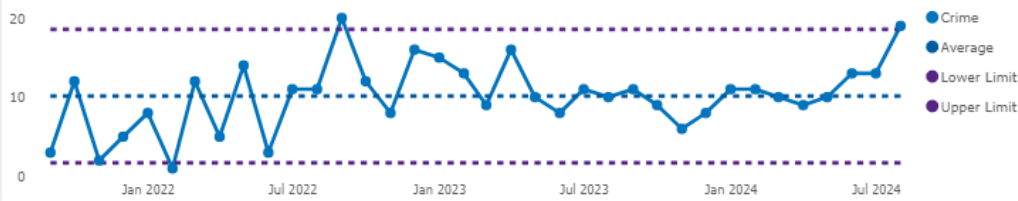
**Victim Gender**



**Crimes by Offence Group**

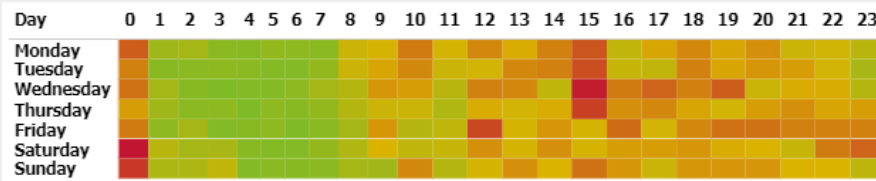
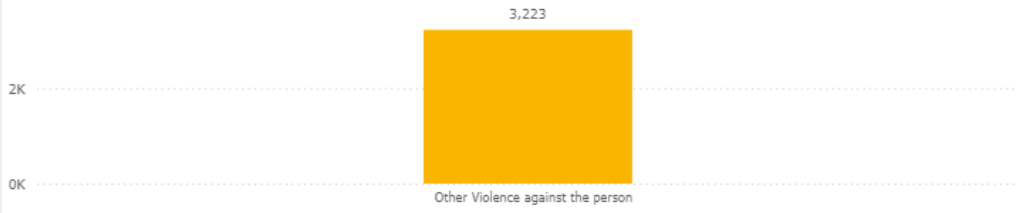


**Crime Volume SPC Chart**

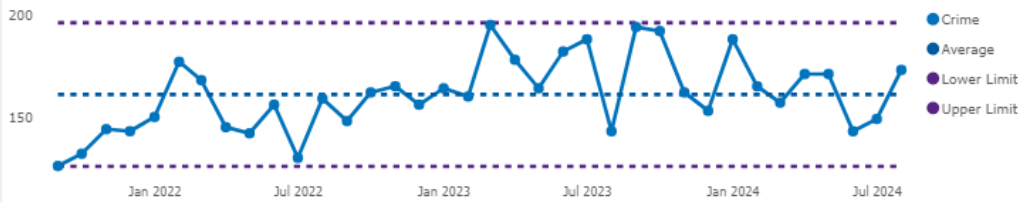




**Crimes by Offence Group**

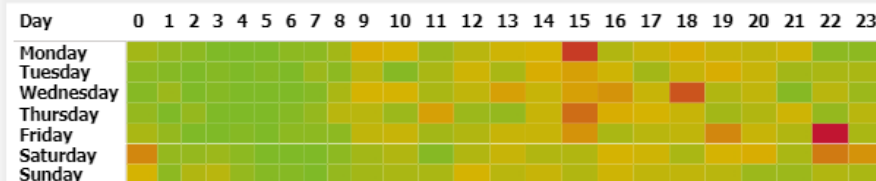
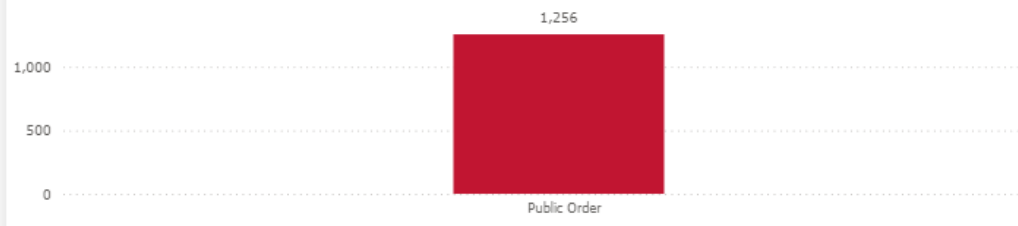


**Crime Volume SPC Chart**

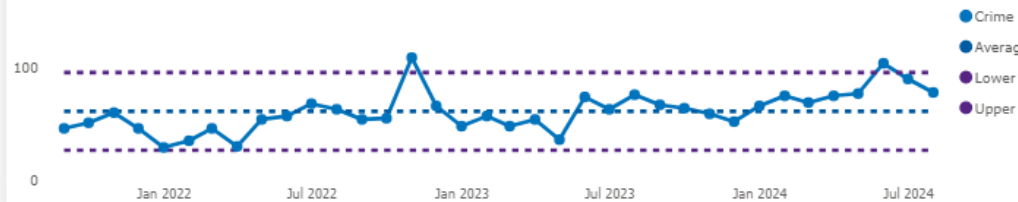


**The below charts reflect offences for Robbery, Sexual offences and Public order:**

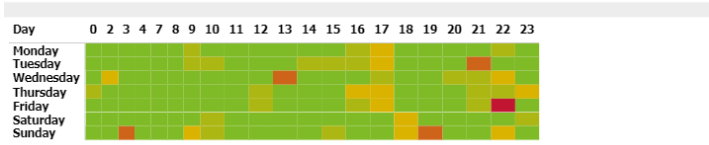
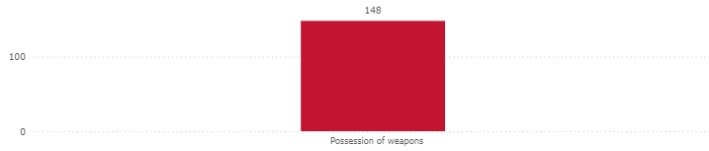
**Crimes by Offence Group**



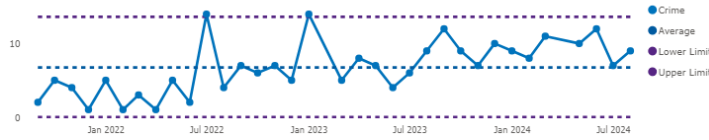
**Crime Volume SPC Chart**



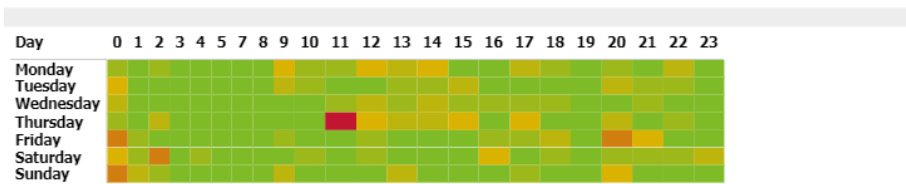
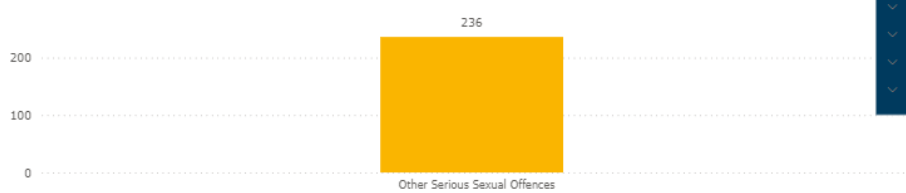
Crimes by Offence Group



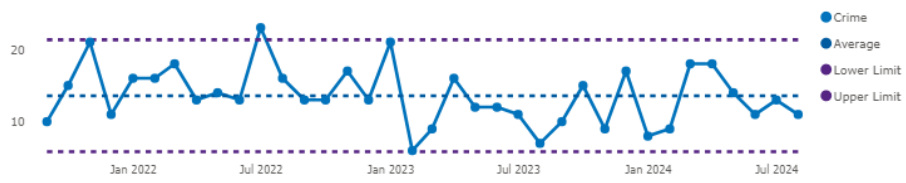
Crime Volume SPC Chart



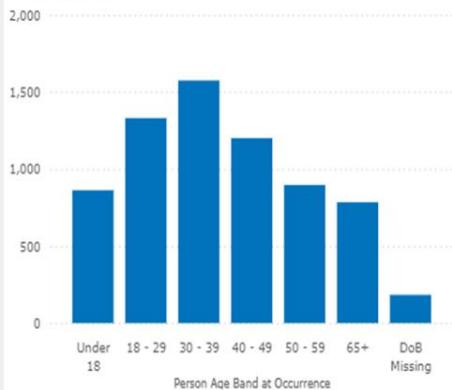
Crimes by Offence Group



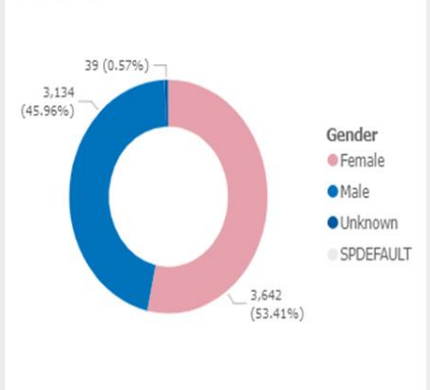
Crime Volume SPC Chart



Victim Age Band

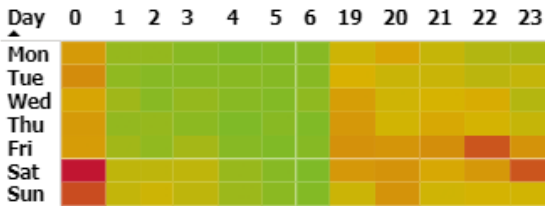


Victim Gender



**The following data displayed below, indicates recorded offences for the Night time economy of Stafford Town Centre from January 2022 – July 2024**

Occurrence by Type



Occurrence Volume Chart



## Anti-Social Behavior (Stafford Town)

Information is taken from Staffordshire Police Power BI recording system recorded July 2022 – July 2024. This information covers the area of Stafford Town WM01.

Anti-social behavior is classified into three collective groups:

### Community

Likelihood of a general and nonspecific effect on an area whether towards businesses, visitors, or residents. Likely to be more than one person / group effected.

Examples of which are begging, street drinking, littering, etc

### Personal

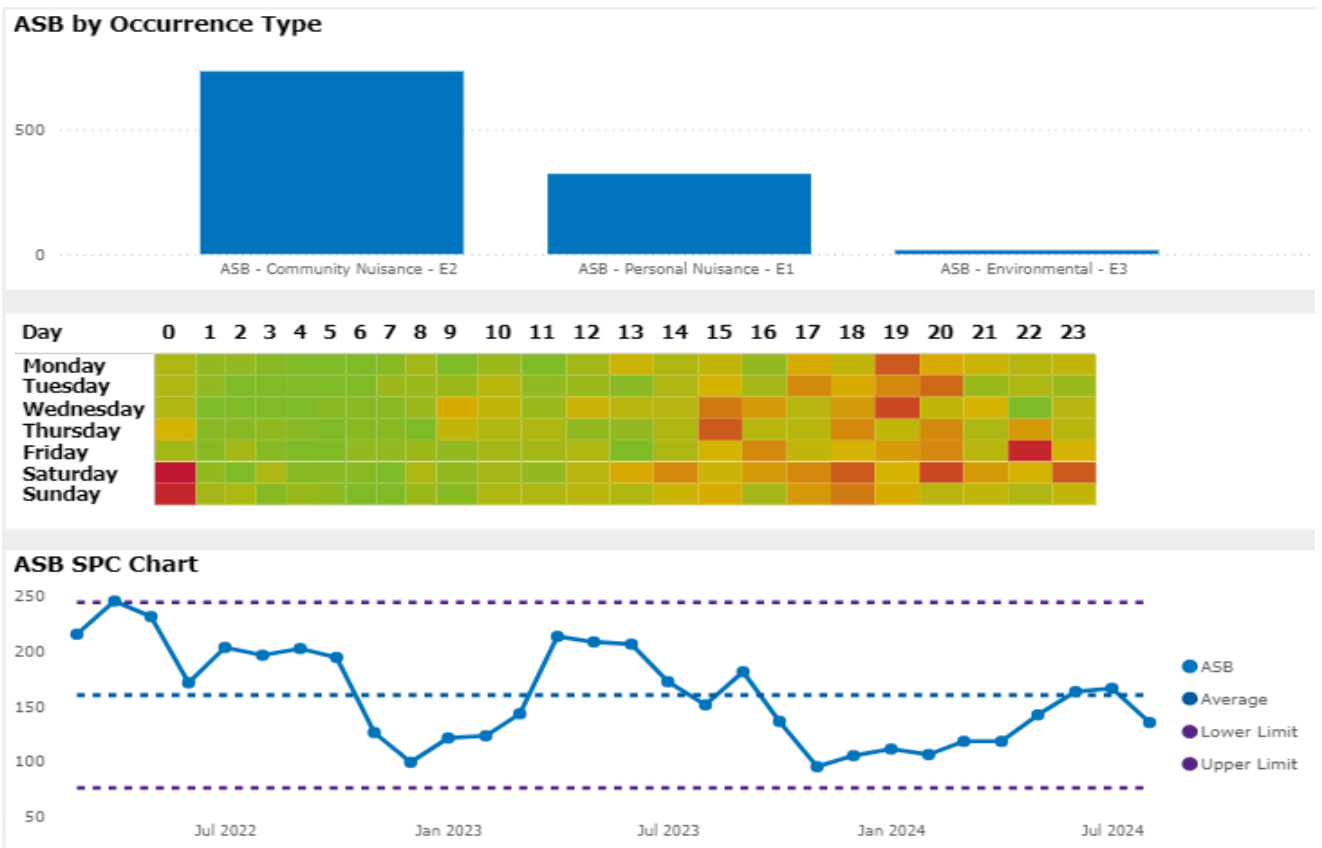
Direct, Indirect or intended effect on an individual or business

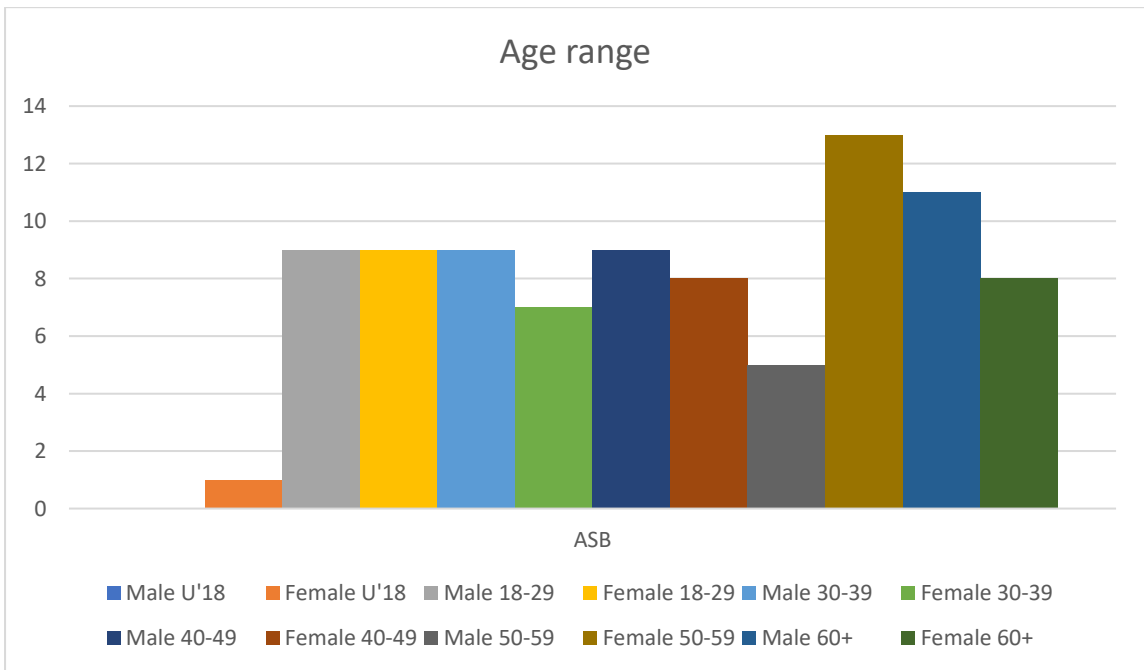
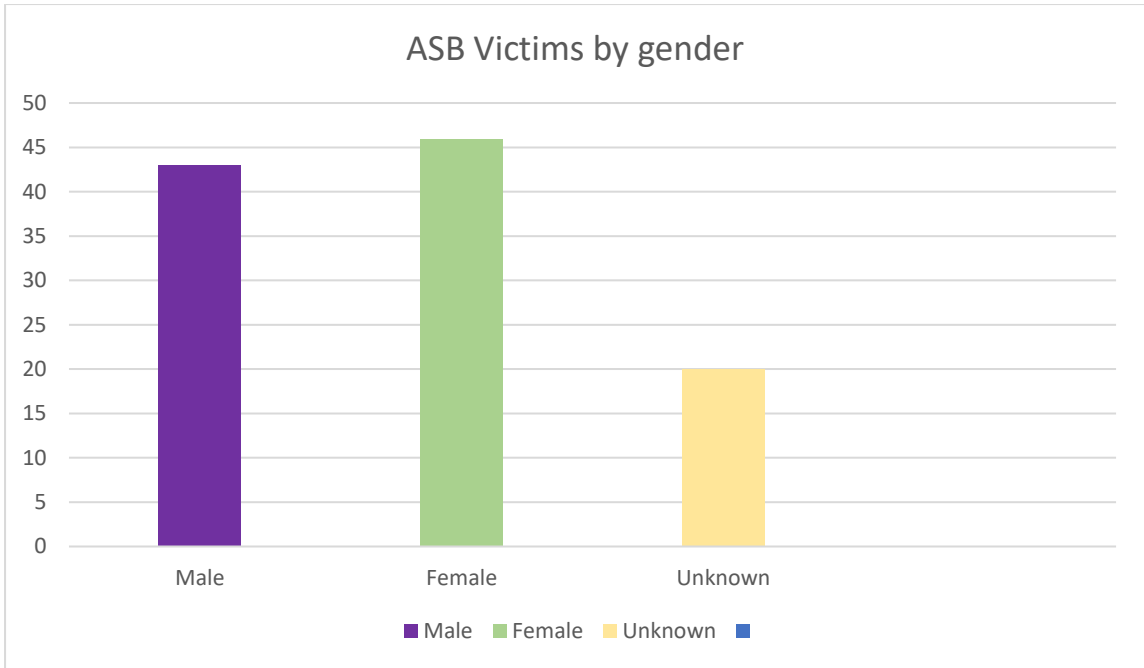
Examples of which – Foul / abusive language, drunken behavior, behavior causing harassment, alarm or distress.

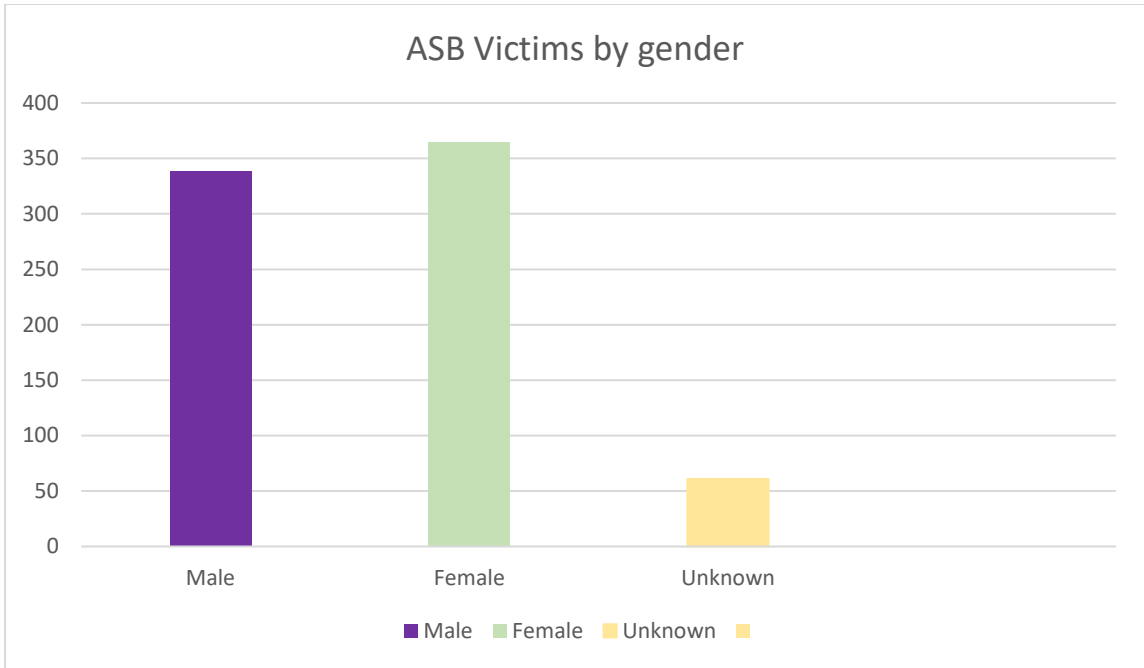
### Environmental

Likelihood of impact on environmental issues.

Examples such as – excessive noise, fly-tipping, burning of waste.







## **Conclusion and recommendations**

The publishing of a Cumulative Impact Assessment to limit the number and type of licenses within the Stafford Borough Town area is considered key in supporting the licensing objectives and helping keep the area a safe place to live, work or visit.

From the above data there is a consistent theme of crime and anti-social behavior impacting on both daytime and nighttime economies and the achievement of the Licensing Objectives;

The prevention of crime and disorder;

The prevention of public nuisance;

Public safety; and

The protection of children from harm.

When considering the data for the Town Centre alone, and thus the area of the CIA, we can see that while all crime categories have shown a reduction, they are still significant in volume and in excess of the figures recorded in 2021-2022. Violence and public order stand out from the other categories as having the greatest impact within the Town centre for Stafford. The same is true when we look at the comparative data of crime and ASB recording across the entire Borough for the same period. There are reductions from the previous 12 months (2022-2023) and this can likely be attributed to the change in the policing model, with greater local focus, partnership working, problem solving and formal interventions with specific licensed premises, but the volume is still high in most categories.

Centre the stand out figure for the Borough as a whole is in relation to violence and sexual offences which clearly shows far more females are victims than males. This may be attributable to the type of offences, such as domestic abuse, which predominantly tend to occur within the home and residential areas.

When considering the data provided by the crime heat maps, particularly in the crime categories with the greatest volume, we can see that there is clearly a correlation between the nighttime economy and the peak times for offences.

Without a CIA we are likely to see a similar expansion in licensed premises as we have with Vape Shops and that is highly likely to have a detrimental impact on the safety of the Town Centre leading to an increase in crime and anti-social behavior.

When looking at the statistics around ASB it is apparent that the new local policing model and renewed focus on problem solving is having a positive impact in the reduction of such incidents as this is replicated across both the Town Centre alone and the Borough as a whole. The CIA can only complement these reductions and assist with our work in targeting such problems.

As the local police force we will continue to robustly police the Town Centre in conjunction with our partners and local communities

New businesses are welcomed and encouraged by the local policing team and the local community within the Borough and will be afforded equal levels of support and intervention where needed to tackle crime and disorder.

The Neighbourhood Policing Team continue to be key partners providing a practical and informed insight sharing recommendations based on operational policing experience. Additionally, in conjunction with Partners Against Business Crime in Staffordshire (PABCIS) the theme of “banned from one, banned from all” is in place to discourage repeat offending by individuals which supports reducing crime and disorder.

