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Havering
LONDON BOROUGH

COUNCIL MEETING

**7.30 pm Wednesday, 8 July 2020
(Virtual Meeting)**

Members of the Council of the London Borough of Havering are hereby summoned to attend a meeting of the Council at the time and place indicated for the transaction of the following business.

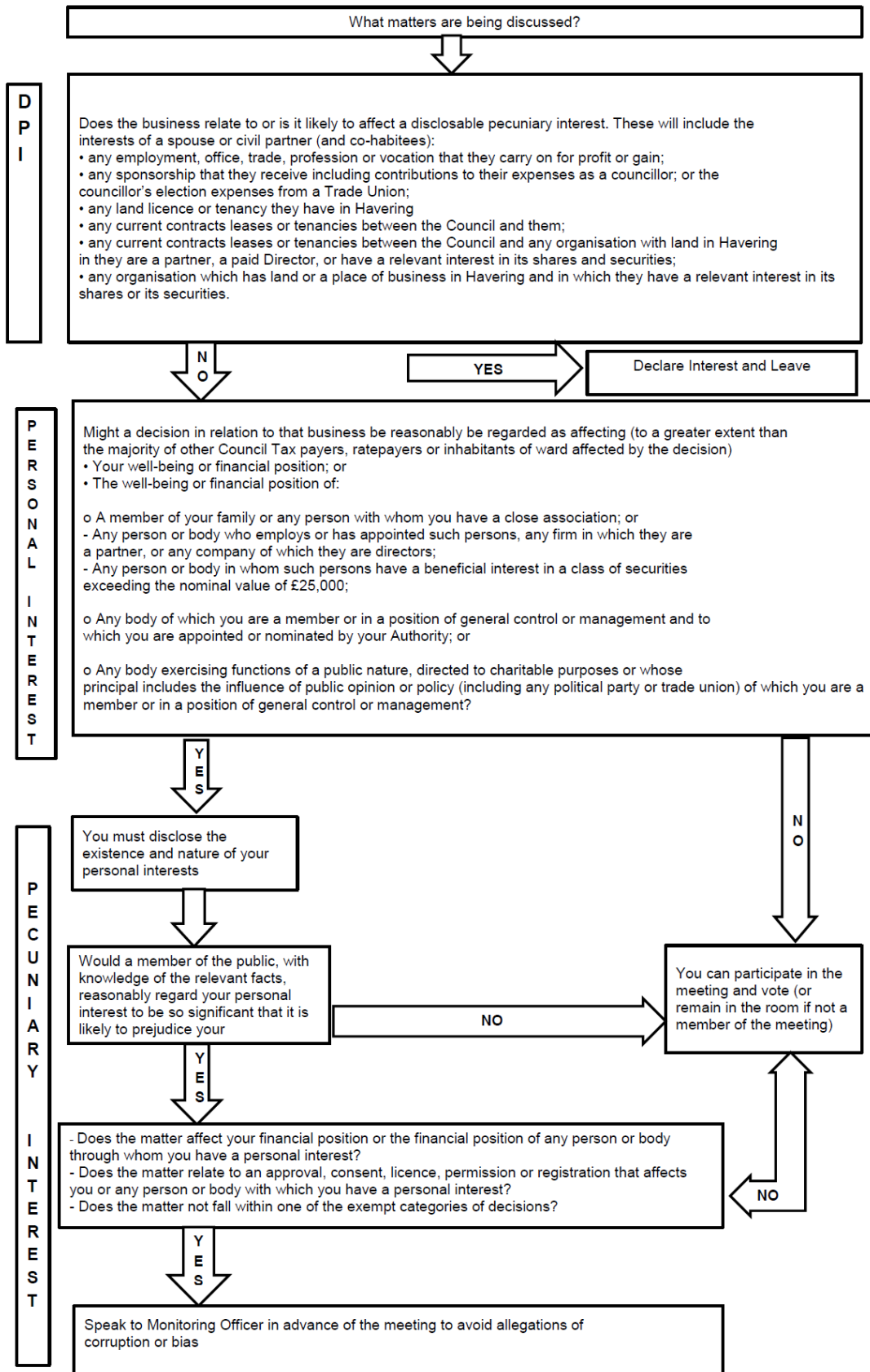
**John Jones
Monitoring Officer**

**For information about the meeting please contact:
Anthony Clements tel: 01708 433065
anthony.clements@oneSource.co.uk**



Please note that this meeting will be webcast.

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



AGENDA

1 PRAYERS

2 APOLOGIES FOR ABSENCE

To receive apologies for absence (if any).

3 MINUTES (Pages 1 - 22)

To sign as a true record the minutes of the Annual Meeting of the Council held on 10 June 2020 (attached).

4 DISCLOSURE OF INTERESTS

Members are invited to disclose any interest in any of the items on the agenda at this point of the meeting.

Members may still disclose any interest in an item at any time prior to the consideration of the matter.

5 ANNOUNCEMENTS BY THE MAYOR, BY THE LEADER OF THE COUNCIL OR BY THE CHIEF EXECUTIVE

To receive announcements (if any).

6 PETITIONS

Councillor Sally Miller has given notice of intention to present a petition.

7 ADOPTION OF STATEMENT OF GAMBLING POLICY 2020-2023 (Pages 23 - 126)

Report attached.

8 ESTABLISHING THE COMMITTEES OF THE COUNCIL (Pages 127 - 134)

Report attached.

9 MEMBERS' QUESTIONS (Pages 135 - 138)

Attached.

10 MOTIONS FOR DEBATE (Pages 139 - 142)

Attached.

Public Document Pack Agenda Item 3



MINUTES OF A MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF HAVERING Virtual Meeting 10 June 2020 (7.30 - 8.45 pm)

Present: The Mayor (Councillor Michael Deon Burton at the start of the meeting, Councillor John Mylod thereafter) in the Chair

Councillors Councillors Robert Benham, Ray Best, Carole Beth, Joshua Chapman, John Crowder, Philippa Crowder, Keith Darvill, Osman Dervish, Nic Dodin, David Durant, Tony Durdin, Brian Eagling, Gillian Ford, Jason Frost, Martin Goode, Linda Hawthorn, Judith Holt, Tele Lawal, Paul McGeary, Paul Middleton, Sally Miller, Robby Misir, Ray Morgon, Barry Mugglestone, Stephanie Nunn, Denis O'Flynn, Gerry O'Sullivan, Ron Ower, Dilip Patel, Nisha Patel, Bob Perry, Viddy Persaud, Roger Ramsey, Timothy Ryan, Jan Sargent, Carol Smith, Christine Smith, Natasha Summers, Matt Sutton, Maggie Themistocli, Jeffrey Tucker, John Tyler, Linda Van den Hende, Christine Vickery, Melvin Wallace, Ciaran White, Damian White, Michael White, Reg Whitney, Christopher Wilkins, Graham Williamson and Darren Wise

There were no apologies for absence .

The Mayor advised Members in the Council Chamber of action to be taken in the event of emergency evacuation of the Town Hall becoming necessary.

The Mayor's Official Chaplain – Reverend Kevin Browning, Vicar, St John and St Matthew Church, South Hornchurch Hingley, of the Church of St Alban, Protomartyr, Romford opened the meeting with prayers.

The meeting closed with the singing of the National Anthem.

1 **DISCLOSURE OF INTERESTS (agenda item 3)**

10. APPOINTING THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES.

Councillor Christine Smith, Personal, Nominated for a position attracting a Special Responsibility Allowance.

10. APPOINTING THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES.

Councillor Christine Vickery, Personal, Nominated for a position attracting a Special Responsibility Allowance.

10. APPOINTING THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES.

Councillor Ciaran White, Personal, Nominated for a position attracting a Special Responsibility Allowance.

10. APPOINTING THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES.

Councillor Darren Wise, Personal, Nominated for a position attracting a Special Responsibility Allowance.

10. APPOINTING THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES.

Councillor Dilip Patel, Personal, Nominated for a position attracting a Special Responsibility Allowance.

10. APPOINTING THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES.

Councillor John Crowder, Personal, Nominated for a position attracting a Special Responsibility Allowance.

10. APPOINTING THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES.

Councillor Judith Holt, Personal, Nominated for a position attracting a Special Responsibility Allowance.

10. APPOINTING THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES.

Councillor Keith Darvill, Personal, Nominated for a position attracting a Special Responsibility Allowance.

10. APPOINTING THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES.

Councillor Maggie Themistocli, Personal, Nominated for a position attracting a Special Responsibility Allowance.

10. APPOINTING THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES.

Councillor Martin Goode, Personal, Nominated for a position attracting a Special Responsibility Allowance.

10. APPOINTING THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES.

Councillor Matt Sutton, Personal, Nominated for a position attracting a Special Responsibility Allowance.

10. APPOINTING THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES.

Councillor Michael Deon Burton, Personal, Nominated for a position attracting a Special Responsibility Allowance.

10. APPOINTING THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES.

Councillor Nisha Patel, Personal, Nominated for a position attracting a Special Responsibility Allowance.

10. APPOINTING THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES.

Councillor Paul McGeary, Personal, Nominated for a position attracting a Special Responsibility Allowance.

10. APPOINTING THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES.

Councillor Philippa Crowder, Personal, Nominated for a position attracting a Special Responsibility Allowance.

10. APPOINTING THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES.

Councillor Ray Best, Personal, Nominated for a position attracting a Special Responsibility Allowance.

10. APPOINTING THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES.

Councillor Robby Misir, Personal, Nominated for a position attracting a Special Responsibility Allowance.

10. APPOINTING THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES.

Councillor Sally Miller, Personal, Nominated for a position attracting a Special Responsibility Allowance.

10. APPOINTING THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES.

Councillor Tele Lawal, Personal, Nominated for a position attracting a Special Responsibility Allowance.

2 **PROTOCOL ON THE OPERATION OF THE ANNUAL COUNCIL MEETING DURING THE COVID-19 RESTRICTIONS (agenda item 4)**

The protocol on the operation of the Annual Council meeting during the Covid-19 restrictions was noted by Council.

3 **ANNOUNCEMENTS BY THE OUTGOING MAYOR, BY THE LEADER OF THE COUNCIL OR BY THE CHIEF EXECUTIVE (agenda item 5)**

A minute's silence was held in memory of former Councillors Wilf Mills, Fred Osborne and Patricia Rumble as well as of all local residents who had passed away during the Covid-19 pandemic.

The outgoing Mayor asked that the local community focus on supporting each other during the current difficult times.

The text of the announcements made by the Leader of the Council are attached as appendix 1 to these minutes.

4 **MAYORALTY 2020/21 (agenda item 6)**

Motion on behalf of the Conservative Group

That Councillor John Mylod be elected to the office of Mayor for the municipal year 2020/21.

The motion on behalf of the Conservative Group was **AGREED** without division and it was **RESOLVED** that:

Councillor John Mylod be elected to the office of Mayor for the municipal year 2020/21.

The Mayor indicated that the Mayoress for the year would be **former Councillor Pat Mylod**.

5 **DEPUTY MAYOR**

In accordance with the Local Government Act 1972, the Mayor signified his appointment of **Councillor Christine Vickery** as Deputy Mayor for the coming year and to carry out the duties of the Mayor in case of the Mayor's illness or absence.

Councillor Vickery made the Declaration of Acceptance of Office accordingly. The Mayor indicated that the Deputy Mayor's consort for the year would be **Mr Thomas Vickery**.

6 **MINUTES (agenda item 7)**

The minutes of the meeting of the Council held on 26 February 2020 and of the extraordinary meeting held on 4 March 2020 were before the Council for approval.

The minutes were agreed as a correct record and it was **RESOLVED**:

That the minutes of the meeting of the Council held on 26 February 2020 and of the extraordinary meeting held on 4 March 2020 be agreed as a correct record.

7 ANNOUNCEMENTS BY THE INCOMING MAYOR (agenda item 8)

The incoming Mayor thanked Council for giving him the opportunity to serve as Mayor for the municipal year and undertook to serve the people of Havering to the best of his ability. Thanks were also given to the outgoing Mayor for his work during the previous municipal year.

8 APPOINTING THE COMMITTEES OF THE COUNCIL AND THE SCHEME OF DELEGATION (agenda item 9)

A report of the Chief Executive asked Council to agree Council's Committee Structure as well as agree the section of the Scheme of Delegation which was within the remit of full Council.