PCSO 8866 Brough



## Changes to Stafford Borough Council's Licensing Policy 2025

Page/Paragraph	Amendments to Existing Policy	Reason
Page 11, Paragraph 6.16	Additional information in respect of the possible need to obtain planning permission following service of a Temporary Event Notice. (TEN)	For clarification and compliance with legislation.
Page 17, Paragraph 7.31	update on Remote Hearings judgement	Clarification and guidance on judgment.
Page 17, Paragraph 8.3	Removal of outdated reference to the Institute of Licensing's advice on premises licence conditions.	For clarification and compliance with the legislation.
Page 19, Paragraph 8.11	additional information and guidance relating to the spiking of drinks.	For clarification and compliance with good practice and statutory guidance.
Page 20, Paragraph 8.12	additional information and guidance relating to the spiking of drinks.	For clarification and compliance with good practice and statutory guidance.

<b>Page/Paragraph</b>	<b>Amendments to Existing Policy</b>	<b>Reason</b>
Page 20, Paragraph 8.13	additional information and guidance relating to vulnerable women in licensed premises.	For clarification and compliance with good practice and guidance.
Page 21, Paragraphs 8.15 - 8.20	additional information and guidance relating to Counter Terrorism, measures.	For clarification and compliance with good practice and statutory guidance.
Page 24, Paragraphs 8.34	Additional information and guidance relating to Pavement Licences.	For clarification and compliance with legislation, good practice and guidance.
Pages 32/33 - Section 11 Glossary	Explanation n respect of terminology used within the policy document.	For clarification and avoidance of doubt.

**Agenda Item 5(b)ii****Gambling Act 2005 - Statement of Principles 2025 - 2028**

<b>Committee:</b>	Cabinet
<b>Date of Meeting:</b>	7 November 2024
<b>Report of:</b>	Head of Regulatory Services
<b>Portfolio:</b>	Environment Portfolio

---

**1 Purpose of Report**

- 1.1 Cabinet is asked to consider the revised Statement of Principles (Policy Statement) in respect of functions under the Gambling Act 2005 (the Act), following consultation on statutory review and note its contents. The next review is due by 5 January 2025.

**2 Recommendations**

- 2.1 To approve the Gambling Act 2005 Policy Statement 2025 at **APPENDIX 1** to this report and recommend to Council for adoption and publication.
- 2.2 That the Head of Regulatory Services be authorised to make any amendments to the Policy required due to changes in legislation or government guidance and minor variations to the Policy in the interests of operational efficiency.

**Reasons for Recommendations**

- 2.3 Members are asked to approve the policy in order to ensure that the Council complies with its statutory responsibilities under the Act.
- 2.4 Authorising the Head of Regulatory Services to make amendments to the policy is in the interests of operational efficiency

**3 Key Issues**

- 3.1 The revised Policy Statement has been developed having regard to the Gambling Commission's revised *Guidance to Licensing Authorities* last updated in April 2023 and has been subject to a consultation process.
- 3.2 A summary of the changes made to the made to the Policy Statement prior to consultation is attached to this report as Appendix 2.

- 3.3 The Council's Licensing Section received three responses to the consultation two of them required no amendments to the Policy and the third created a slight amendment made on Appendix 1 (Descriptors of Terms) under the Lottery description in relation to the National Lottery now being regulated by the Gambling Commission rather than the National Lottery Commission.

## **4 Relationship to Corporate Priorities**

- 4.1 The Policy will support the priority to improve the quality of life of local people by providing a safe, clean, attractive place to live and work and encouraging people to be engaged in developing strong communities that promote health and wellbeing. It will support this by:
- implementing risk-based, proportionate regulation;
  - ensuring high standards of regulatory compliance;
  - tackling non-compliant businesses, so these do not gain unfair competitive advantage;
  - preventing gambling from becoming a source of crime and disorder, being associated with crime and disorder or being used to support crime;
  - ensuring that gambling is conducted in a fair and open way;
  - protecting children and other vulnerable persons from being harmed or exploited by gambling.

## **5 Report Detail**

- 5.1 The Gambling Act 2005 (the Act) came into effect on 1 September 2007 and contains the regulatory system to govern the provision of all gambling in Great Britain, other than the National Lottery and online betting. Section 349 of the Act requires the Council to prepare and consult on a Policy Statement setting out the principles the Council will apply in exercising its functions under the Act. The Act requires a review of the Policy Statement every three years.
- 5.2 The Gambling Commission (the Commission) is the unified regulator for gambling in Great Britain. The Commission has responsibility for granting operating and personal licences for commercial gambling operators and personnel working in the industry. It also regulates certain lottery managers and promoters.
- 5.3 Licensing authorities license gambling premises within their area, as well as undertaking functions in relation to lower stake gaming machines in clubs and miners' welfare institutes. In England and Wales local councils have these responsibilities.

5.4 The Council will carry out its functions under the Act and will aim to permit gambling in accordance with the three licensing objectives set out at Section 1 of the Act. The expectation is that gambling premises will ensure that the licensing objectives are met. The three licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime 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.

The Policy Statement explains in detail how the Council will ensure that licensed premises promote these objectives.

5.5 A draft revised document was consulted on between 9 August - 6 September 2024. Every effort was made to bring it to the attention of everyone with an interest in gambling matters. A link on the Council's website also brought it to the attention of the wider public with details of how they could comment on it.

## **6 Implications**

### **6.1 Financial**

None identified; the fees for processing and issuing all licences are currently set by the Government.

### **6.2 Legal**

The revised Policy ensures the Council discharges its statutory licensing functions effectively and that decisions made by Officers and Members are transparent, proportionate and comply with Human Rights and Equalities legislation. The policy provides assurances that decisions made are able to withstand challenge and scrutiny by outside bodies including the Courts.

### **6.3 Human Resources**

None

### **6.4 Risk Management**

The Policy ensures the Council is able to effectively discharge its statutory licensing functions. Failure to regularly review the Gambling Policy could leave the Council open to challenge..

## 6.5 Equalities and Diversity

An Equality Impact Assessment has been carried out for the Policy. The Policy Document will be made available in large print, Braille and as an audio version, on request.

## 6.5 Health

The policy confirms that the Council is committed to a Health in All Policies (HIAP) approach. This will help identify how best to tackle the health inequalities within our Borough and ensure that all our policies and services include consideration of the health impact that can be made.

## 6.6 Climate Change

None

## 7 Appendices

Appendix 1: Revised Statement of Licensing Policy

Appendix 2: Summary of changes to the Policy Statement prior to consultation

## 8 Previous Consideration

Review of Gambling Act, Statement of Principles - Council - 25 November 2018

Review of Gambling Act, Statement of Principles - Council - 19 December 2021

Licensing Committee - 18 October 2024 - Minute No LC3/24

## 9 Background Papers

Guidance to Licensing Authorities , Gambling Commission, published April 2021 and amended in April 2023, available at:

[www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities](http://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities)

Consultation Responses available on request from the Council's Licensing Section at [ehlicensing@staffordbc.gov.uk](mailto:ehlicensing@staffordbc.gov.uk)

**Contact Officer:** Julie Wallace

**Telephone Number:** 01785 619605

**Ward Interest:** All

**Report Track:** Licensing Committee 18 October 2024  
Cabinet 8 November 2024  
Council 3 December 2024

**Key Decision:** N/A

# **Gambling Act 2005 Statement of Principles 2025 - 2028**

**DRAFT**

Effective from Jan 2025





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## Part A - The Gambling Act 2005

### 1 The Licensing Objectives

- 1.1 Under the Gambling Act 2005 (the Act), Stafford Borough Council is the Licensing Authority. The Council licenses premises for gambling activities as well as granting various other gambling permits. In this document, unless otherwise stated, any references to the Council are to Stafford Borough Council.
- 1.2 The Gambling Commission issues operators' licences and personal licences. Any operator wishing to provide gambling at certain premises must have applied for the requisite operator's licence and personal licence from the Gambling Commission before they approach the Council for a premises licence.
- 1.3 The Council is responsible for licensing premises where gambling activities are to take place. The Council is also responsible for a number of other matters which are listed in paragraph 12.1 below.
- 1.4 The Council will carry out its functions under the Act and will aim to permit gambling in accordance with the three licensing objectives set out at Section 1 of the Act. The expectation is that gambling premises will ensure that the licensing objectives are met. The three licensing objectives are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or being used to support crime.
  - Ensuring that gambling is conducted in a fair and open way.
  - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.5 More information on the licensing objectives can be found later in this document. It should be noted that the licensing objectives do not include ensuring public safety or the prevention of public nuisance.
- 1.6 When making decisions about applications for premises licences, the Council is bound by, and committed to, a statutory aim to permit gambling insofar as it considers that any application made:
- Is in accordance with any relevant Code of Practice issued by the Gambling Commission;
  - Is in accordance with any relevant guidance issued by the Gambling Commission;
  - Is reasonably consistent with the licensing objectives; and
  - Is in accordance with the Council's Statement of Principles.

- 1.7 The Licensing Authority would emphasise that moral or ethical objections to gambling are not valid reasons for the rejection of premises licences applications.

## 2 Introduction and consultation process

- 2.1 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions under the Act.
- 2.2 The Council has consulted widely on this Statement of Principles before finalising and publishing. The consultation took place from 9 August - 6 September 2024. The list of those consulted during this consultation is provided within paragraph 2.4 below.
- 2.3 The Council will continue to monitor the effectiveness of this policy and will consider changes to the policy in the light of any new legislation and/or developments affecting the local area. It will consult with stakeholders at the time it is considering any such changes. The Council must review and publish this statement of principles at least every three years.
- 2.4 List of persons and agencies consulted by this authority:
- Staffordshire Police
  - Staffordshire Safeguarding Children Board
  - Staffordshire County Council Social Services
  - Staffordshire County Council Trading Standards
  - Representatives of local businesses
  - Local Member of Parliament
  - National charities concerned with the social impact of gambling
  - Director of Public Health
  - Community Wellbeing Partnership
  - National bodies representing the gambling trade
  - Community Safety Partnership
  - Stafford Borough Council elected Members
  - All parish and town councils in Stafford Borough
  - Stafford Chamber of Commerce
  - Neighbouring local authorities
  - Existing licence holders and trade associations
- 2.5 The statement of Principles consultation took place between 9 August and 6 September 2024 and followed the Cabinet Office Guidance on Consultation Principles first published in July 2012 and last updated in March 2018. This document is available at: [www.gov.uk/government/publications/consultation-principles-guidance](http://www.gov.uk/government/publications/consultation-principles-guidance)

- 2.6 The Council will need to approve and adopt this Statement of Principles at full Council before 5 January 2025.

### 3 Exchange of Information and Data Protection

- 3.1 Licensing authorities are required to include, in their policy, the principles which are to be applied to the exchange of information between it and the Gambling Commission, as well as other persons listed in Schedule 6 to the Act. It may also share information with other bodies responsible for auditing or administering public funds for these purposes, e.g. UK National Fraud Initiative.
- 3.2 The information that you have provided will be used by Stafford Borough Council, as data controller, to allow it to carry out its statutory obligations in relation to the administration, compliance and enforcement of the licensing function within the Borough. The Council will only share your information with agencies involved in licence processing or licensing enforcement where the law requires or permits it to do so. For further information, please see: [www.staffordbc.gov.uk/PrivacyNotices](http://www.staffordbc.gov.uk/PrivacyNotices)

### 4 Equality and Diversity

- 4.1 The Council is committed to promoting diversity and equality of opportunity to everyone it comes into contact with. This is an essential part of improving services for everyone. This can only be achieved by promoting equality for all groups of people and removing discrimination and harassment.

Through policies and service delivery, the Council's main aims for ensuring equality and diversity are to:

- Eliminate unlawful discrimination.
- Advance equality of opportunity between those who share a protected characteristic and people who do not;
- Foster good relations between diverse communities.

- 4.2 The Council has refreshed its Equalities Policy and the overarching aim of this policy is that consideration to equality becomes an intrinsic part of daily working, the organisation culture and service delivery.

- 4.3 There are two main objectives that support the aim and objectives in the Corporate Business Plan and these relate to:

- Organisational commitment.
- Delivering the best outcomes for residents, businesses and visitors in our borough.

A copy of the policy can be found at: [www.staffordbc.gov.uk/equality-and-inclusion-policy](http://www.staffordbc.gov.uk/equality-and-inclusion-policy)

### **5 Crime and Disorder Act 1998**

- 5.1 Under section 17 of the Crime and Disorder Act 1998 the Council is under a statutory duty to do all that it can to prevent crime and disorder within its area and is mindful of concerns over the use of licensed premises for criminal activity, for example money laundering and drug dealing.
- 5.2 The Council will work in partnership with licence holders, local businesses, responsible authorities, councillors and local people with the aim of promoting the licensing objectives.

### **6 The Licensing Framework**

- 6.1 The Gambling Act 2005 changed the way that gambling is administered in the United Kingdom. The Gambling Commission is the national gambling regulator and has a lead role in working with Central Government and local authorities to regulate gambling activity.
- 6.2 The Gambling Commission issues operators' licences and personal licences. Any operator wishing to provide gambling at certain premises must have applied for the requisite operator's licence and personal licence from the Gambling Commission before they approach the Council for a premises licence. In this way, the Gambling Commission is able to ensure that applicants have the correct credentials to operate gambling premises.
- 6.3 The Council's role is to ensure premises are suitable for providing gambling in accordance with the three licensing objectives and any Codes of Practice issued by the Gambling Commission. The Council also issues various permits and notices for smaller scale gambling.
- 6.4 The Council does not license large society lotteries, the National Lottery or remote gambling through websites. These are regulated by the Gambling Commission.

### **7 Local Area Profile**

- 7.1 Applicants are referred to the web links given in paragraphs 8.9 to 8.15 below. These web pages give wide ranging information on the Council's local area which should be taken into account by applicants who are preparing local risk assessments. These web links are reviewed and updated on a regular basis so as to reflect changes to local characteristics, trends and conditions.

- 7.2 Stafford Borough is one of eight District and Borough Councils that make up Staffordshire in the West Midlands. Stafford is the county town, and the Borough is the largest Staffordshire district, stretching across 59,187 hectares equating to approximately 230 miles. Predominately rural, with 32% of the population living in these areas, its economic scale score of 84.71 ranks it as medium size by British standards.
- 7.3 Stafford Borough currently has more than 136,900 residents and this population figure is expected to increase, to approximately 145,800 by 2033.
- 7.4 The ethnicity of the population is approximately 93% White British, which is comparable to the population of Staffordshire.
- 7.5 The health of people in Stafford Borough is varied compared with the England average. About 10.9% (2,285) children live in low-income families. Life expectancy for both men and women is higher than the England average.
- 7.6 Life expectancy is 6.2 years lower for men and 5.6 years lower for women in the most deprived areas of Stafford than in the least deprived areas.
- 7.7 In adult health the rate for alcohol-related harm hospital admissions is 1008\* worse than the average for England. This represents 1,441 admissions per year.
- 7.8 The rate for self-harm hospital admissions is 273\*, worse than the average for England. This represents 350 admissions per year. (**\*rate per 100,000 population**): [fingertips.phe.org.uk/profile/health-profiles/data#page/1/ati/301/are/E070001977.9](https://fingertips.phe.org.uk/profile/health-profiles/data#page/1/ati/301/are/E070001977.9)
- 7.9 The top reported crimes in Stafford Borough during March 2024 are Violence and Sexual offences, Shoplifting, Public Order and Anti-Social Behaviour.
- 7.10 The ward indicator matrix demonstrates that there are eight ward areas that are more deprived and experience poorer outcomes. The wards with the highest levels of need in terms of families and communities facing multiple issues are: Common, Coton, Doxey and Castletown, Forebridge, Highfields and Western Downs, Holmcroft, Littleworth and Penkside.
- 7.11 Approximately 70% of households in the borough are predominantly owner-occupied.
- 7.12 The average price of a house in Stafford Borough was £257,000, in April 2024 (provisional) Across the West Midlands, the average house price rose slightly by 2.0% over the same period to £246,000.

- 7.13 Private rents rose to an average of £749 per month in May 2024, an annual increase of 3.6% from £722 in May 2023. This was lower than the rise in the West Midlands (8.0%) over the year.
- 7.14 The economic activity status in Stafford Borough is that 58.3% of the population are in employment, 2.5% are unemployed and 39.2% are economically inactive.
- 7.15 Stafford Borough Council currently has 11 gambling premises licences, predominantly Adult Gaming Centres and Betting shops with one bingo premises and a Family Entertainment Centre.
- 7.16 The new Corporate Business Plan sets out the council's vision and objectives for the next three years and details a shared vision for economic and housing growth, community health and wellbeing and financial sustainability:  
[www.staffordbc.gov.uk/corporate-business-plan](http://www.staffordbc.gov.uk/corporate-business-plan)
- 7.17 All of our outcomes for our residents, families and communities are affected by a wide range of social, demographic, environmental and economic factors which are inextricably linked. It is often the same families and communities that have poor outcomes who are more likely to be the victims and also perpetrators of crime and anti-social behaviour. There is increasing focus upon public sector organisations working in partnership with each other, the voluntary, business sectors and communities to plan, design, resource, build and deliver services around people, families and communities in the most disadvantaged communities to support them to improve their life opportunities.
- 7.18 The Council will proactively engage with all responsible authorities as well as other organisations to ensure any new applications or applications to vary existing licences are assessed by taking the local area profile risks into account. Applicants should therefore consider how they will address these risks and address these matters in any applications.

## 8 Local Risk Assessment

- 8.1 The Gambling Commission's Licence Conditions and Code of Practice (LCCP) require operators to consider local risks from the provision of gambling at their premises. Please see Code of Practice provisions, section 10: [www.gamblingcommission.gov.uk/licensees-and-businesses/lccp](http://www.gamblingcommission.gov.uk/licensees-and-businesses/lccp)
- 8.2 The Social Responsibility (SR) code requires applicants to assess the local risk to the licensing objectives posed by the provision of gambling facilities at each of their premises. It also requires them to have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, applicants must take into account any relevant matters identified within this statement of principles.



- 8.3 Applicants are required to undertake a local risk assessment (LRA) when applying for a new premises licence. Further, 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 any identified within this policy statement.
  - Where there are significant changes at premises that may affect the mitigation of local risks.
- 8.4 The Council encourages operators to keep a copy of the LRA at the premises at all times. The LRA must be provided to the Council when applying for a new premises licence or for a variation to the existing premises licence. Upon such application, the Council will consider the need to condition premises licences to require operators, to keep the most recent copy of the LRA on the premises at all times.
- 8.5 The LRA should set out measures the applicant has in place to address areas of local concern. In broad terms, the LRA should include reference to any specified local risk, how the operator intends to mitigate any risks identified and how the operator will monitor those risks.
- 8.6 The Council will expect the LRA to consider as a minimum:
- the location of services for children such as schools, playgrounds, leisure/community centres and other areas where children will gather.
  - the demographics of the area in relation to vulnerable groups;
  - whether the premises is in an area subject to high levels of crime and/or disorder.
  - LRAs should show how vulnerable people, including people with gambling dependencies are protected.
- 8.7 Applicants will need to consider socio-economic, demographic and health and wellbeing factors when drafting their LRA. These factors are referred to within the paragraphs 8.9 to 8.13 below.
- 8.8 The Council will expect applicants to have an understanding of the local profile and address the Council's concerns in respect of protecting children and other vulnerable people by ensuring that the licensing objectives are met. This should be demonstrated via the LRA.
- 8.9 The web links below are links to external documents which are intended to assist applicants in obtaining a greater understanding of the local area. Applicants should take this information into account when drafting any LRA.

- 8.10 The Public Health England Stafford Borough Health Profile can be viewed at: [fingertips.phe.org.uk/profile/health-profiles/area-search-results/E07000197?place\\_name=Stafford&search\\_type=parent-area](https://fingertips.phe.org.uk/profile/health-profiles/area-search-results/E07000197?place_name=Stafford&search_type=parent-area)
- 8.11 Area data - [www.staffordshire.gov.uk/Observatory/Data/Area-data.aspx](http://www.staffordshire.gov.uk/Observatory/Data/Area-data.aspx)
- 8.12 Housing prices in Stafford - [www.ons.gov.uk/visualisations/housingpriceslocal/E07000197/](https://www.ons.gov.uk/visualisations/housingpriceslocal/E07000197/)
- 8.13 Public Health Outcomes Framework At A Glance Summary for Stafford can be viewed here: [fingertips.phe.org.uk/static-reports/health-profiles/2019/E07000197.html?area-name+Stafford](https://fingertips.phe.org.uk/static-reports/health-profiles/2019/E07000197.html?area-name+Stafford)
- 8.14 The Stafford and Surrounds Health and Wellbeing Strategy 2020-2024 can be found at: [www.staffordbc.gov.uk/Community-Safety-and-Wellbeing-Strategy-2020-2024](http://www.staffordbc.gov.uk/Community-Safety-and-Wellbeing-Strategy-2020-2024)
- 8.15 The Stafford Borough Community Safety Strategic Assessment: [www.staffordbc.gov.uk/Community-Safety-Strategic-Assessment](http://www.staffordbc.gov.uk/Community-Safety-Strategic-Assessment)
- 8.16 Having considered the information provided above, applicants should provide the licensing authority with the policies and procedures they have in place, which are designed to prevent underage gambling. These policies and procedures should also take account of the structure and layout of the particular premises as well as any training provided to staff.
- 8.17 In the event of any application to vary a premises licence, operators will be required to provide the licensing authority with any age-related compliance test results which relate to the premises concerned and the following information:
- Self-exclusion details
  - Attempts to gamble by under 18s
  - Test Purchase results
  - Anti-social behaviour issues on the incident log
  - Police reports and call outs
  - Sharing information with nearby agencies e.g. treatment centres
  - Protections in place when footfall is highest
  - Betwatch or similar
- 8.18 With respect to preventing vulnerable people from gambling, applicants must demonstrate how they intend to ensure that the licensing objective is met. This might include providing details about their own self exclusion schemes and their intentions towards the Multi Operator Self Exclusion Scheme (MOSES). Relevant information can be found here: [self-exclusion.co.uk/](https://self-exclusion.co.uk/)

- 8.19 In LRAs applicants should provide details of the responsible gambling information that they make available to customers. This should include information from organisations such as Gambleaware [www.about.gambleaware.org](http://www.about.gambleaware.org) and GamCare [www.gamcare.org.uk/](http://www.gamcare.org.uk/)
- 8.20 Further information should be provided which detail what controls are in place for challenging excluded persons from entering into the premises and what arrangements are in place for monitoring the use of fixed odds betting terminals (FOBT). More information can be found at: [www.gamblingcommission.gov.uk/](http://www.gamblingcommission.gov.uk/)

## 9 Declaration

- 9.1 This Policy Statement will not override the right of any person to make an application, make representations about an application or apply for a review of a licence; these applications will be considered on their own merits and according to the statutory requirements of the Gambling Act 2005.
- 9.2 In producing the finalised Statement of Principles, the Council declares that it will have regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission and any responses from those consulted on the Policy Statement.
- 9.3 Appendix 1 provides more in-depth descriptors of various Term's used for Gambling purposes.