The report was **AGREED** without division and it was **RESOLVED**:

- (1) That, so far as necessary to enable any changes proposed and agreed during this meeting to be carried in to effect, Council Procedure Rule 20.2 (proposals to amend the Constitution to be referred to Governance Committee without discussion) be suspended.**
- (2) That, subject to the Council's consideration of any motion or amendment to this report relating to changes in the Committee structure, the Committees listed in Appendix 1 of the report be appointed for the 2020/21 Municipal Year and that:**
 - (a) As required by statute, two voting co-optees representing the Church of England and the Roman Catholic Church and three parent governor co-optees selected in accordance with the appropriate Regulations, be appointed to the Children & Learning Services Overview and Scrutiny Sub-Committee.**
 - (b) The other non-elected member "appointments" and invitations to attend shown in the Appendix (and particularly its annexes) be confirmed.**
- (3) Those Committees be appointed with:**
 - (a) the membership sizes and**
 - (b) the political balance****indicated in Appendix 2 of the report**
- (4) That the delegation of non-executive functions (as defined by the Local Authorities (Functions and Responsibilities) (England)**

Regulations 2000 (amended) to officers be agreed as set out in the Council's Constitution.

- (5) To agree that all officers with delegated powers have power to further delegate those powers to other officers under s.101 of the Local Government Act 1972 or as provided for by any other legislation and may agree a scheme of delegation to officers for their service areas.**

9 APPOINTING THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES (agenda item 10)

Motion on behalf of the North Havering Residents Group

Committee	Chairman Councillor	Vice-Chairman Councillor
Adjudication and Review (2 Vice-Chairmen)		1. 2.
Audit	Martin Goode	
Governance		
Highways Advisory	Brian Eagling	
Licensing (3 Vice-Chairmen)		1. 2. 3.
Pensions		Martin Goode
Planning		
Strategic Planning		
Joint Venture Working Party		
Overview and Scrutiny Board	Darren Wise	
Children and Learning Overview and Scrutiny Sub-Committee		
Crime & Disorder Sub-Committee		
Environment Overview and Scrutiny Sub-Committee		

Health Overview and Scrutiny Sub-Committee		
Individuals Overview and Scrutiny Sub-Committee		
Towns and Communities Overview and Scrutiny Sub-Committee		

Sub-Committee of the Governance Committee:

Appointments		
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Motion on behalf of the Conservative Group

Committee	Chairman Councillor	Vice-Chairman Councillor
Adjudication and Review (2 Vice-Chairmen)	Matt Sutton	1. Tim Ryan 2. Ray Best
Audit		Viddy Persaud
Governance	Ciaran White	Damian White
Highways Advisory		Christine Vickery
Licensing (3 Vice-Chairmen)	Philippa Crowder	1. Christine Smith 2. Christine Vickery 3. Sally Miller
Pensions	John Crowder	
Planning	Robby Misir	Carol Smith
Strategic Planning	Dilip Patel	Tim Ryan
Joint Venture Working Party	Michael Deon Burton	Christine Vickery
Overview and Scrutiny Board		Michael White
Children and Learning Overview and Scrutiny Sub-Committee	Judith Holt	Christine Vickery
Crime & Disorder Sub-Committee	Sally Miller	Matt Sutton

Environment Overview and Scrutiny Sub-Committee	Maggie Themistocli	Michael Deon Burton
Health Overview and Scrutiny Sub-Committee	Nisha Patel	Ciaran White
Individuals Overview and Scrutiny Sub-Committee	Christine Smith	Michael White
Towns and Communities Overview and Scrutiny Sub-Committee	Ray Best	Robby Misir

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Sub-Committee of the Governance Committee:

Appointments	Damian White	Robert Benham
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The following appointments were **AGREED** by 37 votes to 3 with 14 abstentions (see division 1).

Committee	Chairman Councillor	Vice-Chairman Councillor
Adjudication and Review (2 Vice-Chairmen)	Matt Sutton	1. Tim Ryan 2. Ray Best
Audit	Martin Goode	Viddy Persaud
Governance	Ciaran White	Damian White
Highways Advisory	Brian Eagling	Christine Vickery
Licensing (3 Vice-Chairmen)	Philippa Crowder	1. Christine Smith 2. Christine Vickery 3. Sally Miller
Pensions	John Crowder	Martin Goode
Planning	<i>Position contested.</i>	Carol Smith
Strategic Planning	Dilip Patel	Tim Ryan

Joint Venture Working Party	<i>Position contested.</i>	Christine Vickery
Overview and Scrutiny Board	<i>Position contested.</i>	Michael White
Children and Learning Overview and Scrutiny Sub-Committee	<i>Position contested.</i>	Robby Misir
Crime & Disorder Sub-Committee	<i>Position contested.</i>	Matt Sutton
Environment Overview and Scrutiny Sub-Committee	<i>Position contested.</i>	Michael Deon Burton
Health Overview and Scrutiny Sub-Committee	Nisha Patel	Ciaran White
Individuals Overview and Scrutiny Sub-Committee	Christine Smith	Michael White
Towns and Communities Overview and Scrutiny Sub-Committee	Ray Best	Robby Misir

Sub-Committee of the Governance Committee:

Appointments	Damian White	Robert Benham
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The following appointments were also agreed:

Chairman of Planning Committee

Conservative Group nominee Councillor	Labour Group nominee Councillor
Robby Misir	Paul McGeary

Councillor Robby Misir was **ELECTED** as Chairman of the Planning Committee by 30 votes to 9 with 15 abstentions (see division 2).

Chairman of Joint Venture Working Party

Conservative Group nominee Councillor	Labour Group nominee Councillor
Michael Deon Burton	Paul McGeary

Councillor Michael Deon Burton was **ELECTED** as Chairman of the Joint Venture Working Party by 30 votes to 11 with 13 abstentions (see division 3).

Chairman of Overview and Scrutiny Board

North Havering Residents Group nominee Councillor	Labour Group nominee Councillor
Darren Wise	Keith Darvill

Councillor Darren Wise was **ELECTED** as Chairman of the Overview and Scrutiny Board by 31 votes to 11 with 12 abstentions (see division 4).

Chairman of Children and Learning Overview and Scrutiny Sub-Committee

Conservative Group nominee Councillor	Labour Group nominee Councillor
Judith Holt	Tele Lawal

Councillor Judith Holt was **ELECTED** as Chairman of the Children and Learning Overview and Scrutiny Sub-Committee by 31 votes to 7 with 16 abstentions (see division 5).

Chairman of Crime & Disorder Sub-Committee

Conservative Group nominee Councillor	Labour Group nominee Councillor
Sally Miller	Tele Lawal

Councillor Sally Miller was **ELECTED** as Chairman of the Crime & Disorder Sub-Committee by 31 votes to 9 with 14 abstentions (see division 6).

Chairman of Environment Overview and Scrutiny Sub-Committee

Conservative Group nominee Councillor	Labour Group nominee Councillor
Maggie Themistocli	Carol Beth

Councillor Maggie Themistocli was **ELECTED** as Chairman of the Crime and Environment Overview and Scrutiny Sub-Committee by 30 votes to 10 with 14 abstentions (see division 7).

For ease of reference, a summary of Members appointed by Council to positions is as follows:

Committee	Chairman Councillor	Vice-Chairman Councillor
Adjudication and Review (2 Vice-Chairmen)	Matt Sutton	1. Tim Ryan 2. Ray Best
Audit	Martin Goode	Viddy Persaud
Governance	Ciaran White	Damian White
Highways Advisory	Brian Eagling	Christine Vickery
Licensing (3 Vice-Chairmen)	Philippa Crowder	1. Christine Smith 2. Christine Vickery 3. Sally Miller
Pensions	John Crowder	Martin Goode
Planning	Robby Misir	Carol Smith
Strategic Planning	Dilip Patel	Tim Ryan
Joint Venture Working Party	Michael Deon Burton	Christine Vickery
Overview and Scrutiny Board	Darren Wise	Michael White
Children and Learning Overview and Scrutiny Sub-Committee	Judith Holt	Robby Misir
Crime & Disorder Sub-Committee	Sally Miller	Matt Sutton

Environment Overview and Scrutiny Sub-Committee	Maggie Themistocli	Michael Deon Burton
Health Overview and Scrutiny Sub-Committee	Nisha Patel	Ciaran White
Individuals Overview and Scrutiny Sub-Committee	Christine Smith	Michael White
Towns and Communities Overview and Scrutiny Sub-Committee	Ray Best	Robby Mlsir

Sub-Committee of the Governance Committee:

Appointments	Damian White	Robert Benham
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10 **APPOINTMENT OF THE MEMBER CHAMPIONS (agenda item 11)**

Amendment on behalf of the Conservative Group

That the following be appointed Champions as indicated:

For the Armed Forces –

For Equality and Diversity – Robby Misir

For the Historic Environment – Judith Holt

For the Over 50's – Christine Smith

For the Voluntary Sector Compact – Christine Vickery

For Young People – Ciaran White

Motion on behalf of the Labour Group

That the following be appointed Champions as indicated:

For the Armed Forces – Denis O'Flynn

For Equality and Diversity – Tele Lawal

For the Historic Environment –

For the Over 50's –

For the Voluntary Sector Compact –

For Young People –

The following appointments were AGREED by 38 votes to 0 with 16 abstentions (see division 8):

Member Champion	Nominee - Councillor
For the Armed Forces	Denis O'Flynn
For Equality & Diversity	<i>Position contested</i>
For the Historic Environment	Judith Holt
For the Over 50's	Christine Smith
For the Voluntary Sector Compact	Christine Vickery
For Young People	Ciaran White

The following appointment was also agreed:

Member Champion for Equality and Diversity

Conservative Group nominee Councillor	Labour Group nominee Councillor
Robby Misir	Tele Lawal

Councillor Robby Misir was **ELECTED** as Member Champion for Equalities and Diversity by 30 votes to 7 with 17 abstentions (see division 9).

For ease of reference, a summary of Members elected to positions is as follows:

Member Champion	Nominee - Councillor
For the Armed Forces	Denis O'Flynn
For Equality & Diversity	Robby Misir
For the Historic Environment	Judith Holt
For the Over 50's	Christine Smith
For the Voluntary Sector Compact	Christine Vickery
For Young People	Ciaran White

11 MEETINGS SCHEDULE 2020/21 (agenda item 12)

A report of the Chief Executive asked Council to agree dates for Council meetings until the end of September 2020 and, provisionally, for the remainder of the 2020/21 municipal year.

The report was **AGREED** without division and it was **RESOLVED** that:

1. The Council fixes the date of its meetings for the current municipal until September 2020;
2. Changes to the date of meetings of Council be determined by the Mayor, following consultation with Group Leaders;
3. Provisional dates are listed for the remainder of the 2020/21 municipal year and that a further report to confirm will be submitted to the September meeting of Council.

12 **STATEMENT BY THE LEADER OF THE COUNCIL (agenda item 13)**

The Leader of the Council showed a video giving details of the Council's response to the Covid-19 pandemic.

13 **VOTING RECORD**

The record of voting decisions is attached as appendix 2 to these minutes.

Mayor

ANNUAL COUNCIL MEETING, 10 JUNE 2020 – ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL

Several months ago, our country joined many other in introducing a national lockdown to help stem the spread of the corona virus, which has been sweeping the globe. We all know this, as each one of us has lived through lockdown. Each of us has our own version of what lockdown means to us and the affect that it has had upon the lives of our loved ones.

Once it begun, everything that local government does became ever more vital for our communities. We set about supporting our residents on a scale not seen before. Uncertain of how this pandemic would progress, Officers of this Council worked together for the benefit of our Borough.

Mr Mayor, I am deeply proud of how our authority stepped in, and stepped up to fill the void created during the national lockdown. Despite no prior experience of humanitarian relief, officers from right across Havering – from every department, set about reducing the impact that this virus could have upon our community.

In preparing for this evening, I was amazed at the length and breadth of the scale of support that has been provided by our council to our communities. It is easy to forget that our council is made up of individual men and women who, like us, have never been through such a crisis before. They did not know what the impact of lockdown would be or how the virus would spread but regardless, they set to work to help reduce the human suffering of our residents.

At the start of the pandemic, we decided that the best way to help our residents was through daily communication. We launched our internal and external email bulletins to provide the latest information in a fast moving environment. This has been a critical element of our approach to respond to the pandemic, and it has allowed us to challenge any fake news that may have been spread by ill-informed individuals about the virus. It has also helped to encourage residents to follow the national guidance, not to break the lockdown, helping to keep them and their families as safe as possible.