## 10 Responsible Authorities

- 10.1 The Act allows certain agencies to act as responsible authorities. Responsible authorities are able to make representations about licence applications or apply for a review of an existing licence. Responsible authorities may also offer advice and guidance to applicants.
- 10.2 The Council is required by regulations to state the principles it will apply to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:
- The need for the body to be responsible for an area covering the whole of the licensing authority's area;
  - The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.
- 10.3 In accordance with the regulations, the Council designates the Staffordshire County Council, Local Safeguarding Children Board for this purpose: [staffsscb.org.uk/working-together-to-safeguard-children/](http://staffsscb.org.uk/working-together-to-safeguard-children/)

- 10.4 The contact details of all the responsible authorities under the Gambling Act 2005 can be found on the Council's website at:  
[www.staffordbc.gov.uk/responsible-authorities](http://www.staffordbc.gov.uk/responsible-authorities)

### 11 Interested Parties

- 11.1 Interested parties are people or organisations that have the right to make representations about licence applications or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as set out below.
- 11.2 For the purposes of this part, a person is an interested party if, in the opinion of the licensing authority which issued the licence or to which the application is made, the person:
- (a) lives sufficiently close to the premises to be likely to be affected by the authorised activities.
  - (b) has business interests that might be affected by the authorised activities, or;
  - (c) represents persons who satisfy paragraphs (a) or (b).
- 11.3 The Council is required by regulations to state the principles it will apply to determine whether a person is an interested party. The principles are:
- Each case will be decided upon its merits. The Council will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission: Guidance to Local Authorities.
  - In order to determine if an interested party lives or has business interests sufficiently close to the premises to be likely to be affected by the gambling activities, the Council will consider factors such as the size of the premises and the nature of the activities taking place.
- 11.4 The Council will consult with the Director of Public Health on all Premises Licence applications.

### 12 Licensing Authority Functions

- 12.1 Licensing authorities are responsible under the Act for:
- Licensing premises where gambling activities are to take place by issuing premises licences.
  - Issuing provisional statements.
  - Regulating members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits.
  - Issuing Club Machine Permits to commercial clubs.

- Granting permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres.
- Receiving notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of up to two gaming machines.
- Granting Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises under the Licensing Act 2003, where more than two machines are required.
- Registering small society lotteries below prescribed thresholds.
- Issuing Prize Gaming Permits.
- Receiving and endorsing Temporary Use Notices.
- Receiving Occasional Use Notices (for tracks).
- Providing information to the Gambling Commission regarding details of licences issued (see section above on information exchange).
- Maintaining registers of the permits and licences that are issued under these functions.

12.2 The Council does not license remote gambling. This matter falls to the Gambling Commission however the Council note it is a condition of some companies' remote operator's licence that they must notify both the commission and the relevant LA at least 28 days before any event takes place in a new premises. We would encourage venues hosting such events to promote responsible gambling.

## Part B - The Licensing Objectives

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

13.1 The Gambling Commission takes the lead role in preventing gambling from being a source of crime. 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".

- 13.2 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.
- 13.3 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.
- 13.4 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.
- 13.5 Operators are also required to consider child protection issues such as the risk of child sexual exploitation, as part of this Licensing Objective.

### **14 Ensuring that Gambling is conducted in a fair and open way.**

- 14.1 The Gambling Commission takes the lead role in ensuring that gambling is conducted in a fair and open way and addresses this via operating and personal licences.
- 14.2 The Council will take operator licence conditions into account and will communicate any concerns to the Gambling Commission about misleading advertising or any absence of required game rules or other information.
- 14.3 Examples of the specific steps the Council may take to address this area can be found in the various sections covering specific premises types in Part C of this document, and also in Part D which covers permits and notices.
- 14.4 The Council may work in partnership with external authorities.

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

- 15.1 This licensing objective seeks to prevent children from taking part in most types of gambling and where appropriate, the Council may require specific measures at particular premises which are designed to ensure that the licensing objectives are met. 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.
- 15.2 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.
- 15.3 Preventative measures may include the supervision of premises and machines and appropriate training for staff with regard to suspected truanting school children and how staff should deal in general with unsupervised children.
- 15.4 The Council will pay particular attention to any Licence Codes of Practice (LCCP) which the Gambling Commission issues with respect to this licensing objective. Link to current LCCP - [Licence Conditions and Codes of Practice \(gamblingcommission.gov.uk\)](https://www.gamblingcommission.gov.uk)
- 15.5 The Council does not seek to offer a definition for the term “vulnerable people” but for regulatory purposes it will assume that this group includes elderly people, people who gamble more than they want to; people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, or because of the influence of alcohol or drugs.

## Part C - Premises Licences

### 16 Introduction to Premises Licensing

- 16.1 The Council will issue premises licences to allow those premises to be used for certain types of gambling. Premises licences may, for example, be issued to amusement arcades, bingo halls and bookmakers.



- 16.2 The Council expects 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. Premises licences will be subject to the permissions/restrictions set out in the Gambling Act 2005 and regulations as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach other conditions, where it is believed to be necessary and proportionate.

### **Definition of 'Premises'**

- 16.3 Premises are defined in the Act as 'any place'. Different premises licences cannot apply in respect of single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact within any given circumstances.
- 16.4 The Council will take particular care when considering applications for multiple licences for a building and those relating to a discrete part of a building used for other non-gambling purposes. In particular, the Council will assess entrances and exits from parts of a building covered by one or more licences to satisfy itself that they are separate and identifiable so that the separation of different premises is not compromised, and that people do not 'drift' into a gambling area.
- 16.5 The Council will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Issues that the Council will consider before granting such applications include whether children can gain access; compatibility of the two establishments and the ability to comply with the requirements of the Act. In addition, an overriding consideration will be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.

### **Location and Cumulative Impact**

- 16.6 The Council is aware that demand issues (e.g. the likely demand or need for gambling facilities in the area) cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. The Council will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.



- 16.7 When considering the licensing objectives, the Council's may, upon receipt of any relevant representations, look at location as a specific issue. Location issues might include, but are not be limited to:
- The proximity of the premises to schools and vulnerable adult centres.
  - The proximity of the premises to residential areas where there may be a high concentration of families with children.
  - The size of the premises and the nature of the activities taking place.
  - The level of organised crime in the area.
- 16.8 Such information may be used to inform the decision the Council makes about whether to grant the licence, to grant the licence with special conditions or to refuse the application.
- 16.9 This policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant to show how any concerns can be overcome.
- 16.10 Stakeholders may wish to note that the government has a stated intention to align the regimes for alcohol and gambling licensing by introducing a formal system of cumulative impact assessments and consult on increasing fees for premises licences and permits. The Council will consider these matters should it become appropriate to do so.

### **Duplication with other regulatory regimes**

- 16.11 The Council will seek to avoid any duplication with other statutory/regulatory systems such as planning. The Council will not consider whether a licence application is likely to be awarded planning permission or building regulations approval in its consideration of it. It will listen to and consider carefully any concerns about conditions which the licence holder cannot meet because of planning restrictions.

### **Conditions**

- 16.12 Applications will be granted subject only to the mandatory and default conditions. Such conditions are usually sufficient to ensure operation that is reasonably consistent with the licensing objectives. Additional conditions will only be imposed where there is evidence of a risk to the licensing objectives that requires that the mandatory and default conditions be supplemented. Conditions will only be attached to premises licences where there is evidence of a need to do so.
- 16.13 Any conditions attached to licences will be proportionate and will be:
- Relevant to the need to make the proposed building suitable as a gambling facility.

- Directly related to the premises and the type of licence applied for, and/or related to the area where the premises are based.
- Fairly and reasonably related to the scale and type of premises; and,
- Reasonable in all other respects.

16.14 Decisions about individual conditions will be made on a case-by-case basis, although there will be a number of control measures which the Council may consider. These include the use of door supervisors, supervision of adult gaming machines and appropriate signage for adult only areas. The Council will also expect the applicants to ensure that the licensing objectives are effectively met.

16.15 There are conditions which the Council cannot attach to premises licences which are:

- Any condition on the premises licence which makes it impossible for the applicant to comply with an operating licence condition.
- Conditions relating to gaming machine categories, numbers or method of operation.
- Conditions which provide that membership of a club or body be required; and,
- Conditions in relation to stakes, fees, winnings or prizes.

### **Door supervision**

The Council may consider whether there is a need for door supervision in terms of the licensing objectives. Where door supervisors are required, it is the operator's responsibility to ensure that any persons employed in this capacity are fit and proper to carry out such duties.

## **17 Adult Gaming Centres and Licensed Family Entertainment Centres**

17.1 Adult gaming centres (AGCs) are premises able to make category B, C and D gaming machines available to their customers and are commonly found within town centre environments. Persons operating an AGC must hold a gaming machines general operating licence from the Commission as well as a premises licence from the Council.

17.2 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.

- 17.3 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.
- 17.4 Licensed Family Entertainment Centres (LFECs) are those premises which usually provide a range of amusements such as computer games and penny pushers. They may have a separate section set aside for adult only gaming machines with higher stakes and prizes and are able to make available a certain number of category C and D machines. Clear segregation must be in place to ensure children do not access the areas where the category C machines are located.
- 17.5 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling, in such premises, 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 or adult gaming centres within the LFEC.
- 17.6 The Council will expect applicants to offer their own measures to meet the licensing objectives.
- 17.7 Appropriate measures/licence conditions may cover:
- Proof of age schemes (e.g. PASS schemes).
  - The use of Challenge 25 policy.
  - The use of 'No ID No Entry' policy.
  - CCTV.
  - Staff supervision and training.
  - Detailed plan.
  - Social responsibility policies.
  - Staff easily identifiable.
  - Door supervision.
  - Supervision of machine areas.
  - Physical separation of areas.
  - Location of entry.
  - Clear Notices/signage.
  - Specific opening hours.
  - Staff training in the law and the provision of a named point of contact to help ensure compliance.
  - Measures/training for staff on how to deal with suspected truanting school children and how to recognise signs of potential child sexual exploitation.

- Clear policies that outline the steps to be taken to protect children from harm.
- Self-exclusion schemes and the provision of leaflets/helpline numbers to organisations such as GamCare, the Responsible Gambling Trust or GambleAware etc.
- Ensure that there is a policy in place which addresses the Multi operator self-exclusion scheme (MOSES).

This list is not mandatory nor exhaustive and is merely indicative.

## **18 Casinos**

- 18.1 The Council 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.

## **19 Bingo & Bingo Premises**

- 19.1 Bingo is not statutorily defined within the Gambling Act 2005 but is essentially lottery which is played as an equal chance game. Such premises may provide cash and prize bingo. In addition, bingo premises are also able to provide a limited number of gaming machines in line with the provisions of the Act.
- 19.2 It is important that where children are allowed to enter Bingo premises, that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted then the operator must 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
  - Only adults are admitted to the area where the machines are located
  - Access to the area where the machines are located is supervised
  - The area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder, and
  - At the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.
- 19.3 Other measures which applicants will need to consider in meeting the licensing objectives are outlined in paragraph 17.7 above.

- 19.4 The Council note it is a condition of some companies' remote operator's licence that they must notify both the commission and the relevant LA at least 28 days before any event takes place in a new premises. We would encourage venues hosting such events to promote responsible gambling.

## 20 Betting Premises

- 20.1 Betting premises are premises such as bookmakers where various types of gambling are authorised to take place. The Act contains a single class of licence for betting premises.
- 20.2 The Council is aware that Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines and the nature and circumstances in which they are made available by attaching a licence condition to a betting premises licence. The Council is also aware that it is not possible to restrict the number of gaming machines which may be made available within betting premises.
- 20.3 It is not possible to reduce the maximum of four £500 pay out gaming machines which may be made available by law within betting premises.
- 20.4 When considering whether to impose a condition to restrict the number of betting machines in particular premises the Council, amongst other things, will take into account the size of the premises, the number of counter positions available for person-to-person transactions and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people.
- 20.5 Measures which applicants will need to consider in meeting the licensing objectives are outlined in paragraph 17.7 above.

## 21 Tracks

- 21.1 Currently this licensing authority does not licence any tracks which permit on-course betting. Where an application for a track premises licence is proposed, the applicant should contact the Council's Licensing Unit at the earliest opportunity. The Council's focus will be on the need to protect children and vulnerable persons from being harmed or exploited by gambling and the need to ensure that entrances to premises are distinct. Children must be excluded from gambling areas where they are not permitted to enter.

## 22 Travelling Fairs

- 22.1 Travelling fairs have the right to provide an unlimited number of category D gaming machines and/or equal chance prize gaming (without the need for a permit) as long as the gambling amounts to no more than an ancillary amusement at the fair.

22.2 The 28-day statutory maximum for the land being used as a fair is per calendar year. This applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. Where appropriate, the Council will liaise with neighbouring authorities to ensure that land which crosses its boundaries is monitored so that the statutory limits are not exceeded.

### 23 Provisional Statements

23.1 The provisional statement process provides an alternative to making a premises licence application. The process permits an applicant to examine the likelihood of whether a building which has yet to be constructed or is about to be altered for the purpose of gambling would be granted a premises licence when the building work is complete.

23.2 A provisional statement is not a licence and merely gives the holder some form of assurance that a premises licence would be granted so the project can be started. Once works are complete a full premises licence would still be required.

23.3 In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from Responsible Authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage or they reflect a change in the applicant's circumstances. In addition, the Council may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- (a) which could not have been raised by objectors at the provisional licence stage; or
- (b) which in the Authority's opinion reflect a change in the operator's circumstances.

23.4 When determining a provisional statement application, the Council will operate in accordance with the Act and will not have regard to any issues related to planning consent or building regulations, e.g. the likelihood that planning consent will be granted.

## Part D - Permits, Temporary / Occasional Use Notices and Small Society Lottery Registrations

### 24 Unlicensed Family Entertainment Centre Gaming Machine Permits

- 24.1 The term 'Unlicensed Family Entertainment Centre' is one defined in the Act and refers to premises which provide category D gaming machines along with various other amusements such as computer games and penny pushers. The premises are 'unlicensed' in that they do not require a premises licence but do require a permit to be able to provide category D machines. It should not be confused with a 'Licensed Family Entertainment Centre' which does require a premises licence because it contains both category C and D gaming machines.
- 24.2 In accordance with Gambling Commission guidance, the Council will carefully consider child protection issues when considering applications for permits. This consideration will generally engage two of the three licensing objectives: These are:
- Preventing Gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
  - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 24.3 The Council will expect applicants to show that there are policies and procedures in place to protect children and vulnerable persons from harm or from being exploited by gambling and to promote wider child protection issues as part of the crime prevention objective. Policies must include appropriate measures/training for staff regarding how staff would deal with unsupervised children being on the premises, or children causing problems on or around the premises.
- 24.4 The Council will also expect applicants to demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs, that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act), and that staff are trained to have a full understanding of the maximum stakes and prizes.
- 24.5 The Council is aware that an application for a permit may only be granted if the Chief Officer of Police has been consulted on the application.
- 24.6 In line with the Act the Council cannot attach conditions to this type of permit and the statement of principles only applies to initial applications and not to renewals.



## 25 Gaming Machine Permits in premises licensed for the sale of alcohol

- 25.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have two gaming machines of categories C and/or D.
- 25.2 The Council can remove the automatic authorisation in respect of any particular premises if:
- Provision of the machines is not reasonably consistent with the pursuit of the licensing objectives
  - Gaming has taken place on the premises that breaches a condition of Section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant Code of Practice issued by the Gambling Commission about the location and operation of the machine has been complied with)
  - The premises are mainly used for gaming; or
  - An offence under the Gambling Act has been committed on the premises.
- 25.3 If a premises wishes to have more than two gaming machines, the application must be made for a permit. The Council must consider the application based upon the licensing objectives, any guidance issued by the Gambling Commission under Section 25 of the Gambling Act 2005, and 'such matters as it thinks relevant'. The Council considers that 'such matters' will be decided on a case-by-case basis, but generally regard will be given to the need to protect children and vulnerable persons from harm or being exploited by gambling. The Council will also expect the applicant to satisfy the Authority that there will be sufficient measures to ensure that under 18-year-olds do not have access to the adult only gaming machines.
- 25.4 Measures which may satisfy the Council that there will be no access could include the adult machines being situated in close proximity to the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18 years of age. Notices and signage may also help. Regarding the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as Gam Care.
- 25.5 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would need to be dealt with under the relevant provisions of the Act.
- 25.6 The Council can decide to grant the application with a smaller number of machines and/or a different category of machines from that applied for. Conditions (other than these) cannot be attached.
-



- 25.7 The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.
- 25.8 A summary of gaming machine categories and entitlements can be found at Appendix B of the Guidance issued to licensing authorities by the Gambling Commission: [www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities](http://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities)

## **26 Prize Gaming Permits**

- 26.1 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 and the suitability of the premises. The Council will also expect the applicant to set out the types of gaming that he or she is intending 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.
- 26.2 In making its decision on an application for prize gaming permits, the Council does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.
- 26.3 There are conditions in the Gambling Act 2005 with which the permit holder must comply, but the Council cannot attach conditions. The conditions in the Act are:
- The limits on participation fees, as set out in regulations, must be complied with.
  - All chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated, and the result of the game must be made public in the premises on the day that it is played.
  - The prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
  - Participation in the gaming must not entitle the player to take part in any other gambling.

## 27 Club Gaming and Club Machines Permits

- 27.1 Members' clubs and miners' welfare institutes (but not commercial clubs) may apply for a club gaming permit or a club gaming machines permit. The club gaming permit will enable the premises to provide gaming machines (three machines of categories B, C or D), equal chance gaming and games of chance as set out in forthcoming regulations. A club gaming machine permit will enable the premises to provide gaming machines (three machines of categories B, C or D).
- 27.2 To qualify for these special club permits, a members' club must have at least 25 members and be established and conducted wholly or mainly for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of the Royal British Legion and clubs with political affiliations.
- 27.3 Before granting the permit, the Council will need to satisfy itself that the premises meet the requirements of a members' club, and that the majority of members are over 18 years of age.
- 27.4 The Council may only refuse an application on the grounds that:
- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which they have applied.
  - (b) the applicant's premises are used wholly or mainly by children and/or young persons.
  - (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities.
  - (d) a permit held by the applicant has been cancelled in the previous ten years; or,
  - (e) an objection has been lodged by the Gambling Commission or the Police.

## 28 Temporary Use Notices

- 28.1 Temporary use notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be useful for a temporary use notice would include hotels, conference centres and sporting venues.

- 28.2 The Act makes a special reference, in the context of temporary use notices, to a 'set of premises' to try and ensure that large premises which cannot reasonably be reviewed as separate are not used for more temporary use notices than permitted under the Act. The Council considers that the determination of what constitutes a 'set of premises' will be a question of fact in the particular circumstances of each notice that is given. In considering whether a place falls within the definition of a 'set of premises', the Council will look at, amongst other things, the ownership/occupation and control of the premises.
- 28.3 The Council will be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.

### **29 Occasional Use Notices (for Tracks)**

- 29.1 There is a special provision in the Act which provides that where there is betting on a track on eight days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence. Track operators and occupiers need to be aware that the procedure for applying for an occasional use notice is different to that for a temporary use notice.
- 29.2 The Council has very little discretion regarding these notices apart from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The Council will however consider the definition of a 'track' and whether the applicant is entitled to benefit from such notice.
- 29.3 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.
- 29.4 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.
- 29.5 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.

### **30 Small Society Lottery Registrations**

- 30.1 The Act creates two principal classes of lotteries- licenced lotteries and exempt lotteries.

- 30.2 Licensed lotteries are large society lotteries and lotteries run for the benefit of local authorities. These will be regulated by the Gambling Commission. Within the class of exempt lotteries, there are four sub classes, one of which is small society lotteries. 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.
- 30.3 A small society lottery is a lottery promoted on behalf of a non-commercial society as defined in the Act which also meets specific financial requirements set out in the Act. These may be administered by the Council for small societies who have a principal office in the area and wish to run such a lottery.
- 30.4 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.
- 30.5 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'.
- 30.6 The other types of exempt lotteries are 'incidental non-commercial lotteries', 'private lotteries' and 'customer lotteries'
- 30.7 The Gambling Commission has introduced a new voluntary code which requires that lottery tickets may only be sold to those who are aged 18 and older. The Council will expect the promotor of small society lotteries to comply with this voluntary requirement unless there is good reason to depart from this agreement.

## Part E - Enforcement

### 31 Enforcement Principles

- 31.1 The Council will work closely with other agencies in targeting known high risk premises. In doing so, the Council will follow Government guidance on better regulation.

31.2 The Council recognises that the Regulators Code applies to all activities under the Act. This will however, be most obvious in respect of the Councils inspection and enforcement duties and the powers to institute criminal proceedings. The Regulators' Code can be found at:  
[www.gov.uk/government/publications/regulators-code](http://www.gov.uk/government/publications/regulators-code)

31.3 The Council will aim 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.

**Targeted:**

Regulation should be focused on the problem and minimise side effects.

31.4 The Council's Enforcement Policy, which explains how the Council deals with non-compliance and unlawful gambling activity, can be found at:  
[www.staffordbc.gov.uk/environmental-and-health-enforcement-policy](http://www.staffordbc.gov.uk/environmental-and-health-enforcement-policy)

31.5 Known enforcement issues which the Council's Licensing Unit will address include illegal gambling machines in takeaways and poker in pubs.

31.6 The Council will endeavour to avoid duplication with other regulatory regimes.

31.7 The main enforcement and compliance role for the Council in terms of the Gambling Act 2005 will be to ensure compliance with the premises licence conditions and other permissions. The Gambling Commission will be the enforcement body for the operator and personal licences. Concerns about the manufacture, supply or repair of gaming machines will not be dealt with by the Council but will be notified to the Gambling Commission.

31.8 In circumstances where the Council believes a premises requires a premises licence for gambling activities and no such licence is in force, the Council will notify the Gambling Commission.

- 31.9 The Council will also have regard to any guidance issued and keep itself informed of developments regarding the work of the Regulatory Delivery Division of the Department of Business Innovation and Skills in its consideration of the regulatory functions of local authorities.
- 31.10 Since October 2013, the Primary Authority scheme, under the terms of the Regulatory Enforcement and Sanctions (RES) Act 2008, has been extended to include age-restricted sales of gambling in England. The Council is aware that Primary Authority Partnerships have been agreed with a number of national bookmaking companies. The Council will follow any 'age-restricted sales of gambling' national inspection plans that are published on the Primary Authority register, when considering proactive age-restricted sales (gambling) activity, including test purchasing.

## 32 Reviews

- 32.1 A review is a process defined in the legislation which ultimately leads to a licence being reassessed by the Licensing Committee with the possibility that the licence may be revoked or suspended or that conditions may be amended or new conditions added.
- 32.2 Requests for a review of a premises licence can be made by interested parties or responsible authorities. However, it is for the Council to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is:
- In accordance with any relevant Code of Practice issued by the Gambling Commission.
  - Reasonably consistent with the licensing objectives; and;
  - In accordance with this Authority's Statement of Gambling Policy.
  - In accordance with any relevant guidance issued by the Gambling Commission.
- 32.3 A link to the Gambling Commission's Guidance to Licensing Authorities is here: [www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities](http://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities)
- 32.4 In addition, the Council may also reject the application on the grounds that the request is frivolous, vexatious, will not cause the authority to wish to alter, revoke or suspend the licence, or is substantially the same as previous representations or requests for review.
- 32.5 The Council can also initiate a review of a licence on the basis of any reason which it thinks appropriate. This may for instance follow a second failed compliance test at the premises.