The key messaging of stay and home, protect the NHS, and to save lives, borrowed by our Council from the government, became the focus of our communication.

To support people to stay at home, we changed our parking enforcement regime. In contrast to many other authorities, we ceased charging for on-street and off street parking, and stopped enforcing parking regulations provided that it did not block the carriageway or posed a danger to other users. This meant that we were able to remove that anxiety and worry from our residents.

It is worth noting that the enforcement approach is still with us, and we are now engaging with our residents to determine the right time to bring back charging and wider enforcement, which some Councils have already jumped back into

At the start of the pandemic, knowing which staff members were suffering symptoms and were self-isolating became a determining factor on how we could respond. I know that our waste collection contractor suffered issues with maintaining the service, and in support of retaining our weekly collection of refuse and recycling, we paused our green waste service, and we re-deployed Officers of our council to help out. This meant that we continued a weekly service throughout lockdown, and with the use of officers from across the Council, only missed two green collections.

It was only possible for the weekly service to be retained by the good will of our contractor's staff, and the staff of our council to pitch in. With greatly increased amounts of waste being generated whilst in lockdown, I know that staff even utilised some Sundays to get through the work.

There has been much media coverage about care homes and their ability to weather this crisis. And with one of the largest over 65 % populations in London, it became a great focus for our Council.

I would like to thank the Council staff in the adults social care department, because they put everything on hold to support the 63 care and residential homes across Havering. In what was a difficult time, we were able to provide additional financial support to ensure homes were able to meet the extra costs that they faced. The Council was able to provide emergency supplies of PPE, and put in place safe guards to ensure that should one care home suffer a reduction of staff due to the effects of corona.

Mr Mayor. To help with discharges from the hospital, we repurposed Council properties to support vulnerable residents to leave hospital to safe accommodation with care packages in place. Thereby freeing capacity within the NHS, and saving lives.

At the start of the pandemic thousands of households across Havering were told to self-isolate and remain at home. At that time, the shelves at most supermarkets were bare, and suddenly a whole group of people who had previously been completely independent, became vulnerable. Overnight, we were faced with issue of ensuring that these residents could get enough food to eat.

And so, Mr Mayor, our Council set about creating a food distribution hub, staffed by Council Officers, to help provide weekly food drops to our residents in need. Coordinated with help from the Havering Volunteers Centre, we were able to go above and beyond just the NHS shielding list, providing emergency food supplies to anyone that was in need. This help also extended to the three food banks across the Borough. As food donations dried up, our council was able to step in and support them to support our residents.

A great strength of our Borough is the community identity and feeling. It is the voluntary organisations that provide support and guidance to our residents that makes us special. To help coordinate our voluntary sector, we held a round table discussion with the voluntary stakeholders, provided funding and support the Havering Volunteers Centre, and signposted our residents accordingly.

Knowing the difficult financial position that many of our households would experience, our council put in place a package of financial support that went beyond any other London Borough that I am aware.

We placed £2 million of our Council's money into a hardship fund to provide grants of £100, capped at £1,000, to help people struggling through this crisis. We did this because we appreciated that financial worries at this time, could add to the anxiety and worry of some of most vulnerable residents.

It is not just households that were facing an uncertain financial future, but the many businesses and organisations that operate within our Borough. It became apparent that we needed to ensure that our business support offer was ready to help businesses through this crisis.

Armed with the first tranche of funding from the Government, our Business Rates Team worked 18 hours days, over the Easter bank holiday weekend, to administer and get out the grants to the eligible businesses as quickly as possible. This money has helped thousands of local businesses weather the storm of this pandemic.

Our three Facebook live events also ensured that our Council continued to engage with local businesses and were on hand to answer points and comments from residents.

The second wave of the business support, being the discretionary business support grants are now being processed with the first payments already having been made. This will help hundreds of micro businesses missed out from the tranche of funding, and will ensure that stallholders in Romford market are able to trade again.

In a changing world, we have taken a fresh look at the Romford market, and I am delighted to announce that – after working with the Market Stall holders association – we will be extending the operating days to include a Sunday – helping to create a vibrancy in Romford and a focus for people to return.

To help businesses right across the Borough, I am pleased to report that we will be working to launch a new shop local platform, to allow local traders to help sell their products on a wider scale. We will also be looking at extending the discount for people that pay for parking by App or phone, to encourage many more people to shop locally.

During lockdown, our parks and open spaces became a place of rest spite for residents. They provided the open space needed for residents to exercise safely and to help support our resident's mental wellbeing. At start of the pandemic, an option that other councils considered was closing their parks and open spaces, because of the fear that they would allow easier spread of the virus.

Instead, here in Havering, we opted to close our outdoor gyms and children's play equipment, and with added enforcement from our parks team. This allowed so many people in Havering to rediscover the amazing outdoor space that we have, and for

people to benefit from the years of investment and effort that have gone into our parks.

Last year, it was questioned whether our Council should aim for Green Flags in our parks due to cost – well, Mr Mayor, I am delighted that we have never listened to Members who have sought to do our parks down and have continued to invest despite them. I believe that the majority of our residents agree with this I wish to reconfirm this administration's commitment to our external environment.

As the lockdown eases, we enter a new phase. Our focus must be on recovery of our organisation and our communities. We need to take stock of what we have been through – our collective experience – and consider how we want our organisation to continue to provide excellent services going forward.

What does the “new normal” mean for Havering? Last year, we adopted a new strategy for people and places. We had aimed to make Havering more nimble and to adopt the latest advances in IT. The result of the corona virus has lead our organisation to adapt and change in a way that we never thought possible.

We now need to reconsider and re-imagine what sits behind our Council. We need to be more focus on outcomes and to challenge every preconceived idea and motion to deliver a better offering for our residents.

Next week, the first report on the financial impact of the corona virus will be submitted to the Overview & Scrutiny Board for pre-decision scrutiny on route to Cabinet. This will be the first report of a series to outline where we are and how we will respond to this crisis, each report relating to our COVID-19 response I shall be seeking to submit to the O/S board to help ensure that whatever we agree is the best that it can be.

Over the coming months, we must renew our commitment to our Borough's future. We will need to work in a different way – not just Council Officers but also politically. Politically, I very much hope that our “new normal” will mean a reset in our relationships.

With the end of the weekly all members' briefings, I wish to report that I will still continue to meet with Group Leaders every fortnight. Allowing any issues that members may have to be brought forward for us to resolve.

Whilst it is for my administration to provide the respond and to carry the responsibility of elected office, I very much hope that a new consensus can be established moving forward.

Finally, as many of you may be aware, of the tragic events in America that led to death of George Floyd.

We must always fight for what is right and to challenge ourselves to ensure that we do not allow compliancy or injustice to enter our council. Therefore, to guard against this, I am committing to an independent review of Havering Council and race relations in our borough more widely, and in particular, whether this Council has the

policies and processes in place to erase bias and discrimination. The result of this report will be taken to our Cabinet.

Mr Mayor. So much has happened over the last three months. The way that our authority has responded – the dedication that our Council Officers have shown to their roles, highlights the very best of local government.

We are here to be run in a business like way, but never forgetting the reason for why we are here. In this time of need, our residents deserved the very best that Havering Council could provide. It is at this moment that I realise how very lucky I am to be a resident of this Borough.

Mr Mayor, despite the challenges that we still face, we will be able to move forward in Havering, together.

Thank you.

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DIVISION NUMBER:	1	2	3	4	5	6	7	8	9
The Mayor [Cllr. Michael Deon Burton at start of meeting, then Cllr John Mylod]	0	✓	✓	✓	0	0	✓	✓	✓
The Deputy Mayor [Cllr. John Mylod at start of meeting, then Cllr Christine Vickery]	✓	✓	✓	✓	✓	✓	✓	✓	✓
CONSERVATIVE GROUP									
Cllr Robert Benham	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr Ray Best	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr Joshua Chapman	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr John Crowder	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr Philippa Crowder	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr Michael Deon Burton	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr Osman Dervish	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr Jason Frost	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr Judith Holt	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr Sally Miller	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr Robby Misir	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr Dilip Patel	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr Nisha Patel	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr Viddy Persaud	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr Roger Ramsey	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr Timothy Ryan	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr Carol Smith	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr Christine Smith	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr Matt Sutton	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr Maggie Themistocli	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr Ciaran White	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr Damian White	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr Michael White	✓	✓	✓	✓	✓	✓	✓	✓	✓
RESIDENTS' GROUP									
Cllr Nic Dodin	✓	0	0	0	0	0	0	0	0
Cllr Paul Middleton	✓	0	0	0	0	0	✗	✓	0
Cllr Raymond Morgon	✓	0	0	0	0	0	0	0	0
Cllr Barry Mugglestone	0	0	0	0	0	0	0	0	0
Cllr Stephanie Nunn	0	0	0	0	0	0	0	0	0
Cllr Gerry O'Sullivan	✓	0	✗	✗	0	✗	✗	✓	0
Cllr Reg Whitney	0	0	0	0	0	✓	0	0	0
UPMINSTER & CRANHAM RESIDENTS' GROUP									
Cllr Gillian Ford	0	0	0	0	0	0	0	0	0
Cllr Linda Hawthorn	0	0	0	0	0	0	0	0	0
Cllr Ron Ower	0	0	0	0	0	0	0	0	0
Cllr John Tyler	0	0	0	✗	0	0	0	0	0
Cllr Linda Van den Hende	0	0	0	0	0	0	0	0	0
Cllr Christopher Wilkins	0	0	0	0	0	0	0	0	0
INDEPENDENT RESIDENTS' GROUP									
Cllr David Durant	0	✗	✗	✗	✗	✗	✗	0	✗
Cllr Tony Durdin	0	✗	✗	✗	0	0	✗	✓	0
Cllr Natasha Summers	✓	0	0	0	0	0	0	0	0
Cllr Jeffrey Tucker	0	✗	✗	✗	✗	✗	✗	0	✗
Cllr Graham Williamson	0	0	✗	✗	✓	✗	0	0	0
LABOUR GROUP									
Cllr Carole Beth	✓	✗	✗	✗	✗	✗	✗	✓	✗
Cllr Keith Darvill	✗	✗	✗	✗	✗	✗	✗	✓	✗
Cllr Tele Lawal	✗	✗	✗	✗	✗	✗	✗	✓	✗
Cllr Paul McGeary	✗	✗	✗	✗	✗	✗	✗	0	✗
Cllr Denis O'Flynn	✓	✗	✗	✗	✗	✗	✗	✓	✗
NORTH HAVERING RESIDENTS' GROUP									
Cllr Brian Eagling	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr Martin Goode	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr Darren Wise	✓	✓	✓	✓	✓	✓	✓	✓	✓
INDEPENDENT									
Cllr Bob Perry	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cllr Jan Sargent	✓	✗	✗	✓	✓	✓	0	✓	0
Cllr Melvin Wallace	✓	✓	✓	✓	✓	✓	✓	✓	✓
TOTALS									
✓ = YES	37	30	30	31	31	31	30	38	30
✗ = NO	3	9	11	11	7	9	10	0	7
0 = ABSTAIN/NO VOTE	14	15	13	12	16	14	14	16	17
ID = INTEREST DISCLOSED/NO VOTE	0	0	0	0	0	0	0	0	0
A = ABSENT FROM MEETING	0	0	0	0	0	0	0	0	0
	54	54	54	54	54	54	54	54	54

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FULL COUNCIL, 8 July 2020

KEY EXECUTIVE DECISION FOR APPROVAL BY FULL COUNCIL

Adoption of Statement of Gambling Policy 2020 - 2023

A Key Executive Decision (attached) of 30 March 2020 recommended the adoption of a new Statement of Gambling Policy for the period 1/09/20 to 31/08/23. Under the Gambling Act 2005, the Council is required to review its statement every three years and the proposed new statement is therefore submitted to Council for approval.

The new statement is shown as appendix 1 to the decision and the decision form itself summarises the changes made from the previous policy. The results of the public consultation undertaken on the new policy are also attached as appendix 2 to the decision. The Equality and Health Impact Assessment for the Policy is also attached as appendix 3 to the decision.

It is **RECOMMENDED** that:

Council adopt the updated Statement of Gambling Policy 2020-2023 as attached at Appendix 1 of the Key Executive Decision for the period commencing 1st September 2020 to 31st August 2023.