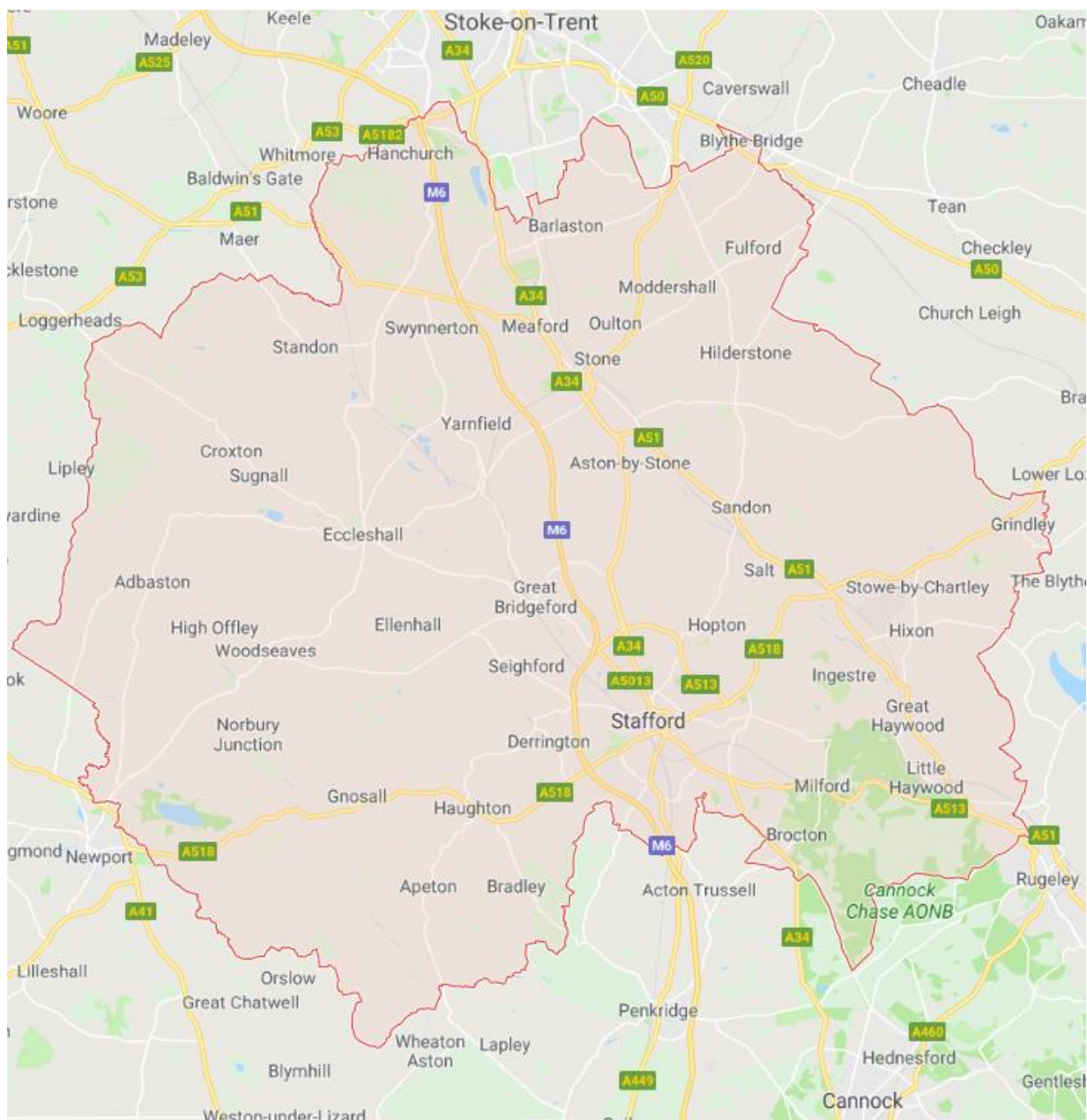
32.6 Before sitting as a member of the Licensing Sub Committee, members will need to attend a Gambling Act 2005 training session with officers from Legal Services and Licensing. Members will need to attend refresher training every year that they remain a member of the Licensing and Public Protection Committee.

### 33 Functions and Delegations

A table showing the delegation of functions within the Council can be found at Appendix G of the Gambling Commission Guidance:

[www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities](http://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities)

#### Stafford Borough Boundary Map



## Appendix 1 - Descriptors of Terms used within Gambling.

Term	Description
Lottery	<p>A lottery generally refers to schemes under which prizes are distributed by chance among entrants who have given some form of value for their chance to take part.</p> <p>A lottery is defined as either a simple lottery or a complex lottery.</p> <p>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.</p> <p>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.</p> <p>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 Gambling Commission.</p>
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.
Non-money prize machine	<p>A machine in respect of which every prize which can be won as a result of using the machine is a non-money prize. The winner of the prize is determined by:</p> <ul style="list-style-type: none"> <li data-bbox="496 1330 1412 1473">(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</li> <li data-bbox="496 1491 1412 1704">(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.</li> </ul>
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.



Term	Description
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	<p>For the purposes of the Gambling Act, pool betting is made on terms that all or part of the winnings:</p> <ol style="list-style-type: none"> <li>(1) Shall be determined by reference to the aggregate of the stakes paid or agreed to be paid by the people betting</li> <li>(2) Shall be divided among the winners or</li> <li>(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.</li> </ol>
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.

Term	Description
Skill machine / <b>Skill</b> with prizes machine	<p>The Act does not cover machines that give prizes as a result of the application of pure skill by players.</p> <p>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.</p>
Spread betting	<p>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.</p>
Stake	<p>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.</p>
Statement of principles document	<p>A document prepared by the Authority which outlines the areas that applicants need to consider before applying for gaming permits.</p>
Table gaming	<p>Card games played in casinos.</p>
Tote	<p>"Tote" is short for Totaliser, a system introduced to Britain in 1929 to offer pool betting on racecourses.</p>
Track	<p>Tracks are sites (including horse tracks and dog tracks and stadia) where races or other sporting events take place</p>
ATM	<p>Auto teller machine or cash machine.</p>
Betting	<p>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).</p>
Betting Machines / Bet Receipt Terminal	<p>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.</p>

Term	Description
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'.

Term	Description
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	<p>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:</p> <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>



## Changes to Stafford Borough Council's Gambling Act 2005 Statement of Principles 2025

Page/Paragraph	Amendments to Existing Policy	Reason
Page 4, 2.4	Updated consultees list.	Information and clarification.
Pages 6,7 & 8. Section 7 Local Area Profile.	Update on statistical information related to the local population as well as removal of redundant weblinks and replacement with new weblinks.	Clarification and the avoidance of doubt.
Pages 8, 9 10 & 11 Section 8 Local Risk Assessment	Updated statistical information and removal of redundant weblinks and replaced with new weblinks.	Clarification and the avoidance of doubt.
Page 13, 12.2 Section 12 Licensing Authority function	Expanded upon.	For clarification and avoidance of doubt.
Page 13, 13.1 Section 13 The Licensing Objectives	Expanded upon to give more information.	Clarification.

<b>Page/Paragraph</b>	<b>Amendments to Existing Policy</b>	<b>Reason</b>
Page 15. 15.1 - 15.5 Section 15 Protection children and other vulnerable persons from being harmed/exploited by gambling.	Expanded upon to give definition and new weblink to the Licence Codes of Practice which the Gambling Commission issues with respect to this licensing objective.	Clarification and avoidance of doubt.
Page 16, Paragraph 16.6	Mention of the future potential for cumulative impact assessment of gambling premises.	To reflect Government's stated intention.
Page 28, Paragraph 30.5 Section 30 - Small Society Lottery Registrations.	Information on the authority's risk-based approach towards its enforcement responsibilities which could affect the risk status of the operator.	Clarification and make stakeholders aware of Council expectations.
Page 28, Paragraph 30.7 Section 30 - Small Society Lottery Registrations	Mention of voluntary changes to the Gambling Commission's requirements of small society lotteries.	To reflect good practice and make stakeholders aware of Council expectations.
Appendix 1 - Descriptors of Terms used with Gambling.	Explanation of the terms used in relation to gambling and descriptions given of what they are.	Clarification and avoidance of doubt.

**Agenda Item 5(b)iii**

# Streetscene Vehicle Replacement: Permission to Spend

<b>Committee:</b>	Cabinet
<b>Date of Meeting:</b>	7 November 2024
<b>Report of:</b>	Head of Operations
<b>Portfolio:</b>	Environment Portfolio

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## 1 Purpose of Report

- 1.1 To inform Cabinet of proposed investment to vehicle replacement for the Council's Streetscene service.
- 1.2 To request approval to spend £976,609 on vehicle replacement and the installation of two electric vehicle charging points at Riverway Nursery.

## 2 Recommendations

- 2.1 That Cabinet supports the project.
- 2.2 That Cabinet authorises the expenditure of up to £976,609 (including 10% contingency) from the Streetscene sinking funds to enable replacement vehicles, sweepers and ride on mowers to be purchased and the installation of electric vehicle charging points. There is a total of £1,023,599 in the sinking funds and the proposal is to formally allocate the necessary funds to purchase the items.

### Reasons for Recommendations

- 2.3 The Streetscene service is responsible for essential services across the Borough including emptying and maintaining public litter bins, collecting fly tipping, litter picking, grounds maintenance, street and road sweeping, pest control services and maintenance of parks and open spaces.
- 2.4 A fit for purpose fleet of vehicles, sweepers and ride on mowers is vital for the service to carry out these functions effectively.



### **3 Key Issues**

- 3.1 The vast majority of the fleet are now beyond, or coming to the end of their life span, with many approaching nine years old and some over ten years old.
- 3.2 The age of the items now means that the Streetscene service regularly hires in 5-6 vehicles each month and face increasing repairs and maintenance costs on Council owned fleet. This practice is not sustainable and not cost effective, with budgets in these areas overspent for the 2023/24 financial year.
- 3.3 Reliance on hire vehicles and repairing and maintaining current fleet is disruptive to the service, with increased administrative pressures on Officers and down time of fleet increasing the risk of services not being carried out effectively.
- 3.4 The Council has a duty to carry out the services referenced in point 2.3. Without a fit for purpose fleet, these services can not be fulfilled effectively.
- 3.5 Permission to spend will enable the Streetscene service to purchase electric vehicles for the first ever time, contributing to the Council's commitment to fostering a cleaner, healthier environment for residents.

### **4 Relationship to Corporate Priorities**

- 4.1 This report is most closely associated with the following corporate business objectives:
  - To improve the quality of life of local people by providing a safe, clean, attractive place to live and work and encouraging people to be engaged in developing resilient communities that promote health and wellbeing.
  - To be a well-run, financially sustainable and ambitious organisation, responsive to the needs of our customers and communities and focussed on delivering our objectives.

### **5 Report Detail**

- 5.1 At the 31 March 2024 there is £859,999 in the sweepers sinking fund and £163,600 in the pest control vehicles sinking fund. Permission to spend is required from Cabinet to utilise these funds. There is a budgeted annual contribution to the sinking fund of £70,000 for sweepers and £16,400 for pest control vehicles.
- 5.2 The vast majority of the fleet is approaching nine years old, with some items over ten years old. A number are now regularly off the road for repair or not in use at all as they are beyond economic repair.
- 5.3 As an interim measure, hire vehicles have been utilised. This is not a cost effective solution, with 5-6 vehicles regularly hired each month. Council owned fleet are also facing increasing repairs and maintenance costs. Coupled with these increased costs, the service also faces increased disruption of fleet being

off road and an increased risk of Streetscene services not being fulfilled effectively.

- 5.4 Officers have carried out a piece of work to determine priority items to be replaced. The items have been determined by identifying where the highest current and forecast repairs and maintenance costs are and time spent off the road. Purchasing of these items will remove the requirement for the regular hiring of vehicles, reduce down time and costs associated with repairs and reduce the risk of disruption to the service.
- 5.5 The proposed spend will support the biodiversity across the Borough by replacing some existing triple mowers with batwing and rotary ride on mowers that are better suited to mowing longer grass areas. This will allow open space areas that have been identified for 'wilding' to be mowed less often and will help to ensure that the Council can deliver the objectives of the forthcoming Grassland Management Protocol.
- 5.6 The proposed spend will support the Council's climate change objectives with the purchase of two electric vehicles and the installation of two electric vehicle charging points. The two electric vehicles will replace two vehicles that use diesel fuel. The associated groundworks would also include the groundworks preparation for at least two more electric vehicle charging points to be installed at a later date. The costs for the groundworks may be reduced further should the Council be successful in applying for the following grants:
- The workplace charge scheme for £350 per socket, total £700 for two sockets
  - Infrastructure grants of £500 per parking space, total £1,000 for two spaces

If the Council were successful in obtaining these grants, the costs for the electric vehicle charging points installation would therefore be reduced by £1,700 from £17,070 to £15,370.

- 5.6 Sample prices have been provided for the items required and the total estimated costs, excluding VAT, are:

Vauxhall Combo Cargo electric van £29,069 each x 2	£58,138
Installation of electric vehicle charging points at Riverway Nursery including associated groundworks required	£17,070
Batwing ride on mower	£82,000
Rotary ride on mower at £39,975 each x 2	£79,950

Transit dropside tipper at £42,370 each x 4	£169,480
Transit caged tipper at £46,220 each x 2	£92,440
Transit custom van	£30,749
Arboriculture chip box vehicle	£60,000
Channel Sweeper	£194,000
Precinct Sweeper	£104,000
Sub Total	£887,827
Plus 10% Contingency	£88,782
<b>Total</b>	<b>£976,609</b>

- 5.7 Should the total amount not be fully spent, the remaining amount will be placed back into the sinking fund for future investment. The above expenditure is the first phase of a fleet replacement programme to ensure that the Streetscene service has a fit for purpose vehicle fleet in place for future years.
- 5.8 The total spend amount will require the Council to follow Procurement Regulations, that are part of the Council constitution and apply to buying items for the Council. There are a number of framework agreements in place that may be appropriate for this project and this will be determined as part of the procurement process.

## 6 Implications

### 6.1 Financial

As set out in the report the Council has a sinking fund established to support the replacement of vehicles. At the 31 March 2024 there was £859,999 in the sweeper reserve and £163,600 in the pest control reserve. Based on the spend set out of £976,609 this would leave £46,990 remaining in the reserve with annual combined contributions of £86,400 per annum being built into the existing budget.

As set out due to the age of the fleet there are increased maintenance and hire replacement costs being experienced by the service, it is not anticipated that this will reduce the revenue budget required but enable the service to avoid the

unanticipated costs of vehicle hire and additional maintenance, of which there is no budget for.

## **6.2 Legal**

The total spend amount will require the Council to follow Procurement Regulations. There are a number of framework agreements in place that may be appropriate for this project and this will be determined as part of the procurement process.

## **6.3 Risk Management**

In providing a fit for purpose fleet, the Council mitigates the risk of failing to deliver some statutory obligations, as outlined in the report.

The Council will comply with its financial regulations and will meet corporate priorities, as referenced in item 4.1.

## **6.4 Equalities and Diversity**

None

## **6.5 Health**

The provision of the service is key to ensuring our streets and public spaces are safe and healthy places to visit.

## **6.6 Climate Change**

The purchase of the ride on batwing and rotary mowers will ensure that, in identified areas, grass can be left to grow longer. This will enhance biodiversity and reduce the number of visits required by mowers.

The acquisition of two electric vehicles will mean that two diesel fuel vehicles can be replaced. This equates to a combined mileage of approximately 14,000 miles per year, resulting in carbon savings of 3.20 tCO<sub>2</sub>e.

## **7 Appendices**

None

## **8 Previous Consideration**

None

## **9 Background Papers**

**Contact Officer:** Lee Booth

**Telephone Number:** 01785 619896

**Ward Interest:** All

**Report Track:** Cabinet 7 November 2024 (Only)

**Key Decision:** Yes

**Agenda Item 5(c)i**

# Housing Assistance Policy 2024-28

<b>Committee:</b>	Cabinet
<b>Date of Meeting:</b>	7 November 2024
<b>Report of:</b>	Head of Wellbeing
<b>Portfolio:</b>	Community Portfolio

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## 1 Purpose of Report

- 1.1 To request approval for the adoption of the Housing Assistance Policy 2024 - 2028.

## 2 Recommendations

- 2.1 To approve the Housing Assistance Policy 2024-2028 (**APPENDIX 1**);
- 2.2 To delegate authority to the Head of Wellbeing in consultation with the Cabinet Member for Community to revise, prioritise or withdraw discretionary assistance as appropriate, considering the council's available resources and annual funding allocations.

### Reasons for Recommendations

- 2.3 The existing policy was approved for the period 2021-2024 and has been updated to reflect changes in local strategic context.
- 2.4 Stafford Borough Council now operates a shared service with South Staffordshire District Council for the delivery of the Disabled Facilities Grant (DFG), which was previously outsourced to a Home Improvement Agency. The first year of delivery has provided rich data and insight into local demand for grant funding to support home adaptations, and the needs of residents requiring assistance with the application process. This insight informs the proposed adjustments to the policy.
- 2.5 Regardless of service delivery, this policy seeks to make clear the Council's intentions to ensure that residents have information, guidance and support in making applications for housing assistance.

2.6 Disabled Facilities Grant (DFG) funding from central government has increased significantly in the last five years with the annual grant allocation now being more than double the allocation received in 2015/16. There is a need to significantly increase the annual delivery of grants by implementing a policy in which we are able:

- to speed up administration and the processing of grant funded work;
- to broaden the scope of works available; and
- to provide financial assistance that is not covered by mandatory funding

### **3 Key Issues**

The Housing Assistance policy sets out Stafford Borough Council's approach to providing housing assistance for improving living conditions for residents. The policy aims to improve the quality of housing available and to support some of the most vulnerable people in the Borough, by providing the framework for financial assistance under the provisions of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. The policy seeks to make best use of resources and achieve added value and outcomes wherever possible that demonstrate improvements in housing standards and residents' health, safety and wellbeing at home.

- 3.1 There is no fundamental change to mandatory DFG; general principles of assistance are described which apply to all provisions within the policy. The description for mandatory DFG provision is in line with the legislation regarding financial support for adaptations, repairs and moving to a suitable home as prescribed by the Housing Grants, Construction and Regeneration Act 1996.
- 3.2 The key changes to Housing Assistance proposed in the revised policy are all in relation to discretionary funding pathways. The changes support the aims of the Housing Assistance Shared Service, in which DFG funding should produce significant improvements to the lives and opportunities for people of all ages with any sort of disability including families with disabled children, working disabled people, and people with physical, sensory, or learning disability or mental illness.
- 3.3 Statutory duty obliges local authorities to accept, approve and pay Disabled Facilities Grants where applications are properly made. The aim for the service, and the policy is to go beyond minimum requirements, to help families to access adaptations as opposed to merely managing the grant budget.

- 3.4 Home Improvement Loans, Fuel Poverty Top-up Grants and Empty Homes Loans form part of the wider housing assistance offer under this policy which are outside of DFG. The policy is updated in relation to Empty Homes Loans, to expand the offer to include assistance for owners of Second Homes looking to bring their property back into use.
- 3.5 At all times the Council reserves the right to revise, prioritise or withdraw discretionary assistance as appropriate, considering the Council's available resources and annual funding allocations.

## **4 Relationship to Corporate Priorities**

- 4.1 Objective 2: To improve the quality of life of local people by providing a safe, clean, attractive place to live and work and encouraging people to be engaged in developing strong communities that promote health and wellbeing.

## **5 Report Detail**

- 5.1 The Housing Assistance Policy 2021-2024 previously set out a range of mandatory and discretionary funding offers and pathways which were informed by national guidance and best practice. The revisions suggested for 2024-2028 goes further to incorporate a local agenda, informed by data and insight from the Council's own in-house delivery service. This report will highlight the key differences between the existing and proposed policies, with justification and anticipated impacts demonstrated for each change.

### **5.2 Top-up grants**

- (a) Existing policy: Top-up grants are available with the maximum amount of assistance being £20,000.
- (b) Proposed change: To increase the maximum amount of assistance to £25,000, to provide for the cost of necessary adaptations where eligible works exceed the mandatory £30,000 limit.
- (c) Justification: Most grant funded works completed in Stafford Borough cost between £4,180 and £12,370 on average. The number of adaptations costing more than £30,000 are minimal; designing officers always seek to maximise use of existing space in resident's homes before suggesting measures which include high value building costs, like extensions. In a small number of cases where residents' needs are multiple and complex however, this is the only option. The statutory upper limit of £30,000 has not increased since 2008 and has not kept up with inflation, whilst the cost of labour and materials has been rising steadily in recent years. An increase in the amount of top-up available will support families with adaptation needs that cannot be met through statutory funding alone.



- (d) Impact: It is estimated that around 6 households per year will benefit with a financial impact of around £30,000 increased grant giving.

### 5.3 Equipment grants

- (a) Existing policy: To provide fast-tracked grant funded provision of major items of equipment where other adaptations are not required, and the cost exceeds £1,000. Stairlifts, through-floor lifts, modular ramps, specialist toilets. Available to residents with household savings below £10,000, no means test, no land charge.
- (b) Proposed change: To provide fast-tracked grant funded provision of major items of equipment where other adaptations are not required, and the cost exceeds £1,000. This is primarily intended to support the installation of stairlifts, other equipment may be considered at the council's discretion and where this pathway achieves the aim of completing faster and more streamlined installations. No means test, no land charge; removing the requirement to check savings balances.
- (c) Justification: Removing the household savings check for stairlift applicants will significantly speed up the delivery of this needed adaptation. Residents often struggle with obtaining relevant bank statements to evidence their savings balance which builds in an unnecessary delay in approving their grant.

Experience of delivering grant assistance via the equipment grant pathway has demonstrated that the practical installation of through-floor lifts, ramps and specialist toilets typically require additional supporting building works to accommodate these items. It is rarely possible to accomplish the fast-track process as intended and results in applications for this type of equipment following the more traditional DFG process route where a wider package of works is designed and tendered as one. The policy is amended to simplify the options for residents needing major equipment and to avoid unnecessary complexity in pathways where both equipment and building works are required.

- (d) Impact: In South Staffordshire DC their policy of not requiring a savings balance check or means test for equipment installations has resulted in an average turn around time of 177 days, whilst in Stafford this is currently 271 days. Therefore, the anticipated impact on delivery time is likely to be a reduction of 94 days, from referral to grant approval for Stafford residents. This will contribute to a reduction in falls on stairs as the stairlift installation reduces the risk for residents more quickly. Removing the savings check may result in a higher number of applicants qualifying for the grant than previously, the impact is estimated to be under £10,000 additional grant spend on stairlifts per year. Removing other equipment types from the definition will counter

this, as applications for through floor lifts, specialist toilets and ramps will be means-tested in line with statutory DFG rules, and a small number of applicants will therefore be required to contribute to eligible costs.

#### **5.4 Extended Warranties**

- (a) Existing policy: The cost of securing extended guarantee or warranty periods covering the likely service life of equipment installed via DFG, met by a single payment on commissioning, is to be included in the calculation of any grant payable.
- (b) Proposed change: For all adaptations which require electrical installations such as stair lifts and specialist wash-dry toilets, which are excluded from Staffordshire County Council's Maintenance of Disability Fixed Equipment contract.
- (c) Justification: the previous policy was applied across all relevant serviceable equipment installations. The County Council's Fixed Equipment contract provides for maintenance, servicing and a call out facility to repair/maintain items including children's stair lifts, through floor lifts, hoists and external step-lifts following the initial manufacturer's standard warranty period. For the DFG to also extend warranties is a duplication of vital resources, so the policy has been modified to only include the extended warranty of stairlifts supplied to adults, which is not included in the County Council's contract.
- (d) Impact: the policy change will result in a financial saving to the DFG budget annually, whilst residents will not be impacted due to the alternative arrangements in place via the County Council.

#### **5.5 Rapidly Progressing Conditions Pathway**

- (a) Existing policy: Discounting of first £5000 of applicants' contribution following means testing.
- (b) Proposed change: Discounting of first £5000 of applicants' contribution for people with: any condition that rapidly deteriorates, is highly debilitating and adaptations remain appropriate, and where the applicant is obliged to make a significant or unaffordable contribution to the adaptations required.
- (c) Justification: The existing policy created a discretionary grant offer to every applicant, including those who were found through means-testing to have the financial capacity to contribute to the cost of eligible works. This has resulted in a high proportion of households with income and savings entering the grant process.

In 2023/24 Stafford Borough Council assisted 18 households with the Contribution Discount grant, awarding £73,803 in total. The median average contribution amount calculated for these households was £19,488, (the range was from £53 to £412,320) whilst the works costs for those assisted ranged from £593 to £5,013. Anecdotal evidence from caseworkers' experience of supporting applicants, shows that in some cases, the discretionary grant offer had the adverse effect of encouraging residents to limit or reduce the extent to which they adapted their homes, to avoid costs going above the £5,000 discount. Some residents chose a more significant scope of works than those considered necessary and appropriate in DFG terms. Whilst the resident funded these additional works themselves, the time and resources expended by Housing Assistance team officers to support these schemes was disproportionate. Residents who were unable to contribute financially and could only achieve adaptations through grant assistance, were forced to wait their turn behind those who were able to pay.