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Notice of KEY Executive Decision

Subject Heading:	Adoption of Statement of Gambling Policy 2020-2023
Cabinet Member:	Councillor Viddy Persaud Lead Member for Public Protection and Safety
SLT Lead:	Barry Francis, Director of Environment
Report Author and contact details:	Louise Watkinson Group Manager Public Protection 01708 432771 Keith Bush Public Protection Manager Licensing & Trading Standards 01708 433425
Policy context:	The Gambling Act 2005 requires the Licensing Authority to consult on and publish a Statement of Gambling Policy. This document must be reviewed every 3 years.
Financial summary:	Once the Statement of Licensing Policy has been adopted it is required to be advertised in a local newspaper for four weeks. It is estimated that this will cost £2000 and will be funded from existing budgets.
Reason decision is Key	Significant effect on two or more Wards
Date notice given of intended decision:	30 th March 2020

Key Executive Decision

Relevant OSC:	Towns and Communities
Is it an urgent decision?	No
Is this decision exempt from being called-in?	No

The subject matter of this report deals with the following Council Objectives

Communities making Havering	<input checked="" type="checkbox"/>
Places making Havering	<input checked="" type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input checked="" type="checkbox"/>

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

Adopt the updated Statement of Gambling Policy 2020-2023 as attached at Appendix 1 for the period commencing 1st September 2020 to 31st August 2023.

AUTHORITY UNDER WHICH DECISION IS MADE

Part 3, Section 2.1 General Functions of Cabinet

Policy matters

(c) To determine all substantial policy matters and strategic decisions and those minor matters which are referred by the Leader at the request of an individual Cabinet Member as being particularly contentious.

STATEMENT OF THE REASONS FOR THE DECISION

The Council, as the local licensing authority for gaming and betting, is required under the Gambling Act 2005 to have in place a statement of the principles (a 'policy') by which it will abide in carrying out its licensing responsibilities. Once established, the Council's policy may be reviewed at any time but must be reviewed every three years under section 349 of the Gambling Act 2005. All changes to the policy must be subject to a statutory public consultation exercise. Further details of this are set out in paragraph 3.5 of the report. The current policy has expired and the Council is now required to publish a new policy for 2020 to 2023. The existing policy expired in January 2019. The Gambling Commission were written to advising them of the delay in updating the current policy and that we would continue to operate using our existing policy until the new policy could be adopted. However no new applications or reviews of premises licences have taken place since January 2019 and none are planned ahead of the new policy being adopted by Full Council, minimising risk to the authority.

This report provides a copy of the updated Havering Statement of Gambling Licensing Policy for the period 2020 - 2023, for consideration together with the results of the public consultation. A copy of the proposed Statement of Gambling Licensing Policy is included as Appendix 1.

The policy is an update of the existing policy. There have been a number of significant changes since the previous policy was adopted. For example the Gambling Commission have included a new requirement within the Codes of Practice for gambling operators to conduct risk assessments for each of their premises taking into account the individual circumstances of each local area. This requirement will ensure that operators take into account local needs, pressures and put in mitigation measures

Key Executive Decision

in place to address individual circumstances. The proposed changes to the policy have been highlighted in appendix 1 for ease of reference. The principle changes are:

- 2.0 Profile of London Borough of Havering has been updated to include current Vision.
- 8.0 Protecting Children and other Vulnerable Persons from being harmed or exploited by Gambling has been added.
- 10.9 Ensuring that new applicants have the correct planning permissions for their premises have been added.
- 10.15 Local Area Profile has been updated.
- 10.19 More details about the use of Local Risk Assessments, their contents and when they should be updated.
- 10.24 Examples of conditions that applicants may offer the Licensing Authority as part of their application.
- 10.30 Adult Gaming Centres to have policies and procedures to prevent underage gambling.
- 10.33 For bingo and family entertainment centre premises, it is a mandatory condition that under-18s should not have access to areas where category B and C gaming machines.
- 10.40 Clarify the purpose of reviews.
- 11.6 Gaming machines in premises licensed to sell alcohol. Encourage the use of leaflets/helpline numbers to protect vulnerable persons.
- Appendix E gives a list of consultees.

It remains the case that each application is required by law to be considered upon its own merits. However, it looks to establish a framework which best places the Council to make future licensing decisions which take into account local information and address local circumstances and concerns.

Before the Statement of Gambling Policy can be adopted the Gambling Act 2005 requires the licensing authority to consult with:

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

This consultation was undertaken for eight weeks between 30th September 2019 and 25th November 2019. A copy of the consultation report is attached as Appendix 2. The main method of consultation was via an online survey although email submissions were also received. The consultation was publicised in local newsletters, social media and by email addressed to the consultees identified in Appendix E of the draft

Key Executive Decision

Statement of Gambling Policy.

A total of 7 responses were received. Copies of the responses are in sections 3 and 4 of the consultation report. The licensing team considered these carefully and each was responded to as set out in section 4 of the report. Where indicated the policy was updated further to take account of the comments made.

Once adopted the revised Statement of Gambling Policy 2020-2023 will need to be advertised locally for a period of four weeks before it takes effect.

OTHER OPTIONS CONSIDERED AND REJECTED

No other option was considered as the authority is required by law to have a Statement of Gambling policy under the Gambling Act 2005.

PRE-DECISION CONSULTATION

Before the Statement of Gambling Policy can be adopted the Gambling Act 2005 requires the licensing authority to consult with:

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

This consultation was undertaken for eight weeks between 30th September 2019 and 25th November 2019. A copy of the consultation report is attached as Appendix 2. The main method of consultation was via an online survey although email submissions were also received. The consultation was publicised in local newsletters, social media and by email addressed to the consultees identified in Appendix E of the draft Statement of Gambling Policy.

Key Executive Decision

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Keith Bush

Designation: Public Protection Manager (Licensing and Trading Standards)

Signature:



Date: 30th March 2020

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

Section 349 of the Gambling Act 2005 imposes a statutory requirement on the Council (as the Licensing Authority) to prepare and publish a 'Statement of Principles' (which is in effect the Council's Statement of Gambling Policy as referred to in this report) once every three years. Following public consultation any amendments to the Policy are required to be considered at Cabinet and then approved by Full Council. Section 349 (2) of the Gambling Act 2005 allows the Licensing Authority to review its Statement/Policy from time to time if it is deemed necessary. The Statement of Gambling Policy attached as Appendix 1 has been revised under section 349(2). This will be formally adopted subject to any further comments received.

The Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 sets out the legal requirement and procedure for drafting and preparing the Statement/Policy and any revisions to this. The Council's existing policy expired in January 2019 but has been extended whilst revisions to it are made. Should the Licensing Authority decide to make any decision in which it is required to act in accordance with the policy after it has expired, there is potentially a risk of legal challenge. The Gambling Commission were written to advising them of the delay in updating the current policy and that we would continue to operate using our existing policy until the new policy could be adopted. However since the Licensing Authority has confirmed no new applications or reviews of premises licences have taken place since January 2019 and nor it is envisaged this will be the case ahead of the new policy being adopted by Full Council the risk is very minimal.

FINANCIAL IMPLICATIONS AND RISKS

In respect to the consultation for revised Statement of Gambling Policy 2020-2023 the current Fees and Charges will continue to be in place. They will be reviewed in line with any statutory and financial requirements.

The Fees and Charges are set to cover the costs of providing the service i.e. licensing gambling premises.

The policy is required to be advertised in a local newspaper for four weeks prior to being formally adopted. The estimated cost of the advert is £2,000 and is currently budgeted for.

**HUMAN RESOURCES IMPLICATIONS AND RISKS
(AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

There are no direct Human Resources implications arising from this report.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

An equalities assessment has been carried out; there is no significant impact on any of the protected characteristics. The assessment is attached as Appendix 3.

Key Executive Decision

HEALTH AND WELLBEING IMPLICATIONS AND RISKS

The legislative framework for gambling recognises it as a legitimate leisure activity that many people enjoy; it can be social, fun and as such might have positive impacts on wellbeing. In addition, it generates income, employment and tax revenue, creating employment, which is an important determinant of health and wellbeing.

However, set against this, it can have significant negative impacts on multiple aspects of life including leading to financial loss, debt and working days lost through disordered gambling. It can also affect health and well-being in terms of psychological emotional distress, and impaired family relationships and treatment costs for ill-health caused by stress related to gambling debt or to treat the addiction. There are also potentially very significant impacts such as the negative effects on family relationships, and the psychological and social development of children though these are less easily measured.

The proposed statement of gambling policy is intended to address this negative issue by promoting responsible retailing and ensuring that those that apply for a license consider the impact of their business on this group.

The Gambling Commission have included a new requirement within the Codes of Practice for gambling operators to conduct risk assessments for each of their premises taking into account the individual circumstances of each local area.

The policy requires operators to conduct a local risk assessment and take appropriate measures to protect children and vulnerable persons from harm. This includes considering the location of the premises in relation those frequented by children and vulnerable persons and the provision of information regarding self-exclusion and leaflets/helpline numbers for customers who may have a gambling addiction, from organisations such as GamCare and GambleAware.

BACKGROUND PAPERS

None

Appendices

1. Statement of Gambling Policy 2020-2023
2. Consultation Results Report
3. Equality and Health Impact Assessment

Key Executive Decision

Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Delete as applicable

Proposal NOT agreed because

Details of decision maker

Signed

Name:

Cabinet Portfolio held:

CMT Member title:

Head of Service title

Other manager title:

Date:

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Committee Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____



Havering
LONDON BOROUGH

Statement of Gambling Policy

2020-2023

Document Control

Document details

Title	Statement of Gambling Policy 2020-2023
Version number	V0.3
Status	Draft
Author	Keith Bush
Lead officer	Andrew Blake Herbert
Approved by	Full Council
Review date	July 2023
Supersedes	Statement of Gambling Policy 2016 - 2019
Target audience	License Applicants, Residents, Licensing Committee, Members.
Related to	Statement of Licensing Policy

Version history

Version	Status	Date	Dissemination/Change
V0.1	Draft	03/05/2019	See tracked changes to paragraphs 1.8, 8.1-8.5, 10.9, 10.17, 10.19, 10.22, 10.23, 10.33, 10.35, 10.40, 11.4, 11.6, 11.7, 13.1-13.2, Appendix E
V0.2	Draft	25/06/2019	See tracked changes to paragraphs 1.8, 7.4, 7.7, 8.1-8.5, 10.9, 10.15, 10.17, 10.19, 10.22, 10.23, 10.24, 10.30, 10.33, 10.35, 10.40, 11.4, 11.6, 11.7, 13.1-13.2, Appendix E
V0.3	Draft	29/11/2019	8.2, 8.3 and 11.6 following consultation amendments.
V0.4	Final Draft	11/3/20	Para's 8.4, 10.23, 10.39, 11.4, 11.6, 13.2 following advice from legal services.

Approval history

Version	Status	Date	Approved by
			Cabinet
			Full Council

Equality Impact Assessment record

Date	Completed by	Review date
3/12/19	Keith Bush	July 2023

DRAFT

Statement of Gambling Policy

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DRAFT

1. Introduction

- 1.1 The Gambling Act 2005 (the “Act”) requires this Licensing Authority to consult on and publish a ‘Statement of Gambling Policy’ in relation to its responsibilities under the Act. Once published, this Policy Statement will be kept under constant review and formally reviewed every three years. Before any revision of this Policy is published, this Authority will carry out a full consultation exercise on the relevant sections. The current Statement of Gambling Policy has been revised following a review and this document is for the period 2020-2023.

Section 25 of the Gambling Act 2005 states that;

The (Gambling) Commission shall from time to time issue guidance as to-

(a) The manner in which local authorities are to exercise their functions under this Act, and

(b) In particular, the principles to be applied by local authorities in exercising functions under this Act.”

- 1.2 The Gambling Commission states in the Introduction to its Guidance to Licensing Authorities:

‘The aim of this Guidance is to ensure that every licensing authority has the information it needs to make effective decisions. It does not seek to impose a ‘one size fits all’ model across all licensing authorities. We recognise that every licensing authority is different and will have different views about how it wishes to manage gambling locally. Indeed, the Gambling Act 2005 establishes a high degree of local accountability for gambling regulation.

This Guidance does not, therefore, attempt to fetter the discretion that licensing authorities have under the Gambling Act 2005 and it is not intended to replace their judgement in individual cases. Moreover, this Guidance cannot anticipate every set of circumstances that may arise and, as long as it has been understood and taken into account, licensing authorities may depart from it where they consider it would be right to do so. There should, however, be strong reasons for departing from this Guidance and these need to be clearly expressed and explained if a licensing authority is to avoid judicial review or challenge on appeal for failing to take this Guidance into account.’