- (d) Impact: The intended impact of the policy change is to focus the use of discretionary powers to support residents in urgent situations without making them wait to become financially eligible. The adaptations to promote independence, wellbeing and safety are needed as soon as possible and it is likely they may delay admission to hospital or care. The terms for this pathway ensure that we will use clinical judgement from qualified Occupational Therapists, and discretion to include those with any condition that rapidly deteriorates, is highly debilitating or indeed where the care is considered palliative and adaptations remain appropriate.<sup>1</sup>

There will be a financial saving made through ceasing the contribution discount to all. The bigger impact, however, is anticipated to be seen through the use of team resources. Had this policy been in place in 2023/24, 18 additional residents who were unable to contribute to the cost of adaptations themselves, would have been supported to receive a grant. The Housing Assistance team supported 106 residents in 2023/24, this change would have presented a 17% increase in delivery.

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<sup>1</sup> This concept was inspired by an article from [Foundations UK](#), citing Gloucestershire Health and Care NHS Foundation Trust as having developed a similar pathway, following an experience of supporting a resident with Motor Neurone Disease (MND).

## 5.6 Landlord's Applications

- (a) Existing policy: the policy was previously silent about landlord's applications.
- (b) Proposed change: Disabled Facilities Grants are available to landlords through existing legislation. The policy is amended to make it clear that this route is available.
- (c) Justification: DFG Guidance for Local Authorities in England reports: *Research undertaken by the National Residential Landlords Association (NRLA) shows that only 8% of landlords let properties to people with accessibility needs and the biggest barrier to installing adaptations is the cost. However, 79% of landlords did not know that funding is available through the DFG. (page 19)*

Since April 2023, the Housing Assistance team has worked successfully in close partnership with Homes Plus, assisting them with funding adaptations for their tenants with accessibility needs. The change is intended to improve transparency of information on DFG, particularly for the significant number of Homes Plus tenants who approach the Council for grant funded assistance.

- (d) Impact: in 2023/24 Homes Plus completed 21 grant funded adaptations in their tenants' homes in Stafford Borough and received approval for a further 35 applications. 30 residents who had been referred to Homes Plus for a landlord's DFG application, instead received measures such as additional rails, minor electrical works, door changes, increased path widths, step modifications and repositioning sanitaryware in bathrooms, increasing their independence without the need for a DFG. The average value of these works is £200, so there is the advantage of a £6000 saving to DFG budgets, but more importantly the residents have their needs met much more quickly than by entering a full grant application process.

## 5.7 Professional fees grant

- (a) Existing policy: not previously included.
- (b) Proposed change: To pay the incurred professional fees or charges which were necessary as part of a mandatory DFG application. This is not means tested and land charges do not apply.
- (c) Justification: Preliminary and ancillary fees and charges associated with the preparation of a grant application can be met through DFG capital funding according to existing legislation.

- (d) Impact: the professional fees grant will cover the cost of items such as occupational therapy assessments, architect design/planning application preparation fees, land registry searches confirming property ownership. This change is to ensure that the cost of such fees can be met, without having the effect of reducing the statutory £30,000 available towards the cost of eligible works. It also legitimises capital spend in instances where preliminary costs are incurred, and a full grant application does not proceed.

## **5.8 Empty Homes Loan**

- (a) This part of the Housing Assistance policy is updated to share the format of the wider policy and to expand the offer to include properties that would be subject to the second homes levy charge, due to come into effect from April 2025. Empty homes loans are funded using capital reserves from historic ringfenced housing regeneration grants and are not from the DFG capital allocation.
- (b) At present second homes would not be offered assistance under this policy because they are not classified as “empty” in Council Tax terms. The policy is amended to give a clear offer to residents who have a home furnished for use as a second home but are unable to bring the property back into use and avoids the need for requests to be considered on a discretionary basis outside of policy.
- (c) Examples where the policy may be used include properties where residents have become accidental owners following bereavement or relationship breakdown. The aim of the second homes levy is to maximise the use of housing in the borough. Extending the loan scheme for second homes encourages positive engagement with an offer of assistance from the Council, working with owners to bring their properties into use and avoid the disincentive penalty of increased council tax charges.

## **6 Implications**

### **6.1 Financial**

Disabled Facilities Grant assistance will be provided and managed within the envelope of the annual capital allocation and accumulated underspends from previous financial years as required. There will be no impact on the Council’s other financial resources. At all times the Council reserves the right to revise, prioritise or withdraw discretionary assistance as appropriate, considering the Council’s available resources and annual funding allocations.

## **6.2 Legal**

None

## **6.3 Human Resources**

None

## **6.4 Risk Management**

None

## **6.5 Equalities and Diversity**

A Community Impact Assessment has been undertaken, identifying the impacts, risks and benefits of the policy. The policy seeks to offer a range of solutions and opportunities to improve and adapt residents' homes so that it meets their unique and diverse needs. The Equality strands considered, as appropriate include: Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

## **6.6 Health**

There are 31,699 individuals of state pension age living in Stafford Borough in 2024, this is projected to grow to 39,421 by 2040. Whilst life expectancy for Stafford residents is 82 years, healthy life expectancy is 60 years for females and 63 years for males. The Housing Assistance Policy supports improvements in housing standards and residents' health, safety and wellbeing at home. Its positive impacts are most likely to be seen in population groups who are older and living in ill-health.

## **6.7 Climate Change**

In cases where residents are receiving housing assistance with their heating, retrofitted energy efficiency measures are installed, domestic emissions can be reduced. This supports Stafford Borough Council's Climate Change and Green Recovery Strategy 2020-2040.

## **7 Appendices**

Appendix 1: Housing Assistance Policy 2024 - 2028

## **8 Previous Consideration**

None

## 9 Background Papers

Housing Assistance Policy 2021 - 2024, Cabinet 7 May 2021

[Housing Assistance Policy \(adobe.com\)](#)

<b>Contact Officer:</b>	Sam Taylor
<b>Telephone Number:</b>	01785 619253
<b>Ward Interest:</b>	N/A
<b>Report Track:</b>	Cabinet 7 November 2024 (Only)
<b>Key Decision:</b>	Yes

# Housing Assistance Policy

## 2024 - 2028





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## Introduction

This policy sets out Stafford Borough Council's approach to providing housing assistance for improving living conditions for residents. The policy aims to improve the quality of housing available and to support some of the most vulnerable people in the Borough, by providing the framework for financial assistance under the provisions of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. It also aligns with the Housing, Grants, Construction and Regeneration Act 1996, which covers the mandatory Disabled Facilities Grants (DFG). The policy seeks to make best use of resources and achieve added value and outcomes wherever possible that demonstrate improvements in housing standards and residents' health, safety and wellbeing at home.

### 1 Strategic Context

#### 1.1 Homeless and Rough Sleeper Strategy 2020-2025

The Housing Options Service extends beyond the provision of social housing. The Service has a wide range of interventions to enable households to remain in their current home and where this is not possible, to provide alternative housing. Housing options that are suitable and accessible are required to address all forms of homelessness.

This Housing Assistance Policy can support upstream prevention of homelessness by providing funded adaptations and help with essential home improvements to ensure that disabled, vulnerable and older people are not at risk of homelessness due to occupying unsuitable or unsafe homes. This Housing Assistance Policy seeks to support delivery of the Homeless and Rough Sleeper Strategy aim to raise awareness of Disabled Facility Grants and how they can be used to prevent homelessness.

#### 1.2 Allocation Policy 2020

The aim of the Allocation Policy is to ensure that best use is made of all affordable housing in Stafford Borough by allocating housing in a fair and transparent way, to applicants with the greatest housing need, in accordance with legislative requirements. The Allocation Policy endeavours to provide vulnerable households with the opportunity for additional support in order to secure sustainable accommodation. The policy definition of Urgent Housing Needs includes housing conditions that pose a serious risk to health, safety or welfare and medical needs where

the applicant's accommodation is having a serious detrimental impact on their health. Where the home improvement/adaptation needs of a resident exceed the provisions available via this Housing Assistance Policy, the Allocation Policy will indicate reasonable preference criteria for housing in alternative accommodation.

### **1.3 Enforcement Policy 2022**

The Council's Enforcement Policy aims to protect residents from unacceptable levels of risk. This includes identifying and dealing with any failure to comply with safeguards provided for in law to prevent such risks. In respect of Housing Standards, the Council has adopted the principles of The Housing Health and Safety Rating System (HHSRS) Enforcement Guidance and will consider the impact of any identified hazard(s) on the health and wellbeing of the current or potential future occupiers or visitors of the home. Taking into account the extent of control occupiers have over their own living conditions and their ability to finance and carry out remedial action, there will be a general presumption towards provision of advice and information to owner-occupiers to tackle hazards. The Housing Assistance Policy sets out the financial assistance that is available to meet the cost of essential home repairs and improvements needed to protect the health, safety and welfare of a vulnerable occupier.

### **1.4 Empty Homes Strategy 2019-2024**

Stafford Borough Council's Empty Homes Strategy sets out what the council will do, with partners, to bring homes back into use, to make best use of housing stock in the Borough and to reduce the negative impact empty homes can have on surrounding homes, neighbourhoods and communities. There are a number of actions and interventions to bring properties back into use which are outlined in the Empty Homes Strategy. These have several commonalities with the Housing Assistance Policy, including aims to:

- improve the health and wellbeing of communities and individuals;
- help meet housing need by providing additional housing options for the local community;
- ensure best use of assets; and
- improve housing conditions

## 1.5 Better Care Fund Plan

The Better Care Fund combines health and social care budgets to enhance outcomes for residents. By providing more disabled facilities grant funding, this policy supports a joined-up approach across health, social care, and housing, benefiting disabled, older, and vulnerable residents in Stafford Borough.

Overall, the Housing Assistance Policy works in harmony with these strategic documents to improve housing conditions, support independent living, and create better, safer, and sustainable services for the people of Stafford Borough.

In 2024-25, we received an allocation of £1,660,158 from the government via the Better Care Fund; this grant level is 8% higher than the previous year's allocation of £1,522,033.

## 2 General Principles of Assistance

All residents of the Borough should have access to a safe, warm and healthy home that meets their needs. The primary responsibility to maintain private homes lies with the owner. The Council will support owners in fulfilling this responsibility by providing advice, support and assistance to enable them to make use of their own resources to fund repairs and improvements and will only provide financial assistance where this is not possible or practical. In respect of residents with a disability or care needs, the Council will assist residents who are owners, occupiers and tenants to remain living independently within their homes.

Applicants for assistance must:

- be aged 18 or over, although applications for grants can be made on behalf of children under the age of 18 by a parent or guardian, and
- be a UK citizen (have a UK National Insurance number), and resident in Stafford Borough.

Applications must be made in writing; we can provide and assist with forms for this; a referral for assistance does not constitute an application.

Funding calculations are based on what the council considers to be a reasonable price for necessary work (known as the eligible expense). When considering necessary work, the council will consider whether adaptations:

- Are needed for a care plan that will enable the disabled occupant to remain living at home as independently as possible;
- Would meet, as far as practicable, the assessed needs of the disabled person;

- Distinguish between what is desirable and what is actually needed.

Where financial assistance is provided, the eligible expense will include necessary associated costs such as Building, Planning and Architects Fees, Land Registry search charges to confirm property ownership, Occupational Therapist assessments or scheme recommendations, and other professional fees and agency advice service fees. Grant/loan eligible expense will always exclude labour carried out by the applicant or a member of their family.

Ongoing maintenance and repair of home improvements, adaptations and equipment provided will become the responsibility of the home owner or landlord as relevant.

Payment will only be made if acceptable invoices are submitted upon completion.

Financial assistance cannot be given retrospectively. Applicants are strongly advised not to start any eligible work before their application for assistance is approved.

The Council can provide support to applicants to help with sourcing suitable needs assessments, identification of solutions, specifications, application forms, engagement of contractors, works supervision and monitoring through to completion, sign off and managing payments.

Payment will normally be made direct to the main contractor(s) not their sub-contractors or grant applicant(s).

Once approval has been given the applicant has 12 months from the date of the approval in which to complete the works, with a possible extension of up to 6 months if agreed in advance by the Council.

The Care Act 2014 states that local authorities must provide services and facilities that help people live independently. The core purpose of adult care and support is to assist individuals in achieving their personal goals. According to the DFG Guidance 2022, if the social care authority confirms a need, they must provide assistance, even if the housing authority cannot fully approve or fund the application. For residents of Stafford Borough, the social care authority is Staffordshire County Council, and the housing authority is Stafford Borough Council.

Under section 343 of the Armed Forces Act 2006 (as amended by section 8 of the Armed Forces Act 2021), Stafford Borough Council must consider the Armed Forces Covenant when allocating disabled facilities grants.

### 3 Disabled Facilities Grant: Mandatory

The maximum amount of mandatory (prescribed by the Housing Grants, Construction and Regeneration Act 1996) grant that the Authority can pay for any single grant application is currently £30,000. These grants are means tested according to detailed government regulations. The grant is the difference between the disabled person's means tested contribution and the eligible expense.

To be eligible, you or someone living in your property must be disabled. The grant applicant must:

- Own or occupy the property or be a tenant
- intend to live in the property during the grant period (which is currently 5 years).

You can also apply for a grant if you're a landlord and have a disabled tenant.

The council needs to be happy that the work is:

- necessary and appropriate to meet the disabled person's needs
- the most reasonable option and can be done – depending on the age and condition of the property.

On completion the dwelling must be free from serious (HHSRS category 1) hazards, except where insistence on remedying such problems would prevent completion of a DFG and therefore a disabled person's ability to remain at home.

A self-fund option is permitted whereby the grant applicant prepares a scheme of adaptations that is more elaborate than necessary, partly funding these works using the amount of grant that would have been paid towards a basic scheme, had that basic scheme been executed. The Council reserves the right to withhold support for the identification of solutions, specifications, engagement of contractors and on site works supervision in self-fund applications. In a self-build scenario, the Council would perform its statutory duty to approve an application and pay grant funds on satisfactory completion only.

Disabled Facilities Grants are not normally repayable. Should the applicant own their own home, or have a qualifying owner's interest in the property, a land charge will be applied where a mandatory DFG is awarded. This enables the Council to require limited repayment of the grant in the event of sale or other disposal of the property within ten years

of the certified completion date of the relevant works. The charge will be applied where:

- (a) The funding given is for a sum exceeding £5,000; and,
- (b) the applicant has a qualifying owner's interest in the property at which the relevant works are carried out.

#### **4 Support for Neurodiversity**

Under mandatory grant provision, adaptations can be funded to assist non-neuro typical residents to have access to safe spaces which meet sensory needs.

#### **5 Disabled Facilities Grant: Discretionary Assistance**

Further assistance is available with the aim to minimise the impact of a disabling environment and promote independence, aligning with the goals of the Care Act 2014 to prevent or delay the need for care and support. Discretion is applied beyond the mandatory requirements with the following intentions:

- To speed up administration and the processing of grant funded work
- To broaden the scope of works available
- To provide financial assistance that is not covered by mandatory funding

Grants labelled discretionary may be revised, prioritised or withdrawn, without prior notice as they are subject to the council having sufficient financial resources.

Description	Value	Means Test	Land charge	Objective	Terms
Local Council Tax Reduction is included as a passporting benefit	Not applicable	No	Not applicable	To help people who have been identified through a localised scheme and are in exclusive receipt of this benefit to access necessary adaptations. To speed up administration.	The applicant must provide proof of entitlement to Local Council Tax Reduction support or authorisation for this information to be shared by the Council's Revenues and Benefits team.
Top-up grants	£25,000 maximum	Yes	Yes Full amount of grant	To provide for the cost of adaptations where necessary works exceed the mandatory £30,000 limit and all other funding options, including the applicant's own resources, charitable funding and support from the social care authority have been exhausted/excluded.	Eligibility for top up is identical to the mandatory disabled facility grant in every way. Should the applicant own their own home or have an owner's interest in the property, a land charge for top-up awarded will be applied for a period of 10 years. This will be in addition to any land charge applied for the mandatory grant awarded. A means test will be carried out on the person(s)



## Appendix

					applying on behalf of a disabled child.
Equipment grants	£30,000 maximum	No	No	To fast-track grant funded provision of stairlifts where other adaptations are not required and the cost exceeds £1,000.	Identical to the mandatory disabled facility grant in every way however these grants are not means tested.
Extended warranties	As appropriate	Subject to the statutory means test as applicable.	As per grant	For all adaptations which require electrical installations such as stair lifts and specialist wash-dry toilets, which are excluded from Staffordshire County Council's Maintenance of Disability Fixed Equipment contract.	The Council will include the reasonable costs of additional warranty years on specialised equipment beyond the standard warranty, to maximise the usable life of the equipment for as long as possible.
Rapidly progressing conditions pathway	£5,000	Yes	No	Anticipated to help people with any condition that rapidly deteriorates, is highly debilitating and adaptations remain appropriate, and where the applicant is obliged to make a significant or unaffordable contribution to the adaptations required.	The assessing OT confirms that the relevant person's condition is rapidly progressive, highly debilitating or palliative with a life expectancy below 2 years.  Identical to the mandatory disabled facility grant in every way other than the first £5,000

## Appendix

					of an applicant's means tested contribution towards the eligible expense is funded from the grant.
Landlord applications	£30,000 maximum	No	No	For individuals residing in Homes Plus properties, these referrals along with OT recommendations are passed to the housing provider for Homes Plus to prepare the application for funding towards necessary adaptations.	For social housing tenants in Stafford Borough, we will accept DFG applications from their housing provider. The Council may have the right to nominate tenants to the property if it becomes available for letting after adaptations are completed.
Dementia Friendly Dwelling grants	£5,000	No	No	This assistance will provide specialised living aids and adaptations in the home designed to enable people with a diagnosis of dementia to safely manage their surroundings and retain their independence.	The types of works available may include: <ul style="list-style-type: none"> <li>· Provision of a safe space</li> <li>· Colour and contrast decorating</li> <li>· Carbon monoxide/cold/heat alarms</li> <li>· Lighting</li> </ul>

## Appendix

					<ul style="list-style-type: none"> <li>· Safety flooring</li> <li>· Digital assistive technology</li> </ul> <p>This list is not exhaustive and each case will be considered with advice from an Occupational Therapist or Dementia specialist.</p>
Provision of home working space	£10,000	Yes	No	Adaptations to assist residents with a disability to obtain, maintain or improve employment, by providing measures that facilitate access to safe space to work at home.	Applicants need to have a paid job or be about to start or return to one. Grants are not available for voluntary work. Priority will be given to new Access to Work claimants, key workers and those beginning new roles; eligibility will be in line with <a href="#">Access to Work</a> .
Second homes	£30,000	No Applicable to children	Yes	In cases where families separate, and a court order provides that residency of the subject disabled child is split between two households, the Authority may	The Authority will consider the details of any court order and specifically the allocation of time spent with separate parents/guardians in determining eligibility for

## Appendix

				<p>consider the award of discretionary DFG to one property.</p> <p>Mandatory DFG can only be provided to the 'sole or main residence' of the disabled applicant; main residence is determined by which party receives child benefit.</p> <p>Under this discretion, adaptations may be provided in a second home, which is not the primary residence of the disabled individual but which facilitates access to necessary respite care (including foster placements).</p>	<p>assistance. No specific percentage split is proposed by this policy as each case will be reviewed on its own merits.</p> <p>Factors to be considered include the specific details of any order, likely time to be spent at each property, whether the child will stay overnight at the subject property and for what period. Advice will be taken from the Occupational Therapist and Children's Social Worker where relevant.</p> <p>The principles of mandatory DFG funding apply.</p>
Hospital discharge	£10,000	No	No	For fast-tracked and non-means tested works to the home to enable earlier hospital discharge where problems in the home are identified	Only for disabled people who have been admitted to hospital and don't live with related, non-vulnerable adults.

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				as a possible reason for delayed discharge.	The type of works may include, but are not limited to: repairs to reduce hazards or risks that are likely to cause serious harm or injury, modifications to stairs, floors and steps, repairs to remove identified Category 1 hazards, (including heating repairs), house clearances and disinfestations.
Admission Prevention	£10,000	Yes	Yes	Prevent admission to hospital, residential care or nursing by assisting with adaptations that reduce the likelihood of slips, trips and falls in and around the home.	<p>Only for disabled people who don't live with related, non-vulnerable adults.</p> <p>This discretion is directed at applicants with arthritis (requiring ongoing treatment and monitoring), respiratory and cardiovascular conditions.</p> <p>The type of works may include, but are not limited to: repairs to reduce hazards or risks that are likely to cause serious harm or injury, modifications to stairs,</p>

**Appendix**

					<p>floors and steps, repairs to remove identified Category 1 hazards, (including heating repairs), house clearances and disinfestations.</p>
Relocation	£10,000	Yes	Yes	<p>To meet the reasonable costs associated with moving where the existing home is not suitable for adaptation.</p>	<p>The specific eligible relocation expenses are:</p> <ul style="list-style-type: none"> <li>· Estate agent fees</li> <li>· Solicitor costs</li> <li>· Survey costs</li> <li>· Stamp duty</li> <li>· Removal expenses</li> <li>· Disconnection/reconnection of appliances</li> </ul> <p>Applicants must be moving within Stafford Borough to a property which will be their main residence.</p>

**Appendix**

					<p>Assistance will not be given towards the purchase price of a property.</p> <p>Applications must be supported by an OT who can confirm that the new property will meet the needs of the disabled person or be suitable for adaptation at a reasonable cost.</p> <p>If the move is aborted at the fault or choice of the applicant, costs will not be paid.</p>
New/newly adapted homes	£30,000	No	Yes As appropriate	<p>To increase the proportion of adapted homes/lifetime homes in the housing stock by working in partnership with Registered Housing Providers to contribute funding to the development of new build, lifetime standard and wheelchair accessible homes.</p> <p>Additionally, supporting empty homeowners who are willing to</p>	<p>Where empty homeowners receive funding, a land charge for the full grant value will be placed in perpetuity/until transfer of ownership at which time repayment will be sought.</p> <p>Landlords will be required to agree to allocation by SBC nomination and rent levels not</p>

**Appendix**

				adapt properties for disabled access which in turn increases access to private rented sector homes for people with disabilities.	exceeding Local Housing Allowance rate.  Not available to those housing developers who are building homes for market sale.
Professional fees grant	£2,500	No	No	To pay the incurred professional fees or charges which were necessary as part of a mandatory DFG application.	Necessary fees or charges are paid directly to the supplier of the service required.



## 6 Home Improvement Assistance (Home Improvement Loans)

The key aims are to provide financial assistance to carry out home repairs and improvements to protect the health, safety and welfare of a vulnerable occupier.

The Council will seek to reduce the number of persons and particularly vulnerable persons living in homes that have category 1 and serious category 2 hazards (as set out within the Housing Act 2004).

The council will consider in all cases a person's ability to repay or contribute towards the assistance given whether under a mandatory requirement or as a criteria set within any discretionary form of assistance. The council or its appointed agent will provide in writing the conditions and any obligations to which any form of assistance provided is subject. Assistance will be in the form of an interest free repayment or secured loan. Tenants with a repairing obligation who cannot afford a repayment loan will be offered a non-repayable grant.