- 1.3 This Policy, therefore, generally follows the principles laid down in the Gambling Commission’s Guidance to Licensing Authorities.

The Act may be accessed via:

<http://www.legislation.gov.uk/ukpga/2005/19/contents>

The Gambling Commission’s Guidance to Licensing Authorities may be accessed via:

<http://www.gamblingcommission.gov.uk/PDF/GLA5- updated-September-2016.pdf>

- 1.4 The Act also requires this Authority to carry out its various licensing functions to be reasonably consistent with the following three licensing objectives:

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

1.5 As required by the Guidance issued by the Gambling Commission, the Council, in carrying out its licensing functions under the Act will aim to permit the use of premises for gambling as long as it is considered to be:

- in accordance with any relevant code of practice issued by the Gambling Commission,
- in accordance with any relevant guidance issued by the Commission,
- reasonably consistent with the licensing objectives, and
- in accordance with this Policy Statement published under Section 349 of the Act.

Nothing in this Statement of Gambling Policy will override the right of any person to make an application under this Act and have that application considered on its individual merits. Equally, nothing in this Statement of Gambling Policy will undermine the right of any person to make representations to an application, or seek a review of a licence where there is a legal power to do so. This Authority will ensure that, when considering applications under this legislation, it will avoid duplication with other regulatory regimes.

1.6 Previous gambling legislation required that the grant of certain gambling permissions should take account of whether there was an unfulfilled demand for gambling facilities. However, unfulfilled demand is not a criterion for a Licensing Authority in considering an application for a premises licence under the Act. Each application will be considered on its merits without regard to demand.

1.7 The Licensing Authority will not take into consideration any moral objections to Gambling when considering an application for a premises licence.

1.8 All references to the Gambling Commission's Guidance relate to the fifth Edition (Published in September 2015 with Parts 17, 18 and 19 updated September 2016). These are liable to change as the Guidance is revised from time to time and, if considered necessary, this Statement of Gambling Policy will be revised to comply with any future changes to the Guidance. A copy of the current Gambling Commission Guidance can be found on the Council's website.

2 Profile of the London Borough of Havering

- 2.1 The London Borough of Havering has a rich history. It is located on the periphery of North East London neighbouring Essex. The area has good road and rail links and boasts a 3-mile river frontage. It is currently a major centre for regeneration and development.
- 2.2 Granted a royal liberty 540 years ago, the borough has held a regular street market since 1247. Today Havering is London's third largest borough, with a population of over 250,000 and an area of 11,227 hectares, of which almost over half is open green space.
- 2.3 Havering has a lively cultural scene, centred on the Queen's Theatre and the Fairkytes Arts Centre. Leisure facilities are second to none, with three recently renovated leisure centres with state-of-the-art equipment and facilities.
- 2.4 The borough is also a great place to shop with bustling town centres where Romford town Centre attracts 250,000 regular shoppers alone. In addition to Romford there are small local shopping centres in Harold Hill, Collier Row, Hornchurch, Cranham, Upminster, Elm Park and Rainham (see Map 1).
- 2.4 Havering's Vision is 'Cleaner, Safer, Prouder, Together' embracing the best of what Havering has to offer and is focused around four cross-cutting priorities: communities, places, opportunities and connections.

Communities – A helping hand

Helping young and old fulfil their potential through high-achieving schools and by supporting people to live safe, healthy and independent lives.

Place – Great place to live

Making sure that our neighbourhoods are a great place to live by investing in them and keeping them clean, green and safe with access to quality parks and leisure facilities.

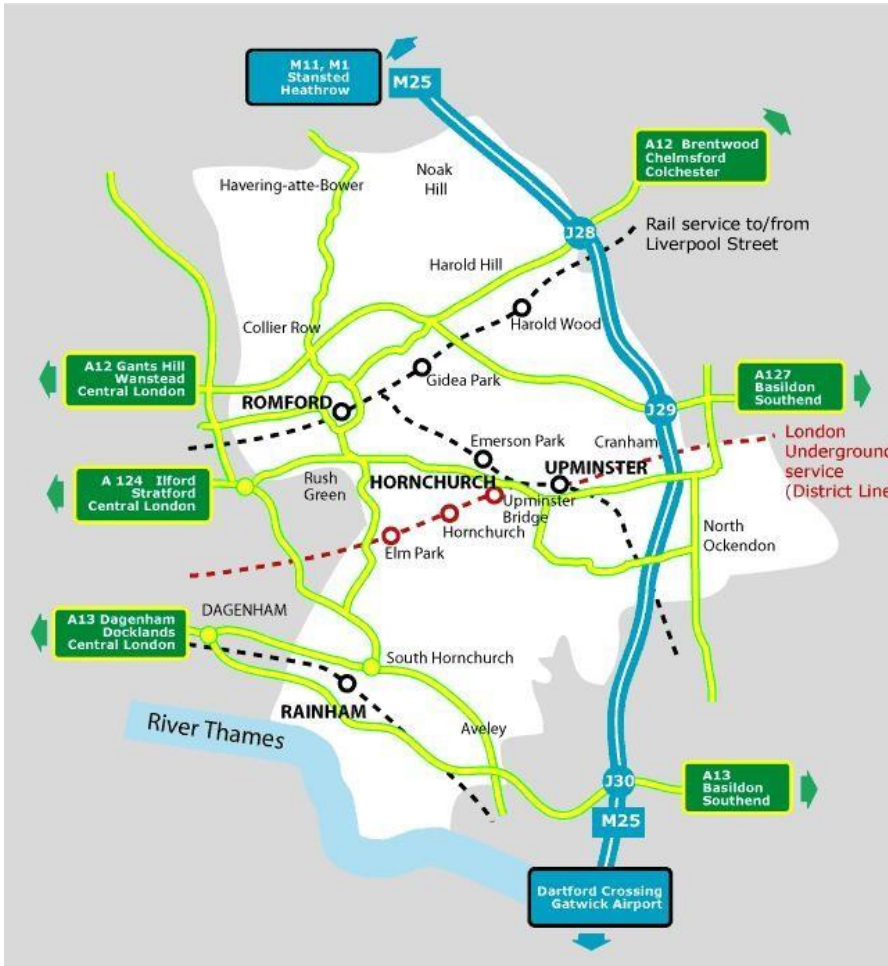
Opportunities – Making life better

Helping people get on in life by creating jobs and skills opportunities and building genuinely affordable homes.

Connections – Making life easier

Making it easier for people to get around and online by investing in road, transport links, faster internet and free Wi-Fi in town centres.

Map 1: London Borough of Havering Transport Links & Shopping Hubs



Based upon Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office (c) Crown copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.
London Borough of Havering 100024327

3 Consultation

- 3.1 Licensing Authorities are required by the Act to publish a statement of the principles which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from “time to time” and any amended parts re-consulted upon. The statement must be then re-published.
- 3.2 The London Borough of Havering consulted widely upon this statement before finalising and publishing. A list of those persons consulted is provided in Appendix E.

The Act requires that the following parties are consulted by licensing authorities:

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

This Licensing Authority has also consulted with relevant departments within the Council and neighbouring boroughs.

4. Declaration

- 4.1 In producing this Statement of Gambling Policy, the Licensing Authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the Guidance issued by the Gambling Commission and any responses from those consulted on the Statement.

5. Responsible Authorities and Interested Parties

- 5.1 The Act allows for two different types of groups to make representations regarding applications to the Licensing Authority and to apply to have existing licences reviewed by the Authority. These groups are “Responsible Authorities” and “Interested Parties”
- 5.2 The Act defines Responsible Authorities as:
- (a) a Licensing Authority in England and Wales in whose area the premises are wholly or partly situated,
 - (b) the Gambling Commission,
 - (c) the Chief Officer of Police for a police area in which the premises are wholly or partly situated,
 - (d) the fire and rescue authority for an area in which the premises are wholly or partly situated,
 - (e) the Local Planning Authority, in accordance with Part I of the Town and Country Planning Act 1990 (c. 8), for an area in which the premises are wholly or partly situated,

- (f) an authority which has functions by virtue of an enactment in respect of minimising or preventing the risk of pollution of the environment or of harm to human health in an area in which the premises are wholly or partly situated,
- (g) a body which is designated in writing for the purposes of this paragraph, by the licensing authority for an area in which the premises are wholly or partly situated, as competent to advise the authority about the protection of children from harm*,
- (h) Her Majesty's Commissioners of Customs and Excise, and
- (i) any other person prescribed for the purposes of this section by regulations made by the Secretary of State.

* *Under the Children Act 2004, Area Child Protection Committees (ACPC) have been replaced by Local Safeguarding Children Boards (LSCBs). The policy of the Licensing Authority is that the 'responsible authority' in relation to the protection of children from harm will be the Council's LSCB Manager.*

5.3 Section 158 of the Act states that a person is an "Interested Party" if, in the opinion of the Licensing Authority that person;

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

The Gambling Commission recommends in its Guidance to Licensing Authorities that Interested Parties could include trade associations and trade unions, and residents and tenants associations. However, it fails to mention that those bodies should represent persons or businesses sufficiently close where they are likely to be affected by the operation of the premises (Gambling Commission Guidance for Local Authorities paragraph 6.21). This Authority will follow Section 158 of the Act and will not generally view these bodies as interested parties unless they have a member who can be classed as an interested person under the terms of the Act. I.e. they live sufficiently close or carry on a business so that they will be likely to be affected by the activities being applied for.

5.4 The Licensing Authority is required by Regulations to state the principles it will apply in exercising its powers under the Act to determine whether a person is an interested party. The principles for Havering are that each case will be decided upon its own merits and rigid rules will not be applied to its decision making. It will also consider the Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

5.5 Should an individual wish to submit an objection to a new premises licence or submit a request for a review of an existing licence, it should be based on the licensing objectives contained within the Act (see Para 1.4). It should be noted that the Act does not include the prevention of public nuisance and anti-social behaviour as a specific licensing objective.

6. Exchange of Information

- 6.1 Licensing Authorities are required to include in their Statement of Gambling Policy the principles to be applied by the Authority in exercising the functions under sections 29 and 30 of the Act. This is with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.
- 6.2 The principle that Havering Licensing Authority applies is that it will act in accordance with the provisions of the Act in its exchange of information, which includes the provision that Data Protection legislation will not be contravened. The Licensing Authority will also have regard to any Guidance issued by the Gambling Commission to Local Authorities on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Act.

7. Enforcement

- 7.1 Licensing Authorities are required by regulation under the Act to state the principles to be applied by the Authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.
- 7.2 The Licensing Authority's principles are that it will be guided by the Gambling Commission's Guidance for Local Authorities, will comply with the 'Regulators Code', and will endeavour to be:
- Proportionate: regulators should only intervene when necessary; remedies should be appropriate to the risk posed, and costs identified and minimised;
 - Accountable: regulators must be able to justify decisions and be subject to public scrutiny;
 - Consistent: rules and standards must be joined up and implemented fairly;
 - Transparent: regulators should be open, and keep regulations simple and user friendly; and
 - Targeted: regulation should be focused on the problem, and minimise side effects.

The Authority will also act in accordance with its own Enforcement Policy.

- 7.3 As per the Gambling Commission's Guidance for Licensing Authorities, the Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 7.4 The Authority will also adopt a risk-based inspection programme as recommended by the Gambling Commission's Guidance for Licensing Authorities. [This will be based on:](#)

- [The licensing objectives](#)
- [Relevant codes of practice](#)
- [Guidance issued by the Gambling Commission](#)

- [The principles set out in this statement of licensing policy](#)
- [The enforcement policy, intelligence and complaints.](#)

[High risk rated premises may be those where there are factors such as reports of underage gambling or previous breaches of premises licence conditions and codes of practice. Low risk rated premises will generally be those which have demonstrated compliance with premises licence conditions and codes of practice.](#)

- 7.5 The main enforcement and compliance role for the Licensing Authority in terms of the Act will be to ensure compliance with the terms and conditions of premises licences and other permissions that they authorise. The Gambling Commission will be the enforcement body for the operating and personal licences. It is also worth noting that the Gambling Commission will deal with concerns about manufacture, supply or repair of gaming machines.
- 7.6 The Licensing Authority will keep itself informed of developments as regards the work of the Department for Business, Energy and Industrial Strategy in its consideration of the regulatory functions of local authorities.

[7.7 It should be noted that if annual fees for premises licences are not paid when required the Licensing Authority shall revoke the premises licence under section 193\(1\) of the Act but the Licensing Authority may disapply subsection \(1\) if they think that a failure to pay is attributable to administrative error.”](#)
[may revoke the premises licence under section 193 Act.](#)

8. Protecting Children and other Vulnerable Persons from Harm or Exploitation by Gambling

[8.1 As per the Gambling Commission’s Guidance for Licensing Authorities, this Licensing Authority expects operators of gambling premises to have in place policies and measures to ensure children and other vulnerable people are protected from being harmed or exploited by gambling. Harm in this context is not limited to harm from gambling but includes wider child protection considerations, including the risk of child sexual exploitation.](#)

[8.2 The efficiency of such policies and procedures will be considered on their merits; however, they may include appropriate measures/training for staff as regards suspected truanting schoolchildren or other vulnerable persons on the premises, measures/training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems.](#)

[8.3 Providing the Licensing Authority with details of where a child or young person repeatedly attempts to gamble on their premises, may provide the Licensing Authority with an opportunity to consider safeguarding concerns.](#)

[8.4 This Authority will pay particular attention to measures proposed by operators to protect children from harm in all gambling premises and particularly Adult Gaming Centres and Family Entertainment Centres. Such measures may include, but would not be limited to, the following:](#)

- [Proof of age schemes](#)
- [CCTV](#)

- Supervision of entrances/machine areas
- Physical separation of areas
- Specific opening hours
- Self-barring schemes
- Notices/signage
- Measures/training for staff on how to deal with suspected truanting school children on the premises and how to recognise signs of potential child sexual exploitation
- clear policies that outline the steps to be taken to protect children from harm;
- Provision of information leaflets/helpline numbers for organisations such as GamCare and GambleAware.
- The Licensing Authority would encourage operators to participate in voluntary best practice or certification schemes to assist in their promotion of the objective of protecting children and other vulnerable persons from being harmed or exploited by gambling
- Ensure that promotional material associated with the premises does not encourage the use of the premises by children or young people if they are not legally allowed to do so.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures. This Authority will expect operators to fully comply with the Gambling Commission's Licensing Conditions and Codes of Practice (LCCP) and the Social Responsibility Codes in relation to access for children into Gambling premises and their policies and procedures designed to prevent underage gambling, and how they monitor the effectiveness of these. The LCCP Social Responsibility Codes, part of the Gambling Commission's LCCP, can be found on the Gambling Commission's website.¹

8.5 The Gambling Commission advises in its Guidance for Licensing Authorities that Authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling. In appropriate circumstances this Authority will consider the imposition of conditions requiring door supervisors at particular premises.

8.6 Larger operators are responsible for conducting/taking part in underage testing, results of which are shared with the Gambling Commission. Operators are encouraged to also make the results available to licensing authorities, as far as is practicable.

9. Licensing Authority functions

9.1 Licensing Authorities are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*.
- Issuing *Provisional Statements* where premises are intended to provide gambling activity.
- Regulating *members' clubs* and *miners' welfare institutes* who wish to undertake

¹ <https://www.gamblingcommission.gov.uk/home.aspx>

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) for the use of two or fewer gaming machines.
- Issuing *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines.
- Registering *small society lotteries* below prescribed thresholds.
- Issuing *Prize Gaming Permits*.
- Receiving and Endorse *Temporary Use Notices*.
- Receiving *Occasional Use Notices*.
- 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.

9.2 It should be noted that local Licensing Authorities will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operating licences. The Financial Services Authority regulates spread betting and the National Lottery Commission regulates The National Lottery.

10. Premises Licences.

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

10.2 The Licensing Authority is aware that, in making decisions about premises licences, it should aim to permit the use of premises for gambling insofar as it thinks it is;

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the Authority's Statement of Gambling Policy.

10.3 Multiple licences and separation of different premises

The Authority takes particular note of the Gambling Commission's Guidance for Licensing Authorities, which states that Authorities should pay particular attention in considering applications for multiple licences for a building, and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular, this Authority is aware that entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not 'drift' into a gambling area. The Authority will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed).

10.4 There will be specific issues that the Authority will consider before granting such applications, for example, whether children can gain access; compatibility of the two establishments; and ability to comply with the requirements of the Act. But, in addition, an overriding consideration should 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.

10.5 The Authority takes particular note of paragraphs 7.7 to 7.8 and 7.26, 7.30 – 7.33 of the Gambling Commission's Guidance to Licensing Authorities relating to the artificial subdivision of premises. It also takes note of section 152 (1) of the Act and the Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 and will look very carefully at any application that may appear to breach any of these provisions. For example, where a premises is licensed to provide bingo facilities then the primary activity must be the provision of bingo, with gaming machines being an ancillary offering in the premises. The Authority also notes the Gambling Commission's Codes of Practice consolidated for all forms of Gambling that came into effect in August 2014.

10.6 Operators can apply for a premises licence in respect of premises, which have still to be constructed or altered, and each application will be determined on its merits. It should be noted that an applicant may not be able to obtain a full premises licence until the premises in which it is proposed to offer the gambling is constructed. The Gambling Commission has advised that references to "the premises" are to the premises in which gambling may now take place. Thus, a licence to use premises for gambling will only be issued in relation to premises that are ready to be used for gambling. The Authority agrees with the Gambling Commission that it is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence. The Gambling Commission emphasises that requiring the building to be complete ensures that, if necessary, the Authority can inspect it fully as can other Responsible Authorities with inspection rights.

10.7 Plans

The Licensing Authority will expect compliance with the Gambling Act 2005 (Premises Licences and Provisional Statements) Regulation 2007 (as amended) in relation to the submission of plans with applications.

10.8 The Regulations state that plans shall contain the following information:

- the extent of the boundary or perimeter of the premises
- where the premises include, or consist of, one or more buildings, the location of any external or internal walls of each such building
- where the premises form part of a building, the location of any external or internal walls of the building which are included in the premises
- where the premises are a vessel or a part of a vessel, the location of any part of the sides of the vessel, and of any internal walls of the vessel, which are included in the premises
- the location of each point of entry to and exit from the premises, including in each case a description of the place from which entry is made or to which the exit leads.

10.9 Planning considerations

The Licensing Authority is aware that in May 2015 the Government introduced additional planning controls in relation to betting offices, removing them from Class A2 use to a 'sui generis' use. This means that Betting Shops have been taken out of the planning 'use' classes and will need to receive planning approval. This has enabled Planning Authorities to exercise stricter controls over these uses, and this Authority would expect applicants for new Gambling Premises Licences to have been granted permission to use prospective premises for the proposed operation subject of the licence application. Further information can be obtained from the Council's Planning Department.

10.10 The Licensing Authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. As per the Gambling Commission's Guidance for Licensing Authorities, this Authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon regarding areas where gambling premises should not be located, this Statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus being upon the applicant to show how potential concerns can be overcome.

10.11 The Licensing Authority will seek to avoid any duplication with other statutory/regulatory systems where possible, including Planning. This Authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval in its consideration of it.

10.12 Planning: The Gambling Commission Guidance to Licensing Authorities states:

'7.58 In determining applications, the licensing authority should not take into consideration matters that are not related to gambling and the licensing objectives. One example would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal...'

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

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

10.13 Preventing gambling from being;

- a source of crime and disorder,

- associated with crime or disorder, or
- used to support crime.

Premises licences granted must be reasonably consistent with the licensing objectives. The Licensing Authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that Licensing Authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Where an area has known high levels of crime the Authority will consider carefully whether gambling premises are suitable to be located there and whether conditions, such as the provision of door supervisors, may be relevant.

10.14 Where gambling premises are located in sensitive areas, e.g. near schools, the Licensing Authority will consider imposing restrictions on advertising the gambling facilities on such premises where it is felt relevant and reasonably consistent with the Licensing Objectives.

10.15 Local Area Profile

A map of the Local Authority area is attached, as a separate document to this policy (see Appendix D) and may be reviewed and updated from time to time. The map contains the location of schools, hostels and homes for vulnerable people, GP's surgeries, medical centres and centres for people with drug and alcohol addiction.

Further, it is overlaid with the total notifiable offences (TNO's) for the borough including all crimes such as violence against the person, burglary, robbery, sexual offences, motor vehicle fraud and theft. hotspots of antisocial behaviour (ASB) and centres for people with drug and alcohol addiction. The Authority will pay particular attention to applications for the new grant of, or variations to existing, premises licences where those premises lie within areas with a concentration of schools, crime hotspots, hostels/homes for vulnerable people and centres for people with a drug and alcohol addiction.

10.16 In sensitive areas the Authority will expect applicants to fully explain in their applications how their proposal will not exacerbate any problems to individuals living in the vicinity, or exacerbate any ASB problems within the vicinity generally. Applicants will be expected to tailor their application, and have policies, procedures and control measures to mitigate any risks. They should have the appropriate numbers of trained staff, and propose licence conditions if appropriate, to cater for the local area in which they propose to run their business.

10.17 Local Risk Assessments

Applicants should also be aware of areas with concentrations of hostels and other types of accommodation for vulnerable people. Where they propose to make an application for a new premises licence, or a variation to an existing licence, in such areas they should explain fully, in their Local Risk Assessment (LRA), how they will mitigate any risks of operating a gambling premises in close proximity to;

- concentrations of housing for vulnerable people or,

- churches, mosques, temples or any other place of worship. Religious premises and places of worship are often focal points for a percentage of vulnerable members of the local community, including the homeless community and youth population, and have therefore been included in this policy, rather than for any moral or ethical reasons.

10.18 Some publicly available sources of information to assist in operators completing a LRA include:

- (a) The Crime Mapping website;
- (b) Neighbourhood Statistics websites;
- (c) Websites or publications by local responsible authorities;
- (d) Websites or publications by local voluntary schemes and initiatives; and
- (e) On-line mapping tools.

10.19 The Authority will expect applicants for the new grant of, or variation to an existing, licence to also submit their LRA to comply with Social Responsibility (SR) code 10.1.1 which requires all premises licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, applicants must take into account relevant matters identified in the licensing authority's statement of policy.

~~and Ordinary code provision 10.1.2.~~ In addition, the Licensing Authority will expect that under Ordinary code provision 10.1.2 Licensees will undertake a local risk assessment when applying for a new premises licence. Their risk assessment must also be updated:

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

Licensees are expected to share their risk assessment with the licensing authority when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise on request of the licensing authority.

We strongly recommend that operators of licensed premises keep their LRA on the individual licensed premises and ensure that it is available for inspection.

The SR codes also states that a LRA must also be submitted when changes in the local environment or the premises warrant a LRA to be conducted again. This may be where:

- Any substantial building development or conversion of existing premises in the local area, which may increase the number of vulnerable persons in the area.
- Educational facilities increase in the local area. This may occur as a result of the construction of a new school/college or where a significant change is made to an existing establishment.
- Any vulnerable group is identified by the Licensing Authority or venues relating to those vulnerable groups are opened in proximity to gambling premises (e.g.

additional homeless hostels or gambling or mental health care/ support facilities are opened in the local area).

The Authority will expect the Local Risk Assessment to consider:

- the location of services for children such as schools, playgrounds, leisure/community centres and other areas where children and young people will congregate such as youth clubs, parks, bus stops, cafés, shops, entertainment venues such as cinemas, bowling allies and any other place where children are attracted.
- the demographics of the area in relation to vulnerable groups and how vulnerable persons from different cultures will be protected.
- whether the premises is in an area subject to high levels of crime and/or disorder, including areas that are prone to youths participating in antisocial behaviour, e.g. graffiti/tagging or underage drinking.
- how vulnerable people, including people with gambling dependencies are protected.
- assessing staffing levels when a local college closes and the students begin to vacate the grounds.
- age verification policies such as 'Challenge 25'
- line of sight from the counter to gambling machines
- information held regarding self-exclusions and incidences of underage gambling.
- gaming trends that may mirror days for financial payments such as pay days or benefit payments
- proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor's surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate.

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

The Licensing Authority has noted that the Gambling Commission has stated that it would generally not expect Licensing Authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.

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

The Licensing Authority has noted that the Gambling Commission's Guidance for Licensing Authorities states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at, or are particularly attractive to, children). The Licensing Authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas etc.

10.22 As regards the term 'vulnerable persons' it is noted that the Gambling Commission is not seeking to offer a definition. It states that, '*... it does, for regulatory purposes,*

assume that this group includes people who gamble more than they want to, people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to, for example, mental health, a learning disability or substance misuse relating to alcohol or drugs.'