### Eligible Persons

- Applicants must be an owner-occupier or tenant with a repairing obligation who have occupied the home continuously for at least 12 months.
- Applicants and any person with repairing obligation must meet the following financial condition:
  - Be in receipt of a means tested benefit of the type listed in in appendix 1, or
  - Provide evidence of a household income of less than £21,000 or
  - Be in receipt of an income/expenditure form completed by an independent and competent third party that indicates a household income of less than £25,000 and an inability to raise a high street loan. (appendix 1)

### Eligible Works

- Works to protect the health, safety and welfare of the occupier; for example (but not limited to) category 1 or high scoring category 2 hazards under the Housing Health and Safety Rating System, particularly where the property is occupied by a member of the most vulnerable group for that hazard;
- Property clearance and disposal works where accumulated possessions are identified as posing a significant risk to the safety and welfare of occupants or neighbours.

- Works to achieve specific strategic outcomes for example tackling fuel poverty and Excess Winter Deaths.
- Any other purpose agreed by the relevant Head of Service or agreed upon appeal by the Public Appeals Committee (or equivalent).

### **Fees and Charges**

The following fees or charges may qualify for assistance:

- Costs of preparing a schedule of works;
- Reasonable agent fees for submitting an application and supervising works on site;
- Building Regulations and Planning Fees;
- Legal costs in confirming ownership and registering any relevant charges;
- Any other relevant fee necessary for the completion of the eligible works and agreed by the relevant Head of Service (or equivalent) or agreed upon appeal by the Public Appeals Committee (or equivalent).

### **Amount of assistance**

- The maximum amount of assistance for eligible works will be £3,000 for repayment loans and £5,000 for secured loans.
- Eligible fees, up to a maximum of £1,000 may be included on top of the maximum assistance for eligible works.
- Loans may be repayable by monthly instalment or upon disposal of the dwelling – the type of loan offered will be dependent on an assessment of the applicant's ability to meet repayments.
- The maximum period for repayment loans will be 3 years.
- The relevant Head of Service may at their discretion approve assistance above the maximum amount for an individual case or revise the maximum payable in order to ensure effective budget management.
- No interest charges will be applied to Home Improvement Assistance loans.

### **Specific conditions**

- Applicants must be able to demonstrate they are unable to raise a loan to cover the cost of the works from traditional high street lenders or relevant specialist loan providers approved by the Council or its agents.
- The Council will determine prior to agreeing a loan whether an applicant has the ability to repay any loan requested with reference to an assessment of the client's income and expenditure. Alternatively, loans may be recovered upon disposal of the property.
- Assistance may be provided at the discretion of the relevant Head of Service where it is considered that requiring the applicant to exhaust all other sources of funding would cause unacceptable delays and/or hardship or would be counter to achieving specific strategic outcomes.

- All general conditions set out below.
- The relevant Head of Service may at any time specify additional conditions for the provision of assistance.

## 7 Energy Efficiency advice, Flexible Eligibility and Fuel Poverty Top-Up

The Council will work in partnership with an energy advice specialist to develop and deliver programmes to tackle fuel poverty and reduce the negative health impact of cold homes in the Borough in accordance with [guidance](#) issued from the National Institute of Clinical Excellence and from NHS England and [Public Health England](#).

The key aims of the [Warmer Homes Stafford](#) service are to:

- improve the health and wellbeing of residents by reducing the number of households in fuel poverty in the Borough;
- reduce the levels of CO2 emissions from homes in the Borough;
- support communities to understand and reduce their vulnerability to cold weather;
- improve planning for and response to cold weather in collaboration with the community and voluntary sector.

## 8 Flexible Eligibility

The Energy Company Obligation (ECO) is an obligation placed on energy suppliers by government to contribute to the installation of energy saving measures, where funding is aimed at helping households cut their energy bills and reduce carbon emissions. The Affordable Warmth (AW) element of the ECO programme delivers heating and insulation measures to low income and vulnerable households in receipt of certain benefits. Warmer Homes Stafford will support residents with applications for ECO funded measures.

Flexible eligibility allows local authorities to make declarations determining that certain households meet the eligibility criteria for a measure under the Affordable Warmth element of ECO in their area. Stafford Borough Council proposes to use the Flexible Eligibility element of ECO to support and assist fuel poor households and those at risk from cold homes; this is detailed within our Statement of Intent which is published [online](#).

## 9 Fuel Poverty Top-Up Grants

Funding is available to provide grants to households in fuel poverty to meet their contributions towards the costs of heating and insulation measures.

- Top-up grants are available to homeowners and private tenants.
- Qualifying criteria are in line with Affordable Warmth criteria and ECO Flexible Eligibility Criteria, as published in the Statement of Intent.
- The grant limit is £2000 per household; or
- A maximum of 50% contribution to the total cost of works, whichever is the lesser; or
- In exceptional circumstances, where a client has minimal savings and accessing borrowed funds from relatives or a high street lender would lead to unmanageable debts, a greater contribution could be offered provided the overall Council contribution across the whole scheme does not exceed 50% of the total cost of works within one complete financial year.
- A target has been set to achieve a minimum 75% funding levered into the Borough from external sources within one complete financial year.

## 10 Empty Homes

The key aims are to provide financial assistance to the owners of:

- long term empty homes or
- properties furnished for use as a second home

for works that will enable the property to be brought back into full-time occupation and not subject to empty homes or second homes levy charges.

### Eligible Properties

To be eligible, the subject property must:

- Be located within the Stafford Borough Area.
- Be either recorded as being empty or furnished for use as a second home by Stafford Borough Council's Council Tax team for at least the previous two years.
- There must be sufficient equity in the property to meet the full repayment of the loan value on sale taking into account all relevant existing charges. Applicants must be able to provide the accurate value of all relevant charges with their application.

### Eligible Persons

- The applicant must be able to demonstrate ownership of the property for at least 12 months, either via a relevant land registry entry for the property or production of certified deeds demonstrating ownership.
- The applicant must not have outstanding debts to the Council.
- The applicant must not have benefitted from an empty homes loan for the previous two years.

### Eligible Works

The loan is to pay for building works that help bring properties back into use, either by immediate sale or ready for renting out. Without prejudice to the generality of the aim, eligible works could include:

- Building works to meet legal requirements for property to be let, or to address safety failings in the property.
- Clearance or cleansing works to allow a property to be marketed for sale.
- Installation of kitchen or bathroom where the existing facilities are of poor quality or damaged beyond economic repair.

The loan would not be available to pay for non-building works such as legal fees, outstanding debts, surveyor reports or marketing.

A specification of all works must be agreed by an officer from Stafford Borough Council and relevant estimates for the cost of works agreed.

Without prejudice to the above, Stafford Borough Council reserves the right to refuse to approve works where it considers the requested items not in the public interest to fund either because it considers them not necessary to achieve the overall objective, or not representing reasonable value for money.

### Amount of assistance

- The loan is a maximum of £10,000
- The loan becomes repayable once the property becomes reoccupied, or the property is sold or the ownership is otherwise transferred.
- Approved loans will be valid for 12 months from the date of approval, works must be completed and invoiced within this period.
- Irrespective of the above, the loan must be fully repaid to the Council within 2 years of drawdown.
- Loans will be registered as a local land charge until repaid in full.

### Specific conditions

- If the total cost of repair work is greater than the loan amount, the owner **MUST** provide evidence that they have the finances to complete the repairs and any unforeseen additional costs.
- The owner must source their own contractors.
- Where the applicant is applying for financial assistance to enable sale of a second home, they must take all reasonable steps to ensure that it is not marketed for sale as a second home so that it does not continue to be subject to the second homes levy.
- Stafford Borough Council reserves the right to refuse to approve a loan where it considers it reasonably likely that, following completion of the works and sale of the property, it will be continue to be occupied as a second home subject to the relevant council tax levy.



**Agenda Item 5(d)i**

# Development Management Proposals for 24/25 and Funding Request

<b>Committee:</b>	Cabinet
<b>Date of Meeting:</b>	7 November 2024
<b>Report of:</b>	Head of Economic Development and Planning
<b>Portfolio:</b>	Economic Development and Planning

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## 1 Purpose of Report

- 1.1 To update Cabinet on performance in Development Management, to set out actions to maintain service delivery in Development Management and Planning Enforcement during 2024/25 and associated resource/budget implications.

## 2 Recommendations

That:-

- 2.1 Cabinet note the report;
- 2.2 Cabinet agree to the proposals for Development Management and Planning Enforcement for 2024/25 which will maintain current service delivery;
- 2.3 Cabinet note that an external independent review of the Development Management service has been commissioned, with the conclusions of this report reported back to Cabinet with detailed recommendations and an improvement plan in line with budget availability;
- 2.4 Cabinet recommends to Council the drawdown of £500k from planning/development management reserves to maintain current service levels as agency staff are released. The funding will be in addition to the currently approved 2024/25 budget.

### Reasons for Recommendations

- 2.5 Development Management and planning are statutory services of the Council, and it is critical that the Council delivers a statutorily compliant service.



### **3 Key Issues**

- 3.1 During 2023/24, Cabinet received a number of reports setting out the issues facing the Development Management (DM) service at SBC and agreed a set of measures to improve performance, tackle backlogs, reduce complaints and increase confidence in the service from key customers.
- 3.2 Backlogs were tackled by bringing in agency staff to fill vacant posts and to provide cover for sickness absence. This comprised 2 interim team leaders and 5 interim Planning / Senior Planning Officers.
- 3.3 It was also necessary to bring in agency staff to fill vacant positions in Planning Enforcement as a result of the inability to recruit and retain suitable permanent staff. This comprises 1 interim team leader / Senior Enforcement Officer and 2 interim Enforcement Officers.
- 3.4 The use of these agency staff came at a cost. In July 2024, Cabinet received a report outlining the Council's budget position at the end of period 9 in 2023/24, which showed a considerable budget overspend in planning, the largest single item of which was agency staff.
- 3.5 This report sets out action being taken during 2024/25 to maintain service delivery and performance and ensure that sufficient resources and budget are allocated to the service to allow it to continue.

### **4 Relationship to Corporate Priorities**

- 4.1 The Development Management and planning services are key statutory services and contribute to the delivery of the Council's corporate priorities.

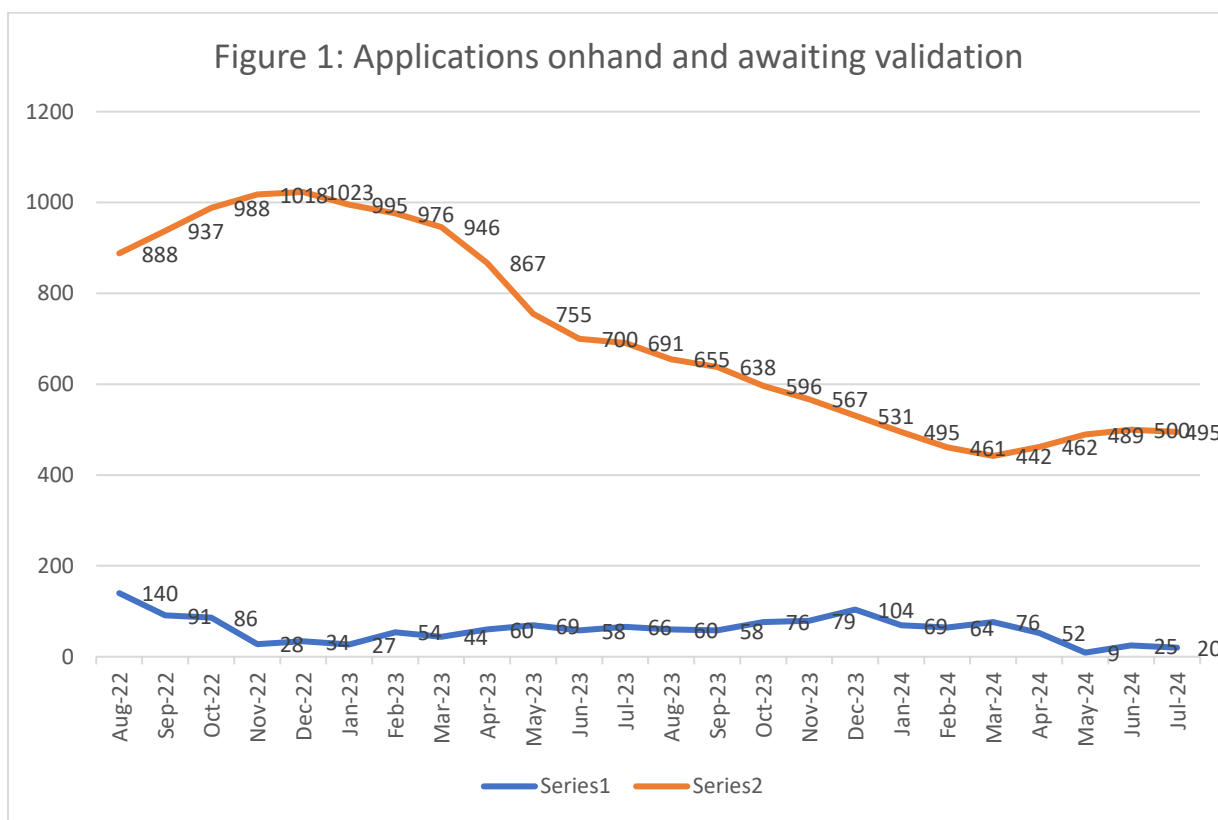
### **5 Report Detail**

#### **Development Management - current position**

- 5.1 Over the last 12 months, there has been a specific focus in Development Management on improving performance and reducing the backlog of historic applications.
- 5.2 Good progress has been made in reducing the total number of applications 'on-hand' and officers have worked hard to reduce the number of older applications. Figure 1 below shows that as at the end of July 2024, there were a total of 495 applications 'on-hand' which have been allocated to case officers to assess and determine. Figure 1 also shows that there were 20 applications waiting to be validated prior to assessment at the end of July 2024.
- 5.3 In terms of performance against the Government's Statutory planning targets, the Development Management service continues to perform well. For quarter 1 (01/04/24 - 30/06/24), performance for major applications stood at 80.0% of

applications determined within a 13-week period or agreed extension (Government target is 60%) and non-major applications, 87.3% of applications determined within 8 weeks or agreed extension (Government target is 70%). The Council's rolling 2-year performance for major applications as at 31/03/24 is 88.4% and non-major applications is 77.4%. Whilst performance is good, there has been a reliance on extensions of time to ensure major and minor applications are determined within time, although progress has been made in reducing this reliance for householder applications. In quarter 1, a total of 73 householder applications were determined of which 55 (75.3%) were completed within 8 weeks, and a further 10 (13.7%) were completed with an extension of time.

**Figure 1**



5.4 It should be acknowledged that the progress in reducing the number of applications and clearing the backlog has come at a significant cost to the Council due largely to national, long-term shortages of qualified planners and this resulted in the budget overspend position reported to Cabinet on 11 July.

5.5 During 2023/24, additional agency staff at Team Leader and Senior Planning Officer level were brought in to deal with assessing applications and increase decision making capacity. An external service provider Terra Quest was appointed in early 2023 to support the Council with Householder applications and have performed well in assessing applications that could then be determined within the statutory 8-week period. Furthermore, the Council appointed Terra Quest on a short-term contract to support with validation and

this has helped to reduce the number of applications awaiting validation. Whilst the Council secured £100k of funding from the Government's Planning Skills Delivery Fund, the Council has had to utilise existing reserves held for planning to offset the budget overspend.

- 5.6 The use of reserves to continue the use of Agency staff is clearly not a sustainable solution. Agency workers are an expensive resource and reserves are finite. Even allowing for the recent increase in planning fees that came into effect in December 2023 the department has insufficient additional income to offset the additional agency spend. However, to maintain service delivery during 2024/25, there will be a need to continue utilising Agency staff for an as yet unspecified period to supplement existing resources. This will be funded from the additional £500k to be drawn from reserves.

### **Actions to be taken during 2024/25**

- 5.7 Going forward the focus continues to be around maintaining performance. There is a need to ensure that overall caseloads remain at a sustainable level and validation timeframes are reduced to a level which are acceptable for applicants / agents.
- 5.8 There is a commitment to re-introduce a chargeable pre-application service as soon as is feasible, which will require Cabinet approval. Engagement with agents has already taken place. The service will require sufficient resource within the team to service it.
- 5.9 Once the independent review has taken place it is anticipated that there will be a number of recommendations which will need to be actioned. A report will follow which details a timeline of when these will take place and funding requirements.
- 5.10 In terms of staffing resources, there is a need to gradually phase down the reliance on external agency staff to fill gaps. Following a recent recruitment exercise, a number of appointments have been made to the team which will improve the capacity and resilience of the team. Two existing team members have secured promotions to Senior Planning Officer level, one external candidate has been appointed as Planning Officer and started on 6 August 2024, and two Planning Assistants have been appointed at entry level and will be provided with a training and development programme. It should however be noted that by recruiting inexperienced officers the senior team members take on additional support and mentoring responsibilities and this will impact on their capacity to process planning applications. It is estimated that it will take 6 months before the new recruits have settled into their roles and are able to deliver a full caseload.
- 5.11 As at August 2024, the staffing level, excluding Planning Enforcement, is as follows. All posts are Full Time Equivalent (FTE), and the 2 current vacancies are indicated.

- Development Management Manager
- Deputy Development Manager (vacant)
- Development Lead x 2
- Principal Planning Officer
- Senior Planning Officer x4
- Planning and Conservation Officer (0.5 FTE Planning Officer) - role to transfer to Planning Policy
- Planning Officer x3
- Planning Assistant / Assistant Planner / Planning Officer x2
- Senior Validation Officer (vacant)
- Validation Officer x2

5.12 Despite the recent appointments, there will be a need to continue with some agency staff during 2024/25, particularly to allow new staff to train and develop and to ensure that there is resilience to cope with fluctuations in demand and workload. There is also a need to retain at least 2 agency Senior/Planning Officer members of staff for a period of 3 months, to help resource the pre-application service when this is re-introduced in the autumn.

5.13 There are currently 4 agency staff in Development Management comprising:

- 1 x Team Leader
- 2 x Senior Planner
- 1 x Planning Officer

The Team Leader post is covering for the vacant Deputy Development Manager post which is necessary to maintain the decision-making capability to enable sufficient applications to be determined. The second agency Team Leader post, which finished on 30 August 2024, initially covered for a long-term sickness, but the additional capacity has enabled a higher number of applications to be determined each month than received for most of the last 12 months, which has contributed to the significant fall in the number of applications on hand.

5.14 The Development Management service performs well when measured against the Government's statutory planning targets for speed of determination and quality of decision making. It is acknowledged though that the performance of the DM service needs to be measured by more than these targets. DM is a fee earning service and applicants/agents expect a good level of service in return for payment of their fee, although the fee in most cases does not reflect the complexity of the work involved.

5.15 The new Government has indicated its ambition to deliver more homes and intends to reform the planning system to increase the volume of house building across the country. There is a need to ensure that the Development Management service is fit for the future to meet both statutory requirements,

national policy targets and to support the delivery of corporate priorities and projects.

- 5.16 To help the Council to ensure that the Development Management service is fit for the future, an independent external review of the Development Management service has been commissioned. The external review will include all elements of the service from pre-application, validation, assessment of applications, determination of applications, appeals, planning enforcement, process/systems, customer approach and operation of the Planning Committee.
- 5.17 The review will include a Peer review, actively identifying local planning authorities that are demonstrating best practice. The output of the review will be an initial improvement plan for the next 12 months, including clear recommendations, actions, and resource requirements. The review will also consider wider transformation options and recommendations for the sharing of SBC and Cannock Chase Council's Development Management Service. Members will be involved in the review, along with key stakeholders and agents/applicants. The review is currently expected to conclude in January 2025, and will be brought through to members early in 2025.

## **Planning Enforcement**

### **Current position**

- 5.18 Planning Enforcement is a discretionary service. It is not compulsory for an LPA to act against a breach of planning control or to take further action. However, the service has a high profile and there is an expectation that the Council will investigate potential breaches of planning action and take action where it is expedient and deemed to be in the public interest.
- 5.19 In terms of current workload, the service is currently registering approximately 230 cases per year with 306 cases outstanding at 30/06/24, of which 19 are cases awaiting the outcome of retrospective planning applications submitted following an enforcement investigation.
- 5.20 The staffing structure comprises 3 staff, 1 Senior Enforcement Officer and 2 Enforcement Officers, but all 3 posts are currently vacant.
- 5.21 Since mid-2022, the Council has advertised for Enforcement Officers on 2 occasions and not received a single qualified candidate or one with relevant experience of planning enforcement. Whilst we were able to appoint 3 candidates with an aptitude for the work with the aim of training them in the role, all 3 have left, with 2 of the appointments lasting less than a year in post.
- 5.22 There is a challenge for many councils in obtaining and retaining suitable planning enforcement staff - there is a national shortage of experienced

planning enforcement staff, and many experienced staff have chosen to work as agency staff due to the significantly higher remuneration.

### **Current resourcing**

- 5.23 The Council's planning enforcement capability is currently entirely dependent on agency staffing and has been for the last 15 months. There are currently 3 full time agency planning enforcement staff covering for 3 FTE vacancies.

### **Actions to be taken during 2024/25**

- 5.24 It is acknowledged that the current arrangements regarding Planning Enforcement are not sustainable. Agency Enforcement Officers are expensive, and the current budget is insufficient to fund the existing level of Agency Enforcement officers.
- 5.25 It is proposed during 2024/25 to bring forward a shared planning enforcement provision across SBC and CCDC - this would initially use 1 x permanent CCDC officer and 3 x agency Enforcement Officers, subject to the agreement of CCDC Cabinet. Initially this arrangement would be for 12 months, pending the development of a full business case for sharing.
- 5.26 Shared provision should enable the review of current Enforcement Officer roles, including the scope of role/salary/market supplement, to be able to re-advertise with aim of attracting qualified and experienced candidates to reduce the need for agency Enforcement Officers.
- 5.27 There is a budget implication of having 2 or 3 x FTE agency Enforcement Officers for 2024 / 25, this will be included within the £500k additional budget for 2024/25.
- 5.28 Cabinet should also note that the outcome of the External review of the Development Management service will help to determine the level of resource required post 2024/25 to provide a 'great' level of service and there is an expectation that planning workloads will increase over the coming years with the Government's push for higher levels of house building and mandatory housing targets which will need to be addressed in the new Local Plan.
- 5.29 There may be opportunities to generate additional income via any resultant increase in planning applications. Furthermore, the Government is currently consulting on a proposed increase to householder fees to meet cost recovery and localisation of setting planning fees. It is proposed to present a further report setting out a proposed improvement plan and resource requirement, once the external review has been concluded.

## **6 Implications**

### **6.1 Financial**

A forecast has been undertaken of staffing and agency costs paid and forecast to the 31 March 2025. This gives a total additional cost of approximately £600k, £100k is coming from the government grant funding received from the planning skills fund. The remaining £500k will be drawn down from planning reserves to fund the transition from using agency staff to permanent staff whilst maintaining service delivery. A further drawdown of £30k will be done to fund the independent review. This will leave a small amount in the planning fee reserve balance held at the 31 March 2024.

### **6.2 Legal**

None

### **6.3 Human Resources**

None

### **6.4 Risk Management**

None

### **6.5 Equalities and Diversity**

None

### **6.6 Health**

None

### **6.7 Climate Change**

None

## **7. Appendices**

Appendix 1 - Development Management Staffing resource transition plan

## **8. Previous Consideration**

Economic Development and Planning Scrutiny - 5 March 2024














## **9. Background Papers**







None

**Contact Officer:** Dean Piper/John Holmes  
**Telephone Number:** 01543 464223  
**Ward Interest:** All  
**Report Track:** Cabinet 7 November 2024 (Only)  
**Key Decision:** N/A



**Appendix 1 - Development Management Staffing resource transition plan**

Event	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25
<b>Team Leader Resource</b>										
Agency Team Leader Contract Ends										
1 x Team Leader returning to full time hours										
Team Leader Recruitment - Officer in post (using vacant Deputy Development Manager budget, pending external review)										
Agency Team Leader Contract Ends - dependent on successful recruitment										
<b>Case Officer Resource</b>										
2 x newly promoted Senior Planning Officers working at fully Senior level										
1 x newly appointed Planning Officer working at full caseload capacity										
Agency Planning Officer Contract Ends (1 FTE)										
Conservation and Planning Officer 0.5FTE caseload capacity ends										
Planning Officer Recruitment - Officer in post - dependent on Cabinet approval										
10% case officer capacity required for paid-for pre-app work										
Terraquest Planning Officer Contract Ends										
2 x newly appointed Planning Assistants working at full caseload capacity										
Agency Planning Officer Contract Ends (1 FTE)										

Agency Planning Officer Contract Ends (1 FTE)										
<b>Validation Resource</b>										
Terraquest Validation Officer Contract Ends										
Seasonal Peaks in Applications Received for Validation					!	!			!	!
<b>Enforcement Resource</b>										
0.6 FTE Enforcement Officer Contract Ends										
Planning Enforcement Officer Recruitment - Officer in post (depending on Cabinet instruction re level of resource)										
Agency Senior Enforcement Officer (1 FTE) and Enforcement Officers (2 FTE) Contracts End										
<b>Structure fully staffed, no agency costs</b>										

**Key**



Agency cost decrease effective



In house capacity increase effective



Known impact on in house capacity

**Agenda Item 5(e)i****Final Accounts 2023/24**

<b>Committee:</b>	Cabinet
<b>Date of Meeting:</b>	7 November 2024
<b>Report of:</b>	S151 Officer and Deputy Chief Executive (Resources)
<b>Portfolio:</b>	Resources Portfolio

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**1 Purpose of Report**

- 1.1 To present to the Cabinet the final outturn position for 2023/24.

**2 Recommendations**

- 2.1 That the final outturn position for the year ending 31 March 2024 be noted;
- 2.2 That the financing of the capital programme as outlined in the report be approved.

**Reasons for Recommendations**

- 2.3 The Budget report set out an indicative capital programme and financing, this report now sets out the actual capital spend and therefore financing to be approved.

**3 Key Issues**

- 3.1 The Budget for 2023/24 was revised as part of the Budget report to Council on the 30 January 2024 which set out a forecast transfer to working balances of £0.018 million pounds.
- 3.2 The Portfolio outturn for 2023/24 shows an adverse variance of £0.796 million consisting of several variances, which are detailed in the report.
- 3.3 Investment income in year has increased by £1.409 million as compared to the Revised Budget. This change has occurred due to the following factors
- Interest rates remained higher for longer than anticipated giving an additional gross investment income above budget of £0.771 million

- The budget also assumed an amount in relation to interest on balances held by the authority in relation to repayable grants, due to the fall in inflation and spend the budget of £0.580 million was not required

- 3.4 Technical items show a variance of £2.471 million reflecting contributions made to reserves.
- 3.5 The final contribution to working balances was £0.338 million a £0.321 million increase against the budgeted value. This was principally due to additional net investment income and one off additional grants from government.
- 3.6 Income from the Business Rates Retention Scheme was some £1.146 million higher than anticipated.

## 4 Relationship to Corporate Priorities

- 4.1 The final outturn for 2023/24 covers all of the Council's priorities.

## 5 Report Detail

- 5.1 This report provides an analysis of the final accounts position for 2023/24. It covers the following accounts:-

- General Fund Revenue account – which bears the net cost of providing day-to-day services.
- Business Rates Retention
- Capital expenditure and how it is financed.
- Collection Fund.

- 5.2 Whilst the accounts will not be subject to Audit, the figures below are robust.

### General Fund Revenue Outturn

- 5.3 The table overleaf summarises the outturn position of the General Fund Revenue Account for the year compared with the budget position.
- 5.4 The Council's Net Expenditure (Portfolio Budgets) in relation to the Revenue Budget for 2023/24 financial year was set by the Council in February 2023 with a budget requirement of **£16.199 million**. In determining the 2024/25 Budget in January 2024 Council approved the Forecast Outturn for 2023/24 of **£16.316 million**, an increase of £0.117 million as compared to the Original Budget.
- 5.5 The main change in the Revised Budget was an increase in portfolio budgets of £0.317 million reflecting the spending/income levels to date and forecasts to the end of the year, partly offset by net additional investment income. Variances against this revised portfolio budget are set out in paragraph 5.6.

<b>Stafford Preliminary Outturn 2023/2024</b>				
		<b>Revised Budget</b>	<b>Actual</b>	<b>Variance to Revised</b>
		<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
<b>Portfolios</b>				
1	Community	1,172	1,114	58
2	Environment	3,542	3,391	151
3	Leisure	2,024	1,992	32
4	Planning & Regen	2,086	2,624	(538)
5	Resources	7,665	8,164	(499)
6	Total Portfolios	16,489	17,285	(796)
7	Investment Income	(2,600)	(4,009)	1,409
8	Technical Items	3,172	5,643	(2,471)
9	Net Expenditure	17,061	18,919	(1,858)
10	Use of Government Grants	(745)	(1,516)	771
11	<b>Net Revenue Budget</b>	<b>16,316</b>	<b>17,403</b>	<b>(1,087)</b>
<b>Financed by:</b>				
Business Rates				
12	Core funding	(2,930)	(2,930)	-
13	Growth	(2,222)	(3,074)	852
14	Pooling	(1,104)	(1,397)	294
15	Revenue support grant	(113)	(113)	-
16	Fund guarantee grant	(1,587)	(1,587)	-
17	Core spending power grant	(114)	(114)	-
18	Rural services delivery grant	(29)	(29)	-
19	Collection fund surplus	-	(262)	262
20	Council Tax	(8,235)	(8,235)	-
21	Total Financing	<b>(16,334)</b>	<b>(17,741)</b>	<b>1,408</b>
22	<b>Trf (to)/from working balances</b>	<b>(18)</b>	<b>(338)</b>	<b>321</b>
23	<b>Net Revenue Budget</b>	<b>16,316</b>	<b>17,403</b>	<b>(1,087)</b>

- 5.6 The table above shows that net expenditure including Investment Income, Technical financing adjustments and use of government grants was **£17.403 million, £1.087 million** (6.66%) more than the budget.
- 5.7 The actual expenditure on portfolio budgets was £0.796 million (4.8%) higher than anticipated with Investment Income being £1.409 million higher than expected due to the increased interest rates and reduced interest due on balances held. There was also £0.771 million of additional government grants, the majority of which is a one off receipt.

- 5.8 Business rates incomes shows additional receipts of £1.146 million with the overall position, actual net expenditure and financing, resulting in a transfer to working balances of £0.338 million. This was as compared to the budgeted figure of £0.018 million.

### **Net Portfolio expenditure**

- 5.9 Net portfolio expenditure was £0.796 million higher than the budget. The principal cost variations, on each portfolio are as follows ((-) is an unfavourable variance (+) is a favourable variance):

#### **Community**

- Private Sector Housing - Disabled facilities grants administration costs £76,000 (+), offset by lower capitalisation £76,000 (-), reduced supplies £5,000 (+) and additional income £16,000 (+)
- Homelessness & Housing advice - Staffing variations £123,000 (+), additional rents £15,000 (-), bed and breakfast £261,000 (-), additional housing benefit recovered £166,000 (+) and additional income £17,000 (+)
- Glover street - reduced electricity costs £9,000 (+) and additional income £9,000 (+)
- CCTV - camera audit £8,000 (-), contract costs £3,000 (-) and minor variations

#### **Environment**

- Management and Support - staffing variations £40,000 (+) and reduced supplies etc £7,000 (+)
- Partnership Environmental Management - staffing variations £6,000 (-), biodiversity grant £26,000 (+) and miscellaneous income £4,000 (+)
- Waste - additional income £34,000 (+), underspends on supplies and services £10,000 (+) and contract payments £70,000 (+)
- Bereavement - staffing variations £11,000 (+), reduced maintenance costs £21,000 (+), additional income £87,000 (+), reduced utility costs £12,000 (+), additional supplies and services £30,000 (-) and minor variations
- Drainage - additional drainage levy fee £4,000 (-)
- Misc Highways - reduced utility and maintenance charge £9,000 (+)
- Streetscene - staffing variations £175,000 (+), reduced gas £19,000 (+), reduced transport costs £17,000 (+), additional supplies £187,000 (-) and reduced income £16,000 (-)
- Regulatory Services - staffing and supplies met by grant £141,000 (-), grant £141,000 (+), staffing variations £73,000 (+), reduced supplies etc £8,000 (+) and additional income £19,000 (+)
- Strategic health delivery - staffing variations £11,000 (+)
- Dog Warden - reduced income £2,000 (-)

- Pest Control - staffing variation £19,000 (+), increased supplies and services £7,000 (-) and reduced income £10,000 (-)
- Parking - staffing variations £6,000 (-), increased maintenance costs £25,000 (-), utility costs £12,000 (-), additional supplies £17,000 (-), and reduced income £174,000 (-)
- Markets - staffing variations £26,000 (-), reduced maintenance costs £12,000 (+), reduced supplies £5,000 (+) and reduced income £14,000 (-)

### **Leisure**

- Leisure Section - Reduced income £24,000 (-)
- Parks and Open Spaces - Staffing variations £9,000 (+), reduced grounds maintenance £77,000 (+), various underspends £15,000 (+) and reduced income £43,000 (-)
- Other - reduced public buildings across leisure contract operated sites £3,000 (+)

### **Planning and Regeneration**

- Management and Support - staffing variations £20,000 (+), external tree officer support £43,000 (-), reduced supplies £13,000 (+) and additional income £3,000 (+)
- Development Management - staffing variations £498,000 (-), increased operational costs £10,000 (-) additional planning fee income £30,000 (+) and reduced use of reserves £21,000 (-)
- Forward planning - staffing variations £14,000 (+) and reduced operational costs £3,000 (+)
- Land charges - one off variation supplies £20,000 (+) and reduced income £12,000 (-)
- Land and properties - Guildhall net additional costs £10,000 (-), additional legal fees £44,000 (-) and income £2,000 (+)
- Economic growth and projects - Future high street revenue costs £107,000 (-), reduced supplies and services £13,000 (+), staffing variations £36,000 (+) and increased use of reserves £40,000 (+)
- Tourism - reduced supplies £9,000 (+)

### **Resources**

- Public Buildings - Additional income £6,000 (+), staffing variations £4,000 (-), reduced utility and supplies and services £27,000 (+)
- Executive Management - staffing variations re sharing of post £23,000 (-)
- Law and Administration - staffing variations £14,000 (+), various underspends £27,000 (+) and additional income £20,000 (+)
- Finance - staffing variations £21,000 (-)

- Human resources - staffing variations £47,000 (+), contribution to shared service reserve £43,000 (-), general underspends £19,000 (+)
- Technology - staffing variations 64,000 (+), contribution to shared service reserve £32,000 (-), additional supplies £138,000 (-), additional reserves and income £80,000 (+)
- Revenues and Benefits - increased bad debts provision £33,000 (-), additional income £32,000 (+)
- Additional cost of Board and Lodgings borne by authority re rent allowances and reduction in subsidy receivable overall £219,000 (-)
- Corporate and Democratic core - reduced bad debts provision £31,000 (+), net reduction in audit fees £10,000 (+)
- Electoral registration - additional income £5,000 (+)
- Facilities management - staffing variations £5,000 (-)
- Corporate Business and Partnerships - staffing variations £46,000 (+) and reduced supplies and services £8,000 (+) and reduced income £8,000 (+)
- Non distributed costs - reduced pension act increases £3,000 (+)
- Communications - senior management restructure £47,000 (-), and reduced supplies £10,000 (+)
- Customer services - senior management restructure £91,000 (-) and reduced supplies and services £6,000 (+)
- Items to be allocated - corporate provision for staff turnover £ 67,000 (-), underspend estimate across the authority £200,000 (-) and minor variations.
- Insurance premiums - additional cost of insurance premiums £15,000 (-)

5.10 A summary of performance of the main streams of income against budget is set out in the following table:

<b>Main Streams of Income</b>			
	<b>Revised</b>	<b>Actual</b>	<b>Variance</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Waste & Recycling	( 2,773)	( 2,807)	34
Bereavement Services	( 1,895)	( 1,983)	88
Borough Markets	( 115)	( 112)	( 3)
Regulatory Services	( 249)	( 251)	2
Development Management	( 709)	( 739)	30
Land Charges - Local Searches	( 107)	( 95)	( 12)
Off Street Parking Services	( 2,579)	( 2,382)	( 197)
Public Buildings	( 568)	( 572)	4
Revenues and Benefits	( 334)	( 461)	127
<b>Total Main Sources</b>	<b>( 9,329)</b>	<b>( 9,402)</b>	<b>73</b>



- 5.11 Overall income levels were £0.073 million higher than the revised budget. The major variations relate to Revenue and Benefits (court fees), Off Street Parking and Bereavement services.
- 5.12 More detailed explanations for all expenditure and income variances greater than £10,000 and 10% are attached for each portfolio at **APPENDIX 1**.

### **Working Balances**

- 5.13 The final outturn shows a contribution to working balances to the General Fund of £0.338 million with a resultant £2.906 million balance as at the 31 March 2024. As the Council policy is to retain a working balance of £1.0 million the £1.906 million transfer will be used to support service delivery and council priorities. These monies will be invested in council services to enhance delivery, drive improvement and increase efficiency. Business cases for this investment will be developed on a case by case basis and presented to members for review as appropriate.

### **Business Rates Retention**

- 5.14 The Business Rates Retention Scheme forms part of the current Funding regime for Local Government and incentivises Councils to promote economic growth in their area as they are entitled to retain a share of business rates growth.
- 5.15 The scheme came into operation with effect from April 2013; therefore 2022/23 is the eleventh year of operation. Income being shared between central government, the Council, Staffordshire County Council, Staffordshire Commissioner Fire and Rescue Service and the Stoke on Trent and Staffordshire Business Rates Pool.
- 5.16 The business rates growth figure was £0.852 million higher than anticipated, of this amount £0.485 million related to growth with the balance being attributable to additional business rates grants.
- 5.17 The business rates pool balance was also £0.294 million higher than anticipated due to increase in the business rates growth.

### **Capital Outturn**

- 5.18 The Council approves the Capital Programme for the financial year as part of the budget process and the amount that can be spent is limited by the amount of capital resources available to the Council. The 2023/24 capital programme was approved in February 2023 and updated as part of the revised budget set as part of the 24/25 budget cycle.
- 5.19 Many of the schemes within the Capital Programme take some time to develop and implement so the detailed programme can experience many changes. Considerable variation will therefore arise over the 18 month period

from the time the Capital Programme for the financial year is initially considered, right through to the end of March of the relevant year.

- 5.20 The Council spent £9.774 million on capital projects in 2023/24 which was £10.885 million less than the budget of £20.659 million. The main reason for the difference in 2023/24 is scheme slippage where the scheme will proceed later than planned and the expenditure will occur in a future year. This mainly related to Future High street spend £9.8 million, Stone leisure phase 2 £0.308 million and Disabled facility grants £0.361 million.

<b>Capital Outturn Position</b>			
	<b>Budget</b>	<b>Actual</b>	<b>Variance from Budget</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Community	1,765	1,361	404
Environment	200	190	10
Leisure	1,882	1,544	338
Planning and Regeneration	16,690	6,674	10,016
Resources	122	5	117
<b>Total</b>	<b>20,659</b>	<b>9,774</b>	<b>10,885</b>

- 5.21 The major items of capital spend in the year were:

- **£5,715,070** on Future High Streets
- **£1,498,230** on Stone Leisure Phase 2
- **£1,292,900** on the provision of grants for disabled adaptations in homes;
- **£889,580** on UK Shared Prosperity Fund
- **£68,810** on Rural Prosperity Fund

The detailed Capital Programme outturn for 2023/24 is attached at **APPENDIX 2** along with explanations for major variations.

- 5.22 The capital programme of £9.774 million was financed in the following way:

Grants and contributions	8,524
Capital Receipts	737
Direct Revenue Financing	513
	<b>9,774</b>

### **Collection Fund**

- 5.23 Stafford Borough is the billing authority and as such has a statutory requirement to establish and maintain a separate fund covering the collection and distribution of amounts due in respect of council tax and national non-domestic rates (NNDR). Net Business Rates attributable to the Council are

accounted for as part of the General Fund under the new Business Rates regime.

### **Council Tax**

- 5.24 The net position on the Collection Fund for the year was a deficit of £3.148 million. The overall position after taking account the balance brought forward in relation to previous years' surpluses, leaves a net deficit on the fund of £1.394 million at 31 March 2024 (of which £0.134 million relates to this Council).

### **National Non-Domestic Rates**

- 5.25 A surplus of £1.986 million exists in relation to Business Rates as at 31 March 2024. The surplus is however notional and represents a timing difference between estimated Business Rates returns and actual returns. This Council's actual retained Business Income is in line with the Income and Expenditure account after taking into account the timing deficit required as part of the Collection Fund Statutory requirements.

## **6 Implications**

### **6.1 Financial**

The financial implications have been referred to throughout the report.

### **6.2 Legal**

The legal implications have been referred to throughout the report

### **6.3 Human Resources**

There are no human resource implications arising from this report

### **6.4 Risk Management**

None

### **6.5 Equalities and Diversity**

None

### **6.6 Health**

None

### **6.7 Climate Change**

None

## **7 Appendices**

Appendix 1: Detailed Revenue Outturn 2023/24

Appendix 2 - Capital Outturn 2023/24

## **8 Previous Consideration**

None

## **9 Background Papers**

Available in Financial Services

**Contact Officer:** Emma Fullagar

**Telephone Number:** 01543 464720

**Ward Interest:** Nil

**Report Track:** Cabinet 7 November 2024 (Only)

**Key Decision:** Yes

## COMMUNITY PORTFOLIO

## Final Accounts 2023-24

	Annual Budget	Total Spend to Date	Variance from Annual Budget		Comments (variances > 10% and £5,000)
	£	£	£	%	
<b>Private Sector Housing (Stdrs)</b>					
Expenditure	634,860	553,124	81,736	12.9%	Lower disabled facility grant administration costs £76k and minor variations
Income	(488,820)	(429,171)	(59,649)	12.2%	Reduced capitalisation of disabled facility administration costs (£76k), partly offset by additional income
<b>Net</b>	<b>146,040</b>	<b>123,952</b>	<b>22,088</b>		
<b>Housing Act Sewerage Works</b>					
Expenditure	2,170	128	2,042	94.1%	
<b>Net</b>	<b>2,170</b>	<b>128</b>	<b>2,042</b>		
<b>PSH (Loans &amp; Mortgages)</b>					
Expenditure	5,730	7,873	(2,143)	(37.4%)	
Income	(8,740)	(5,109)	(3,631)	41.5%	
<b>Net</b>	<b>(3,010)</b>	<b>2,764</b>	<b>(5,774)</b>		
<b>Partnerships</b>					
Expenditure	157,620	155,896	1,724	1.1%	
Income	(132,330)	(130,903)	(1,427)	1.1%	
<b>Net</b>	<b>25,290</b>	<b>24,992</b>	<b>298</b>		
<b>Homelessness &amp; Housing Advice</b>					
Expenditure	1,770,080	2,133,961	(363,881)	(20.6%)	Homelessness prevention reduced spend (£166k), staffing variations £122k, additional rents (£15k), higher bed and breakfast costs (£261k) and Asylum (£50k)
Income	(1,061,300)	(1,460,359)	399,059	(37.6%)	Homeless prevention grant £166k, asylum grant £50k and additional housing benefit recovered £166k
<b>Net</b>	<b>708,780</b>	<b>673,602</b>	<b>35,178</b>		

## COMMUNITY PORTFOLIO

## Final Accounts 2023-24

	Annual Budget	Total Spend to Date	Variance from Annual Budget		Comments (variances > 10% and £5,000)
	£	£	£	%	
<b>Glover Street</b>					
Expenditure	34,070	24,697	9,373	27.5%	Reduced utility costs
Income	(21,200)	(30,345)	9,145	(43.1%)	Additional income from pitches and recharges
<b>Net</b>	<b>12,870</b>	<b>(5,648)</b>	<b>18,518</b>		
<b>Grants and Contributions</b>					
Expenditure	128,960	130,250	(1,290)	(1.0%)	
<b>Net</b>	<b>128,960</b>	<b>130,250</b>	<b>(1,290)</b>		
<b>CCTV</b>					
Expenditure	151,120	164,497	(13,377)	(8.9%)	Camera audit (£8k) and additional contract costs (£3k)
<b>Net</b>	<b>151,120</b>	<b>164,497</b>	<b>(13,377)</b>		
<b>Health Inequalities Funding</b>					
Expenditure	193,830	193,833	(3)	0.0%	
Income	(193,830)	(193,833)	3	0.0%	
<b>Net</b>	<b>-</b>	<b>-</b>	<b>-</b>		
<b>Portfolio Total</b>	<b>1,172,220</b>	<b>1,114,537</b>	<b>57,683</b>	<b>4.9%</b>	

## ENVIRONMENT PORTFOLIO

## Final Accounts 2023-24

	Annual Budget	Total Spend to Date	Variance from Annual Budget		Comments (variances > 10% and £5,000)
	£	£	£	%	
<b>Management &amp; Support</b>					
Expenditure	255,550	208,748	46,802	18.3%	Staffing variations £40k and reduced supplies etc £7k
<b>Net</b>	<b>255,550</b>	<b>208,748</b>	<b>46,802</b>		
<b>Partnership Environmental Mgmt</b>					
Expenditure	111,830	97,760	14,070	12.6%	Staffing variations (£6k), reclassified capital (£15k), budget funded from reserves not used £36k
Income	(49,880)	(60,546)	10,666	(21.4%)	Funding for reclassified capital £15k, biodiversity grant £26k, party offset by reserve funding not used (£36k)
<b>Net</b>	<b>61,950</b>	<b>37,215</b>	<b>24,735</b>		
<b>Waste &amp; Recycling</b>					
Expenditure	5,064,590	4,985,241	79,349	1.6%	
Income	(2,773,470)	(2,807,135)	33,665	(1.2%)	
<b>Net</b>	<b>2,291,120</b>	<b>2,178,105</b>	<b>113,015</b>		
<b>Cleansing Services</b>					
Expenditure	64,130	62,981	1,149	1.8%	
Income	(360)	-	(360)	100.0%	
<b>Net</b>	<b>63,770</b>	<b>62,981</b>	<b>789</b>		
<b>Bereavement Services</b>					
Expenditure	841,920	830,445	11,475	1.4%	
Income	(1,908,350)	(1,995,384)	87,034	(4.6%)	
<b>Net</b>	<b>(1,066,430)</b>	<b>(1,164,940)</b>	<b>98,510</b>		

## ENVIRONMENT PORTFOLIO

## Final Accounts 2023-24

	Annual Budget	Total Spend to Date	Variance from Annual Budget		Comments (variances > 10% and £5,000)
	£	£	£	%	
<b>Drainage Services</b>					
Expenditure	118,460	122,728	(4,268)	(3.6%)	
<b>Net</b>	<b>118,460</b>	<b>122,728</b>	<b>(4,268)</b>		
<b>Misc Highways Functions</b>					
Expenditure	51,910	42,677	9,233	17.8%	Reduced utility and maintenance charge
Income	(5,000)	(5,000)	-	0.0%	
<b>Net</b>	<b>46,910</b>	<b>37,677</b>	<b>9,233</b>		
<b>Street Scene</b>					
Expenditure	2,954,380	2,930,141	24,239	0.8%	
Income	(768,210)	(749,841)	(18,369)	2.4%	
<b>Net</b>	<b>2,186,170</b>	<b>2,180,300</b>	<b>5,870</b>		
<b>Regulatory Services</b>					
Expenditure	822,540	883,458	(60,918)	(7.4%)	Additional use of reserve funding £141k, increased licensing income £7k and other income £12k
Income	(322,480)	(486,042)	163,562	(50.7%)	
<b>Net</b>	<b>500,060</b>	<b>397,416</b>	<b>102,644</b>		
<b>Strategic Health Delivery</b>					
Expenditure	50,900	38,331	12,569	24.7%	Staffing variations
<b>Net</b>	<b>50,900</b>	<b>38,331</b>	<b>12,569</b>		
<b>Dog Warden Service</b>					
Expenditure	10,130	11,394	(1,264)	(12.5%)	
Income	(10,520)	(9,000)	(1,520)	14.4%	
<b>Net</b>	<b>(390)</b>	<b>2,394</b>	<b>(2,784)</b>		