The Licensing Authority will consider this licensing objective on a case-by-case basis. Should a practical definition prove possible in future then, this policy statement will be updated with it, by way of a revision. The Authority will also make itself aware of the Codes of Practice, which the Gambling Commission issues in relation to this licensing objective regarding specific premises such as casinos. In particular, this Authority is aware of SR code 3.5.1 and Ordinary Code 3.5.2 relating to self-exclusion from gambling premises. We expect licence holders to fully comply with these Codes.

10.23 Whilst there may be evidence that problem gamblers and their families are at risk of significant health and social problems such as mental illness, drug and alcohol misuse, relationship breakdown, criminal activity and financial difficulties, public health is not a licensing objective and therefore cannot be taken into account, when deciding on applications.

The Licensing Authority will however continue to liaise with public health colleagues. This is so that we can both continue to monitor any increase in access to gambling opportunities for those at risk of problem gambling, and work jointly to ensure that appropriate measures are put in place to minimise that risk and support those seeking help.

Licence Conditions

10.24 Any conditions attached to licences will be proportionate and will be:

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

Applicants may offer licence conditions to the Licensing Authority as a part of their application. Examples of such conditions are:

1. The premises shall be fitted out and operational within 6 months of the issue of the licence.
2. The Licensee shall notify the licensing authority when the premises have been fitted out and are ready for operation, so that the licensing authority can inspect the premises. Such notification to the licensing authority shall be given no less than 10 days prior to the premises opening under the licence.
- 4-3. There shall be a minimum of 2 staff (excluding back room staff) on duty at the premises at all times that it is open, whose duties are to include the age verification of persons entering the premises who appear to be under the age of 25 years.

2-4. "Challenge 25:

- a. The Licensee shall have a "Challenge 25" policy whereby all customers who appear to be under the age of 25 are asked for proof of their age.
- b. The Licensee shall prominently display notices advising customers of the "Challenge 25" policy.
- c. The following proofs of age are the only ones to be accepted:
 - Proof of age cards bearing the "Pass" hologram symbol
 - UK Photo Driving licence
 - Passport

3-5. Staff Competence and Training:

- a. The Licensee shall keep a written record of all staff authorised to verify the age of customers, the record to contain the full name, home address, date of birth and national insurance number of each person so authorised. The staff record to be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police.
- b. The Licensee shall ensure that each member of staff authorised to verify the age of customers has received adequate training on the law with regard to under-age gambling and the procedure if an underage person enters the premises, and that this is properly documented and training records kept. The training records to be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police.
- c. The Licensee shall ensure that each member of staff authorised to verify the age of customers is fully aware of his /her responsibilities in relation to verifying a customer's age and is able to effectively question customers and check evidence of proof of age.

4-6. Refusals Book

- a. The licensee to keep a register (Refusals Book) to contain details of time and date, description of under-age persons entering the premises, and the name/signature of the sales person who verified that the person was under-age.
- b. The Refusals book to be examined on a regular basis by the licensee and date and time of each examination to be endorsed in the book.
- c. The Refusals Book to be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police.

5-7. CCTV:

- a. The CCTV system shall be maintained in a good working order and fully operational covering both internal and external areas when the premises are open to the public.
- b. The medium on which CCTV images are recorded will be clearly identifiable, stored securely and shall be retained for a period of 31 days and shall be made available for inspection by the Police or an officer of the licensing authority, upon request.

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures the Licensing Authority will consider utilising should there be a perceived need, such as the use of door supervisors, appropriate signage for adult only areas etc. The Authority will also consider specific measures, which may be required for buildings that are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

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

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

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

10.26 It is noted that, because of restrictions imposed by the Act, there are conditions which the Licensing Authority cannot attach to premises licences; these are:

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

10.27 The Gambling Commission advises in its Guidance for Licensing Authorities that they may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of

crime. It is noted though that there is no requirement for “in house” door supervisors at casinos or bingo premises to be licensed by the Security Industry Authority (SIA) through a specific exemption contained in Paragraph 17 of Schedule 16 to the Act. However, following clarification from the Department for Culture, Media and Sport (DCMS) and the Security Industry Authority (SIA), any contract staff employed in a Door Supervisor role will still require to be licensed by the SIA.

10.28 For premises other than “in house” staff employed at casinos and bingo premises, operators and Licensing Authorities may decide that supervision of entrances/machines is appropriate for particular cases but it will need to be decided whether these need to be SIA licensed or not. It will not be automatically assumed that they need to be.

10.29 There is no evidence that the operation of betting offices in Havering has required door supervisors for the protection of the public. The Licensing Authority will make a door supervisor requirement only if there is clear evidence from the history of trading at the premises that the premises cannot be adequately supervised from the counter and that door supervision is both necessary and proportionate.

10.30 Adult Gaming Centres

In relation to Adult Gaming Centres, the Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling.

[Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.](#)

[This must include procedures for:](#)

- [checking the age of apparently underage customers](#)
- [removing anyone who appears to be under age and cannot produce an acceptable form of identification](#)
- [taking action when there are attempts by under-18s to enter the premises.](#)

It is recommended that applicants provide means to satisfy the Licensing Authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises. Such measures may cover issues such as:

- Proof of age schemes
- CCTV
- Supervision of entrances/machine areas
- Physical separation of areas

10.31 In relation to (licensed) Family Entertainment Centres, the Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling. It is recommended that applicants provide means to satisfy the Licensing Authority that, for example, there will be sufficient

measures to ensure that under 18 year olds do not have access to any adult only gaming machine areas. Such measures may include:

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

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

10.32 *No Casinos resolution*

At this time Havering Licensing Authority has not passed a 'no casino/no additional casinos' resolution under Section 166 of the Act, but is aware that it has the power to do so. Should the Licensing Authority decide in the future to pass such a resolution, this Statement of Gambling Policy will be updated with details of that resolution. The Full Council will make any such decision.

10.33 *Gaming Machines*

Management of areas where category B and C gaming machines are located in gambling premises that admit children and young people. [Appendix C details the category of gaming machines.](#)

The Authority notes that the Gambling Commission's Guidance states in Paragraph 7.27 that:

~~'According to mandatory and default conditions relating to premises that admit under 18s, any area where category B and C gaming machines are located must be:~~

- ~~• separated from the rest of the premises by a physical barrier which is effective to prevent access other than by an entrance designed for that purpose~~
- ~~• supervised (see below) at all times to ensure that under 18s do not enter the area~~
- ~~• arranged in a way that ensures that all parts of the area can be observed~~
- ~~• supervised either by:~~

~~i. one or more persons whose responsibilities include ensuring that under 18s do not enter the areas~~

~~ii. CCTV monitored by one or more persons whose responsibilities include ensuring that under-18s do not enter the areas.~~

~~A notice stating that no person under the age of 18 is permitted to enter the area must be displayed in a prominent place at the entrance to the area.'~~

For bingo and FEC premises, it is a mandatory condition that under-18s should not have access to areas where category B and C gaming machines are located and this is achieved through further mandatory conditions that require the area to be:

- separated from the rest of the premises by a physical barrier which is effective to prevent access other than by an entrance designed for that purpose
- supervised at all times to ensure that under-18s do not enter the area, and supervised by either:
 - one or more persons whose responsibilities include ensuring that under-18s do not enter the areas
 - CCTV monitored by one or more persons whose responsibilities include ensuring that under-18s do not enter the areas
 - arranged in a way that ensures that all parts of the area can be observed.

A notice must be displayed in a prominent place at the entrance to the area stating that no person under the age of 18 is permitted to enter the area.

10.34 *Betting machines in Betting Premises*

The Licensing Authority will, as per the Gambling Commission's Guidance, take into account the size of the premises and the number of counter positions available for person-to-person transactions. It will also consider the ability of staff to monitor the access to the premises and use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number and nature of betting machines an operator wants to offer.

The Authority will consider limiting the number of machines only where there is evidence that such machines have been, or are likely to be, used in breach of the licensing objectives. Where there is such evidence, the Authority may consider, when reviewing the licence, the ability of staff to monitor the use of such machines from the counter. Extend premises in order to enhance the quality of facilities offered to the public who may wish to use them. The Authority will look at those applications sympathetically where there are no concerns that the Licensing Objectives will be adversely affected

10.35 *Betting Offices*

The Licensing Authority will look closely at applications to re-site betting offices in the same locality or to extend premises in order to enhance the quality of facilities offered to the public who may wish to use them. The Authority will look at those applications sympathetically where there are no concerns that the Licensing objectives will be adversely affected. The Authority will also take any complaints relating to the use of Fixed Odds Betting Machines (FOBTs) within Betting Shops extremely seriously and will expect operators to be fully compliant with Social Responsibility Codes 3.5, 3.7.1, 3.7.2 and Ordinary Code Provision 3.5.2

10.36 The Licensing Authority recognises that certain bookmakers have a number of premises within its area. In order to ensure compliance issues are recognised and resolved at the earliest stage, operators are requested to give the Authority a named single point of contact, who should be a senior individual, and whom the Authority will contact first should any compliance queries or issues arise.

10.37 *Travelling Fairs*

It will fall to the Licensing Authority to decide whether, where category D machines and/or equal chance prize gaming without a permit are to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

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

It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fair occupying the land. The Licensing Authority will work with its neighbouring authorities to ensure that land, which crosses our boundaries, is monitored so that the statutory limits are not exceeded.

10.38 *Provisional Statements*

The Licensing Authority notes the Guidance from the Gambling Commission which states that *'It is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence'* and that *'Requiring the building to be complete ensures that the authority could, if necessary, inspect it fully'*.

The Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations requires applications for Provisional Statements to be advertised in the same way as applications for Premises Licences. In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters, which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the Authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters which:

- (a) Could not have been raised by objectors at the provisional licence stage; or
- (b) Reflect a change in the operator's circumstances (in the authority's opinion).

The Authority has noted the Gambling Commission's Guidance that *'A licensing authority should not take into account irrelevant matters.... One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal.'*

10.39 *Reviews*

Interested parties or responsible authorities can make requests for a review of a premises licence; however, it is for the Licensing Authority to decide whether to accept or reject an application to review a premises licence~~the review is to be carried out~~. This will be on the basis of whether the request for the review is relevant to the matters listed below; ~~as well as consideration as to whether the request is frivolous, vexatious or will certainly not cause this Authority to wish to alter/voke/suspend the licence. Further, whether it is substantially the same as previous representations or requests for review unless there is a material change in circumstances in accordance with;~~

- any relevant code of practice issued by the Gambling Commission;
- any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- the authority's statement of gambling policy.

It will also ~~as well as consideration as to whether the request is frivolous, vexatious or will certainly not cause this Authority to wish to alter/voke/suspend the licence or to remove, amend or attach conditions on the premises licence. Further, whether it is substantially the same as previous representations or requests for review or are substantially the same as representations made at the time the application for a premises licence was considered. unless there is a material change in circumstances in accordance with;~~

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The Licensing Authority can also initiate a review of a licence if:

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- it has reason to suspect that premises licence conditions are not being observed
- the premises is operating outside the principles set out in the licensing authority's statement of policy
- there is evidence to suggest that compliance with the licensing objectives is at risk
- for any other reason which gives them cause to believe that a review may be appropriate such as a complaint from a third party~~on the basis of any reason, which it thinks is appropriate.~~

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10.40 The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence, namely:

- add, remove or amend a licence condition imposed by the licensing authority
- exclude a default condition imposed by the Secretary of State (for example, relating to opening hours) or remove or amend such an exclusion
- suspend the premises licence for a period not exceeding three months
- revoke the premises licence.

The licensing authority expects all premises licence applications to specify opening hours. Particular attention will be paid to the opening hours for Adult Gaming Centres and Family Entertainment Centres, which do not have opening hours specified as part of their mandatory conditions.

11. Permits, Temporary and Occasional Use Notices

11.1 *Unlicensed Family Entertainment Centre gaming machine permits*

Statement of Principles on Permits - Schedule 10 paragraph 7 to the Gambling Act

Where an operator does not hold a premises licence but wishes to provide gaming machines, an applicant may apply to the Licensing Authority for this permit. It should be noted that the applicant must show that the premises will be wholly, or mainly, used for making gaming machines available for use (Section 238).

11.2 The Act states that a Licensing Authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit, and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives. Further, it shall have regard to any relevant guidance issued by the Commission under section 25.

The Gambling Commission's Guidance for Licensing Authorities also states that, '*in [the Authorities] policy statement, a licensing authority may include a statement of principles that it proposes to apply when exercising its functions in considering applications for permits. ...licensing authorities may wish to give weight to matters relating to protection of children from being harmed or exploited by gambling and to ensure that staff supervision adequately reflects the level of risk to this group,*' (24.8).