## ENVIRONMENT PORTFOLIO

## Final Accounts 2023-24

	Annual Budget	Total Spend to Date	Variance from Annual Budget		Comments (variances > 10% and £5,000)
	£	£	£	%	
<b>Pest Control</b>					
Expenditure	235,870	224,333	11,537	4.9%	
Income	(166,180)	(156,220)	(9,960)	6.0%	
<b>Net</b>	<b>69,690</b>	<b>68,112</b>	<b>1,578</b>		
<b>Off street Parking</b>					
Expenditure	1,569,940	1,630,395	(60,455)	(3.9%)	
Income	(2,740,410)	(2,566,627)	(173,783)	6.3%	
<b>Net</b>	<b>(1,170,470)</b>	<b>(936,232)</b>	<b>(234,238)</b>		
<b>Borough Markets</b>					
Expenditure	298,510	308,547	(10,037)	(3.4%)	
Income	(164,080)	(150,332)	(13,748)	8.4%	
<b>Net</b>	<b>134,430</b>	<b>158,215</b>	<b>(23,785)</b>		
<b>Portfolio Total</b>	<b>3,541,720</b>	<b>3,391,051</b>	<b>150,669</b>	<b>4.3%</b>	

## LEISURE AND CULTURE PORTFOLIO

## Final Accounts 2023-24

	Annual Budget	Total Spend to Date	Variance from Annual Budget		Comments (variances > 10% and £5,000)
	£	£	£	%	
<b>Leisure Section</b>					
Expenditure	121,590	125,378	(3,788)	(3.1%)	
Income	(31,560)	(7,795)	(23,765)	75.3%	Reduced use of reserves
<b>Net</b>	<b>90,030</b>	<b>117,584</b>	<b>(27,554)</b>		
<b>Parks &amp; Open Spaces</b>					
Expenditure	915,800	815,310	100,490	11.0%	Staffing variations £9k, reduced grounds maintenance £77k and lower supplies etc £15k
Income	(263,630)	(219,312)	(44,318)	16.8%	Reduced Heritage Lottery fund grant and reserves (£40k) and minor variations
<b>Net</b>	<b>652,170</b>	<b>595,997</b>	<b>56,173</b>		
<b>Allotments</b>					
Expenditure	18,910	21,963	(3,053)	(16.1%)	
Income	(1,200)	(4,188)	2,988	(249.0%)	
<b>Net</b>	<b>17,710</b>	<b>17,775</b>	<b>(65)</b>		
<b>Stafford Gatehouse Theatre</b>					
Expenditure	-	5,882	(5,882)	n/a	Additional public building works
<b>Net</b>	<b>-</b>	<b>5,882</b>	<b>(5,882)</b>		
<b>Ancient High House</b>					
Expenditure	10,330	5,205	5,125	49.6%	Reduced public building works
<b>Net</b>	<b>10,330</b>	<b>5,205</b>	<b>5,125</b>		
<b>Broadeye Windmill</b>					
Expenditure	1,710	2,008	(298)	(17.4%)	
Income	-	(1)	1	n/a	
<b>Net</b>	<b>1,710</b>	<b>2,007</b>	<b>(297)</b>		

## LEISURE AND CULTURE PORTFOLIO

## Final Accounts 2023-24

	Annual Budget	Total Spend to Date	Variance from Annual Budget		Comments (variances > 10% and £5,000)
	£	£	£	%	
<b>Izaak Walton Cottage</b>					
Expenditure	8,310	4,810	3,500	42.1%	
<b>Net</b>	<b>8,310</b>	<b>4,810</b>	<b>3,500</b>		
<b>Stafford Castle</b>					
Expenditure	12,690	11,738	952	7.5%	
<b>Net</b>	<b>12,690</b>	<b>11,738</b>	<b>952</b>		
<b>Leisure Management Contract</b>					
Expenditure	959,180	1,215,184	(256,004)	(26.7%)	Additional Energy payments £260k Energy grant £197k and use of reserves to fund energy payment £63k
Income	(145,170)	(405,236)	260,066	(179.1%)	
<b>Net</b>	<b>814,010</b>	<b>809,949</b>	<b>4,061</b>		
<b>Leisure Strategy</b>					
Expenditure	417,440	420,854	(3,414)	(0.8%)	
<b>Net</b>	<b>417,440</b>	<b>420,854</b>	<b>(3,414)</b>		
<b>Portfolio Total</b>	<b>2,024,400</b>	<b>1,991,800</b>	<b>32,600</b>	<b>1.6%</b>	

## PLANNING AND REGENERATION PORTFOLIO

## Final Accounts 2023-24

	Annual Budget	Total Spend to Date	Variance from Annual Budget		Comments (variances > 10% and £5,000)
	£	£	£	%	
<b>Management and Support</b>					
Expenditure	299,460	308,896	(9,436)	(3.2%)	
Income	(29,080)	(32,257)	3,177	(10.9%)	
<b>Net</b>	<b>270,380</b>	<b>276,638</b>	<b>(6,258)</b>		
<b>Building Control</b>					
Expenditure	210,290	208,508	1,782	0.8%	
<b>Net</b>	<b>210,290</b>	<b>208,508</b>	<b>1,782</b>		
<b>Development Management</b>					
Expenditure	1,724,920	2,334,773	(609,853)	(35.4%)	Staffing variations (£498k) and government grant contributed to reserves (£100k)
Income	(980,600)	(1,093,600)	113,000	(11.5%)	Planning grant £100k, additional planning fee income £30k, partly offset by reduced use of reserves (£21k)
<b>Net</b>	<b>744,320</b>	<b>1,241,173</b>	<b>(496,853)</b>		
<b>Forward Planning</b>					
Expenditure	342,470	325,049	17,421	5.1%	
Income	(6,260)	(6,136)	(124)	2.0%	
<b>Net</b>	<b>336,210</b>	<b>318,913</b>	<b>17,297</b>		
<b>Land Charges - Local Searches</b>					
Expenditure	132,670	89,244	43,426	32.7%	Budget for system change slipped to 24/25 £25k and one off reduced supplies and services £20k
Income	(131,840)	(95,266)	(36,574)	27.7%	Reserve funding for system change (£25k) and reduced search fee income (£12k)
<b>Net</b>	<b>830</b>	<b>(6,022)</b>	<b>6,852</b>		

## PLANNING AND REGENERATION PORTFOLIO

## Final Accounts 2023-24

	Annual Budget	Total Spend to Date	Variance from Annual Budget		Comments (variances > 10% and £5,000)
	£	£	£	%	
<b>Land &amp; Properties</b>					
Expenditure	72,380	139,595	(67,215)	(92.9%)	Guildhall additional costs (£23k) and legal fees (£44k)
Income	(36,290)	(50,995)	14,705	(40.5%)	Guildhall rental income £13k
<b>Net</b>	<b>36,090</b>	<b>88,600</b>	<b>(52,510)</b>		
<b>Economic Growth &amp; Projects</b>					
Expenditure	1,818,480	1,452,489	365,991	20.1%	Staffing £36k, reduced external project spend £501k, future high street revenue costs (£107k), reduced supplies £13k and contribution to reserves capacity grant station gateway (£76k)
Income	(1,347,320)	(964,067)	(383,253)	28.4%	Reserve funding for external projects not used (£501k), capacity grant £76k and additional use of reserves £40k
<b>Net</b>	<b>471,160</b>	<b>488,422</b>	<b>(17,262)</b>		
<b>Borough Tourism</b>					
Expenditure	16,640	8,000	8,640	51.9%	Reduced subscription cost
<b>Net</b>	<b>16,640</b>	<b>8,000</b>	<b>8,640</b>		
<b>Portfolio Total</b>	<b>2,085,920</b>	<b>2,624,231</b>	<b>(538,311)</b>	<b>(25.8%)</b>	

## RESOURCES PORTFOLIO

## Final Accounts 2023-24

	Annual Budget	Total Spend to Date	Variance from Annual Budget		Comments (variances > 10% and £5,000)
	£	£	£	%	
<b>Public Buildings</b>					
Expenditure	1,511,800	1,499,299	12,501	0.8%	
Income	(568,120)	(583,892)	15,772	(2.8%)	
<b>Net</b>	<b>943,680</b>	<b>915,407</b>	<b>28,273</b>		
<b>Executive Management</b>					
Expenditure	917,680	912,568	5,112	0.6%	
Income	(262,320)	(233,934)	(28,386)	10.8%	Reduced contribution from partners
<b>Net</b>	<b>655,360</b>	<b>678,634</b>	<b>(23,274)</b>		
<b>Law and Administration</b>					
Expenditure	1,394,510	1,356,432	38,078	2.7%	
Income	(468,710)	(488,705)	19,995	(4.3%)	
<b>Net</b>	<b>925,800</b>	<b>867,726</b>	<b>58,074</b>		
<b>Finance</b>					
Expenditure	669,420	696,833	(27,413)	(4.1%)	
Income	-	(2,802)	2,802	n/a	
<b>Net</b>	<b>669,420</b>	<b>694,031</b>	<b>(24,611)</b>		
<b>Human Resources Services</b>					
Expenditure	754,900	739,236	15,664	2.1%	
Income	(282,990)	(290,842)	7,852	(2.8%)	
<b>Net</b>	<b>471,910</b>	<b>448,393</b>	<b>23,517</b>		

## RESOURCES PORTFOLIO

## Final Accounts 2023-24

	Annual Budget	Total Spend to Date	Variance from Annual Budget		Comments (variances > 10% and £5,000)
	£	£	£	%	
<b>Technology</b>					
Expenditure	1,985,570	2,173,847	(188,277)	(9.5%)	Staffing £64k, contribution to shared service reserve (£32k), additional supplies and services (£138k), CRM and netcall costs (£82k)
Income	(1,033,670)	(1,200,346)	166,676	(16.1%)	Income for CRM and netcall costs £82k, use of reserves £77k, contribution from partners £20k and minor variations
<b>Net</b>	<b>951,900</b>	<b>973,501</b>	<b>(21,601)</b>		
<b>Revenues &amp; Benefits</b>					
Expenditure	1,665,860	2,044,402	(378,542)	(22.7%)	Council tax grant (£222k), bad debts for court costs (£33k), contribution to reserves additional grants (£49k), payment of grants to Cannock chase council (£59k) and minor variations
Income	(848,560)	(1,218,303)	369,743	(43.6%)	Additional government grants £196k, increased court costs income £116k and use of reserves £47k
<b>Net</b>	<b>817,300</b>	<b>826,100</b>	<b>(8,800)</b>		
<b>Housing Benefit Payments</b>					
Expenditure	17,069,610	17,636,111	(566,501)	(3.3%)	
Income	(17,169,610)	(17,517,437)	347,827	(2.0%)	
<b>Net</b>	<b>(100,000)</b>	<b>118,674</b>	<b>(218,674)</b>		
<b>Parish Councils</b>					
Expenditure	51,000	51,129	(129)	(0.3%)	
<b>Net</b>	<b>51,000</b>	<b>51,129</b>	<b>(129)</b>		

## RESOURCES PORTFOLIO

## Final Accounts 2023-24

	Annual Budget	Total Spend to Date	Variance from Annual Budget		Comments (variances > 10% and £5,000)
	£	£	£	%	
<b>Corporate and Democratic Core</b>					
Expenditure	277,160	261,078	16,082	5.8%	
Income	-	(21,284)	21,284	n/a	Government grant for audit fees
<b>Net</b>	<b>277,160</b>	<b>239,794</b>	<b>37,366</b>		
<b>Non-Distributed Costs</b>					
Expenditure	267,450	264,274	3,176	1.2%	
<b>Net</b>	<b>267,450</b>	<b>264,274</b>	<b>3,176</b>		
<b>Asset Mgmt Energy Conservation</b>					
Expenditure	44,140	39,420	4,720	10.7%	
<b>Net</b>	<b>44,140</b>	<b>39,420</b>	<b>4,720</b>		
<b>Electoral Registration</b>					
Expenditure	43,200	40,747	2,453	5.7%	
Income	-	(4,848)	4,848	n/a	
<b>Net</b>	<b>43,200</b>	<b>35,900</b>	<b>7,300</b>		
<b>Elections</b>					
Expenditure	302,050	309,361	(7,311)	(2.4%)	
Income	(262,520)	(269,831)	7,311	(2.8%)	
<b>Net</b>	<b>39,530</b>	<b>39,530</b>	<b>-</b>		
<b>Members Services</b>					
Expenditure	320,720	319,209	1,511	0.5%	
<b>Net</b>	<b>320,720</b>	<b>319,209</b>	<b>1,511</b>		
<b>Out of Hours Service</b>					
Expenditure	6,980	8,318	(1,338)	(19.2%)	
<b>Net</b>	<b>6,980</b>	<b>8,318</b>	<b>(1,338)</b>		



## RESOURCES PORTFOLIO

## Final Accounts 2023-24

	Annual Budget	Total Spend to Date	Variance from Annual Budget		Comments (variances > 10% and £5,000)
	£	£	£	%	
<b>Facilities Management</b>					
Expenditure	236,220	240,710	(4,490)	(1.9%)	
<b>Net</b>	<b>236,220</b>	<b>240,710</b>	<b>(4,490)</b>		
<b>Corporate Business &amp; Partners</b>					
Expenditure	362,660	295,351	67,309	18.6%	Staffing variations £46k, reduced supplies £8k and external funding reduced spend £13k
Income	(50,000)	(46,672)	(3,328)	6.7%	
<b>Net</b>	<b>312,660</b>	<b>248,679</b>	<b>63,981</b>		
<b>Communications</b>					
Expenditure	169,790	207,107	(37,317)	(22.0%)	Senior management restructure (£47k) and reduced supplies £10k
<b>Net</b>	<b>169,790</b>	<b>207,107</b>	<b>(37,317)</b>		
<b>Customer Services</b>					
Expenditure	360,580	447,106	(86,526)	(24.0%)	Senior management restructure (£91k) and reduced supplies £6k
<b>Net</b>	<b>360,580</b>	<b>447,106</b>	<b>(86,526)</b>		
<b>Items to be Allocated</b>					
Expenditure	(246,710)	36,173	(282,883)	114.7%	Corporate provision for staff turnover (£67k) and underspend estimate across the whole authority (£200k)
<b>Net</b>	<b>(246,710)</b>	<b>36,173</b>	<b>(282,883)</b>		
<b>Audit Risk Resilience Procure</b>					
Expenditure	259,960	261,890	(1,930)	(0.7%)	
<b>Net</b>	<b>259,960</b>	<b>261,890</b>	<b>(1,930)</b>		

## RESOURCES PORTFOLIO

## Final Accounts 2023-24

	Annual Budget	Total Spend to Date	Variance from Annual Budget		Comments (variances > 10% and £5,000)
	£	£	£	%	
<b>Insurance Premiums</b>					
Expenditure	186,670	201,766	(15,096)	(8.1%)	Reflects increased cost of premiums
<b>Net</b>	<b>186,670</b>	<b>201,766</b>	<b>(15,096)</b>		
<b>Property Maintenance</b>					
Expenditure	485,510	496,976	(11,466)	(2.4%)	
Income	(485,510)	(496,976)	11,466	(2.4%)	
<b>Net</b>	-	-	-		
<b>Portfolio Total</b>	<b>7,664,720</b>	<b>8,163,470</b>	<b>(498,750)</b>	<b>(6.5%)</b>	

## COMMUNITY CAPITAL PORTFOLIO

## Final Accounts 2023-24

	Budget to Date	Total Spend to Date	Variance from Budget to Date		Comments (variances > 10% and £5,000)
	£	£	£	%	
<b>DISABLED FACILITIES GRANT DFG</b>					
Expenditure	1,654,380	1,292,896	361,484	21.9%	Reflects activity, balance to be slipped to 2024/25
<b>Net</b>	<b>1,654,380</b>	<b>1,292,896</b>	<b>361,484</b>		
<b>GLOVER STREET IMPROVEMENTS</b>					
Expenditure	4,780	-	4,780	100.0%	Balance slipped to 2024/25
<b>Net</b>	<b>4,780</b>	<b>-</b>	<b>4,780</b>		
<b>EMPTY HOMES</b>					
Expenditure	20,000	-	20,000	100.0%	Spend rephased to 2024/25
<b>Net</b>	<b>20,000</b>	<b>-</b>	<b>20,000</b>		
<b>Rough Sleeper Accommodation</b>					
Expenditure	56,000	56,000	-	0.0%	
<b>Net</b>	<b>56,000</b>	<b>56,000</b>	<b>-</b>		
<b>PRIVATE SECTOR HOUSING ASSISTANCE</b>					
Expenditure	29,580	12,060	17,520	59.2%	Expenditure reflects demand
<b>Net</b>	<b>29,580</b>	<b>12,060</b>	<b>17,520</b>		
<b>Portfolio Total</b>	<b>1,764,740</b>	<b>1,360,956</b>	<b>403,784</b>	<b>22.9%</b>	

## ENVIRONMENT CAPITAL PORTFOLIO

## Final Accounts 2023-24

	Budget to Date	Total Spend to Date	Variance from Budget to Date		Comments (variances > 10% and £5,000)
	£	£	£	%	
<b>GREEN CONTAINERS REPLACEMENT PROGRAMME</b>					
Expenditure	65,100	66,816	(1,716)	(2.6%)	
<b>Net</b>	<b>65,100</b>	<b>66,816</b>	<b>(1,716)</b>		
<b>BLUE BINS</b>					
Expenditure	37,930	39,797	(1,867)	(4.9%)	
<b>Net</b>	<b>37,930</b>	<b>39,797</b>	<b>(1,867)</b>		
<b>WASTE CONTAINERS REPLACEMENT</b>					
Expenditure	9,470	10,709	(1,239)	(13.1%)	
<b>Net</b>	<b>9,470</b>	<b>10,709</b>	<b>(1,239)</b>		
<b>STREETSCENE FLEET PROCUREMENT</b>					
Expenditure	73,000	73,000	-	0.0%	
<b>Net</b>	<b>73,000</b>	<b>73,000</b>	<b>-</b>		
<b>Eccleshall Cemetery Biodiversity</b>					
Expenditure	14,460	-	14,460	100.0%	Expenditure transferred to revenue with funding
<b>Net</b>	<b>14,460</b>	<b>-</b>	<b>14,460</b>		
<b>Portfolio Total</b>	<b>199,960</b>	<b>190,321</b>	<b>9,639</b>	<b>4.8%</b>	

## LEISURE CAPITAL PORTFOLIO

## Final Accounts 2023-24

	Budget to Date	Total Spend to Date	Variance from Budget to Date		Comments (variances > 10% and £5,000)
	£	£	£	%	
<b>STONE LEISURE PHASE 2</b>					
Expenditure	1,806,000	1,498,231	307,769	17.0%	Part of works slipped to 2024/25
<b>Net</b>	<b>1,806,000</b>	<b>1,498,231</b>	<b>307,769</b>		
<b>Yarnfield</b>					
Expenditure	16,800	-	16,800	100.0%	Spend rephased to 2024/25
<b>Net</b>	<b>16,800</b>	<b>-</b>	<b>16,800</b>		
<b>Haughton Play area</b>					
Expenditure	20,090	20,095	(5)	0.0%	
<b>Net</b>	<b>20,090</b>	<b>20,095</b>	<b>(5)</b>		
<b>Hixon Green Millennium Trust HGMT</b>					
Expenditure	27,470	25,196	2,274	8.3%	
<b>Net</b>	<b>27,470</b>	<b>25,196</b>	<b>2,274</b>		
<b>Penkside</b>					
Expenditure	11,380	-	11,380	100.0%	Spend rephased to 2024/25. Project completed April 2024.
<b>Net</b>	<b>11,380</b>	<b>-</b>	<b>11,380</b>		
<b>Portfolio Total</b>	<b>1,881,740</b>	<b>1,543,522</b>	<b>338,218</b>	<b>18.0%</b>	

## PLANNING AND REGENERATION CAPITAL PORTFOLIO

## Final Accounts 2023-24

	Budget to Date	Total Spend to Date	Variance from Budget to Date		Comments (variances > 10% and £5,000)
	£	£	£	%	
<b>GROWTH POINT</b>					
Expenditure	50,000	-	50,000	100.0%	Spend rephased to 2024/25
<b>Net</b>	<b>50,000</b>	<b>-</b>	<b>50,000</b>		
<b>STAFFORD TOWN CENTRE ENHANCEMENTS</b>					
Expenditure	19,000	-	19,000	100.0%	Spend rephased to 2024/25
<b>Net</b>	<b>19,000</b>	<b>-</b>	<b>19,000</b>		
<b>FHSF Public Realm</b>					
Expenditure	1,693,420	1,103,572	589,848	34.8%	Market square works completed
<b>Net</b>	<b>1,693,420</b>	<b>1,103,572</b>	<b>589,848</b>		
<b>FHSF</b>					
Expenditure	13,856,270	-	13,856,270	100.0%	Timetable for spend rephased, guildhall costs budget included here, balance of spend rephased to 2024/25
<b>Net</b>	<b>13,856,270</b>	<b>-</b>	<b>13,856,270</b>		
<b>UK Shared Prosperity Fund</b>					
Expenditure	889,580	889,579	1	0.0%	
<b>Net</b>	<b>889,580</b>	<b>889,579</b>	<b>1</b>		
<b>Rural England Prosperity Fund REPF</b>					
Expenditure	121,980	68,810	53,170	43.6%	Lower grants delivered than forecast, balance to be slipped to 2024/25
<b>Net</b>	<b>121,980</b>	<b>68,810</b>	<b>53,170</b>		
<b>Parking Machine Replacements</b>					
Expenditure	60,000	-	60,000	100.0%	Scheme slipped to 2024/25
<b>Net</b>	<b>60,000</b>	<b>-</b>	<b>60,000</b>		

## PLANNING AND REGENERATION CAPITAL PORTFOLIO

## Final Accounts 2023-24

	Budget to Date	Total Spend to Date	Variance from Budget to Date		Comments (variances > 10% and £5,000)
	£	£	£	%	
<b>FHSF Guildhall</b>					
Expenditure	-	4,611,500	(4,611,500)	n/a	Purchase of guildhall budget included in the £13.8 million
<b>Net</b>	-	<b>4,611,500</b>	<b>(4,611,500)</b>		
<b>Portfolio Total</b>	<b>16,690,250</b>	<b>6,673,461</b>	<b>10,016,789</b>	<b>60.0%</b>	

## RESOURCES CAPITAL PORTFOLIO

## Final Accounts 2023-24

	Budget to Date	Total Spend to Date	Variance from Budget to Date		Comments (variances > 10% and £5,000)
	£	£	£	%	
<b>CORPORATE IT EQUIPMENT</b>					
Expenditure	114,040	5,191	108,849	95.4%	Spend rephased to 2024/25
<b>Net</b>	<b>114,040</b>	<b>5,191</b>	<b>108,849</b>		
<b>ACCOMODATION TRANSFORMATION &amp; RATIONALIS</b>					
Expenditure	8,200	-	8,200	100.0%	Spend rephased to 2024/25
<b>Net</b>	<b>8,200</b>	<b>-</b>	<b>8,200</b>		
<b>Portfolio Total</b>	<b>122,240</b>	<b>5,191</b>	<b>117,049</b>	<b>95.8%</b>	