11.3 The Guidance also states that an application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed Family Entertainment Centre (FEC), and if the Chief Officer of Police has been consulted on the application. The Licensing Authority may also consider asking 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 employees are trained to have a full understanding of the maximum stakes and prizes. (24.9).

It should be noted that a Licensing Authority cannot attach conditions to this type of permit.

11.4 Statement of Principles

[This Licensing Authority is yet to adopt a formal "Statement of Principles" in relation to family entertainment centre gaming machine permits](#) however; it expects the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficacy of such policies and procedures will each be considered on their merits, however, they may include appropriate measures/training for staff as regards to;

- suspected truanting school children on the premises,
- measures/training covering how staff would deal with unsupervised very young children being on the premises, or

- children causing perceived problems on or around the premises.

This Licensing Authority will also expect, as per Gambling Commission Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs. Further, 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.

11.5 (Alcohol) Licensed premises gaming machine permits

(Schedule 13 paragraph 4(1) to the Act)

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. The premises merely need to notify the Licensing Authority. The Licensing Authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the 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 Act has been committed on the premises.

11.6 If a premises wishes to have more than two machines then it needs to apply for a permit and the Licensing Authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Act, and “such matters as they think relevant.” The Licensing Authority considers that “such matters” will be decided on a case-by-case basis but generally, there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling or at risk of child sexual exploitation.

The Authority will also expect the applicant to satisfy it that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures, which will satisfy the Authority that there will be no access, may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be helpful. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for customers who may have a gambling addiction, from organisations such as GamCare and GambleAware.

Pubs that choose to make machines available to the public must only do so during the hours that the premises licence allows the sale of alcohol. They should also adhere to the Code of practice for gaming machines in clubs and premises with an alcohol licence.

It should be noted that the Licensing Authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. The Licensing Authority cannot attach cConditions (other than these) cannot be attached to the applicant's permit.

11.7 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machines. Notifications and applications for ~~two or~~ three machines will generally be dealt with by Licensing Authority officers. Those for four or five machines will be determined by Licensing Officers in consultation with the Chair of the Licensing Committee, and applications for six or more machines will be referred to a Licensing Sub-Committee.

11.8 *Prize Gaming Permits*

(Statement of Principles on Permits - Schedule 14 paragraph 8 (3) to the Act)

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

The Licensing Authority has prepared a Statement of Principles, which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- that the gaming offered is within the law;
- clear policies that outline the steps to be taken to protect children from harm;
- that they meet the objective of carrying out gambling openly and fairly; and,
- that the premises are mainly or wholly used for gambling purposes.

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

11.10 Permit holders must comply with the mandatory conditions of the Act.

11.11 *Club Gaming and Club Machines Permits*

Members Clubs and Miners' Welfare Institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in regulations. A Club Gaming machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).

11.12 The Licensing Authority has to satisfy itself that the club meets the requirements of the Act to obtain a club gaming permit. In doing so it will take account of a number of matters as outlined in sections 25.46-25.49 of the Gambling Commission's Guidance.

These include the constitution of the club, the frequency of gaming, and ensuring that there are more than 25 members. The club must be conducted 'wholly or mainly' for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs.

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

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

11.14 There is also a 'fast-track' application procedure available under the Act for premises, which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). It should be noted that commercial clubs cannot hold Club Premises Certificates under the Licensing Act 2003 and so cannot use the fast-track procedure. As the Gambling Commission's Guidance for Licensing Authorities states: *Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced.*" and *"The grounds on which an application under the process may be refused are:*

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

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

11.15 *Temporary Use Notices (TUN)*

There are a number of statutory limits as regards temporary use notices. It is noted that the Gambling Commission Guidance states that 'The meaning of "premises" in part 8 of the Act is discussed in Part 7 of this guidance. The definition of '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, licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises. For example, a large exhibition centre with a number of exhibition halls may come within the definition of 'premises'. A TUN should not then be granted for 21 days in respect of each of its exhibition halls.

In relation to other covered areas, such as shopping centres, the Licensing Authority will need to consider whether different units are in fact different 'sets of premises', given that they may be occupied and controlled by different people. The Licensing Authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.

The Licensing Authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence. The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices and, at the time of writing this Statement, the relevant regulations are The Gambling Act 2005 (Temporary Use Notices) Regulations 2007. These Regulations state that Temporary Use Notices can only be used to permit the provision of facilities for equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

11.16 *Occasional Use Notices:*

This notice allows for betting on a track without the need for a premises licence on 8 days or less in a calendar year. The Licensing Authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The Licensing Authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

12. **Small Society Lotteries**

12.1 Under the Act, a lottery is unlawful unless it runs with an operating licence or is an exempt lottery. The Licensing Authority will register and administer small society lotteries (as defined). Promoting or facilitating a lottery will fall within 2 categories:

- licensed lotteries (requiring an operating licence from the Gambling Commission); and
- exempt lotteries (including small society lotteries registered by the Licensing Authority)

12.2 Exempt lotteries are lotteries permitted to run without a licence from the Gambling Commission and these are:

- small society lotteries;
- incidental non-commercial lotteries;
- private lotteries;
- private society lotteries;
- work lotteries;
- residents' lotteries;
- customer lotteries;

12.3 Societies may organise lotteries if they are licensed by the Gambling Commission or fall within the exempt category. The Licensing Authority recommends those seeking to run lotteries take their own legal advice on which type of lottery category they fall within. Guidance notes on small society lotteries, limits placed on them and information setting out financial limits can be found on the Council's web-site at

<https://www.havering.gov.uk/Pages/ServiceChild/FAQ-lotteries-licence.aspx>

by email at licensing@havering.gov.uk

- 12.4 Applicants for registration of small society lotteries must apply to the Licensing Authority in the area where their principal office is located. Where the Licensing Authority believes that the Society's principal office is situated in another area it will inform the Society as soon as possible and where possible, will inform the other Licensing Authority.
- 12.5 Lotteries will be regulated through a licensing and registration scheme, conditions imposed on licences by the Gambling Commission, codes of practice and any guidance issued by the Gambling Commission. In exercising its functions with regard to small society and exempt lotteries, the Licensing Authority will have due regard to the Gambling Commission's guidance.
- 12.6 The Licensing Authority will keep a public register of all applications and will provide information to the Gambling Commission on all lotteries registered by the Licensing Authority. As soon as the entry on the register is completed, the Licensing Authority will notify the applicant of his registration. In addition, the Licensing Authority will make available for inspection by the public the financial statements or returns submitted by societies in the preceding 18 months and will monitor the cumulative totals for each society to ensure the annual monetary limit is not breached. If there is any doubt, the Licensing Authority will notify the Gambling Commission in writing, copying this to the Society concerned. The Licensing Authority will accept return information either manually but preferably electronically by emailing: licensing@havering.gov.uk.
- 12.7 The Licensing Authority will refuse applications for registration if, in the previous five years, either an operating licence held by the applicant for registration has been revoked, or an application for an operating licence made by the applicant for registration has been refused. Where the Licensing Authority is uncertain as to whether or not an application has been refused, it will contact the Gambling Commission to seek advice.
- 12.8 The Licensing Authority may refuse an application for registration if in their opinion:
- the applicant is not a non-commercial society;
 - a person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence; or
 - information provided in or with the application for registration is false or misleading.
- 12.9 The Licensing Authority will ask applicants to set out the purposes for which the Society is established and will ask the Society to declare that they represent a bona fide non-commercial society and have no relevant convictions. The Licensing Authority may also seek further information from the Society.
- 12.10 Where the Licensing Authority intends to refuse registration of a Society, it will give the Society an opportunity to make representations and will inform the Society of the reasons why it is minded to refuse registration, and supply evidence on which it has reached that preliminary conclusion.

- 12.11 The Licensing Authority may revoke the registered status of a Society if it thinks that it would have had to, or would be entitled to; refuse an application for registration if it were being made at that time. However, no revocations will take place unless the Society has been given the opportunity to make representations. The Licensing Authority will inform the Society of the reasons why it is minded to revoke the registration and will provide an outline of the evidence on which it has reached that preliminary conclusion.
- 12.12 Where a Society employs an external lottery manager, it will need to satisfy itself that the manager holds an operator's licence issued by the Gambling Commission, and the Licensing Authority will expect this to be verified by the Society.

13. OTHER INFORMATION

13.1 The Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. The Borough has an Equal Opportunities Policy and this revised Statement of Licensing Policy will be monitored for any adverse impact on the promotion of opportunities for all.

13.2 Under the Act the Licensing Authority must carry out a review of its ~~Gambling~~Licensing Policy Act every three years. In accordance with the Act, the Licensing Authority intends to carry out a further full review of its policy no later than ~~2018-2021~~2023 and, prior to publishing the revised version, it intends to consult fully with those groups and individuals consulted on this version.

In addition, within the three-year period the Licensing Authority will review its ~~g~~Statement of ~~G~~ambling ~~p~~Policy whenever it feels that relevant issues have arisen - for example, if any further significant amendments are made to the Act, Guidance or Codes of Practice.

Appendix A: Glossary of Terms

Casino Premises Licence Categories	a) Regional Casino Premises Licence b) Large Casino Premises Licence c) Small Casino Premises Licence d) Casinos permitted under transitional arrangements.
Child	Individual who is less than 16 years old
Code of Practice	Means any relevant code of practice under section 24 of the Act
Default Conditions	Conditions that will apply through Statute unless the Licensing Authority decide to exclude them. This may apply to all Premises Licences, to a class of Premises Licence or Licences for specified circumstances.
Lottery	An arrangement where 1) persons are required to pay to participate in the arrangement 2) in the course of the arrangement, one or more prizes are allocated to one or more members of a class 3) the prizes are allocated by a series of processes, and 4) the first of those processes relies wholly on chance.
Exempt Lotteries	Lotteries specified in the Act as permitted to be run without a licence from the Gambling Commission. There are 4 types: 1. Small Society Lottery (required to register with Licensing Authorities. 2. Incidental Non Commercial Lotteries e.g. Raffle at a dance/church fair. 3. Private Lotteries e.g. Raffle at a student hall of residence 4. Customer Lotteries e.g. Supermarket holding a hamper raffle
External Lottery Manager	An individual, firm or company appointed by the Small Lottery Society to manage a lottery on their behalf. They are consultants who generally take their fees from the expenses of the lottery.
Large Lottery	Where the total value of tickets in any one lottery exceeds £20,000 OR tickets in separate lotteries in one calendar year exceeds £250,000. This requires an Operating Licence.
Licensing Committee	A committee of 10 to 15 Councillors appointed by the Council to represent the Licensing Authority in Gambling matters.
Licensing Sub Committee	A sub-committee of members appointed from the Licensing Committee to whom the functions of the licensing committee can be delegated under the Act to determine applications.
Mandatory Conditions	Conditions that must be attached to a licence. This may apply to all Premises Licences, to a class of Premises Licence or licences for specified circumstances.
Operating Licences	Licences to permit individuals and companies to provide facilities for certain types of gambling. They may authorise remote or non-remote gambling.
Personal Licence	Formal authorisation to individuals who control facilities for gambling or are able to influence the outcome of gambling. These cannot be held by companies.
Premises Licence	Licence to authorise the provision of gaming, facilities on casino premises, bingo premises, betting premises, including tracks, adult gaming centres and some family entertainment centres.
Premises -	Premises is 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 in the circumstances. However, the Gambling Commission does not consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.
Private Lotteries	3 Types of Private Lotteries: 1. Private Society Lotteries – tickets may only be sold to members of the Society or persons who are on the premises of the Society 2. Work Lotteries – the promoters and purchasers of tickets must all work on a single set of work premises 3. Residents' Lotteries – promoted by, and tickets may only be sold to people who live at the same set of premises
Prize Gaming	Where the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before play commences.
Small Lottery	Where the total value of tickets in a single lottery is £20,000 or less and the aggregate value of the tickets in a calendar year is £250,000 or less.
Small Society Lottery	A lottery promoted on behalf of a non-commercial society, i.e. lotteries intended to raise funds for good causes.
Provisional Statement	Where an applicant can make an application to the Licensing Authority in respect of premises that he: <ul style="list-style-type: none"> • Expects to be constructed • Expects to be altered • Expects to acquire a right to occupy.
Temporary Use Notice	To 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.
Vehicles	Defined as trains, aircraft, seaplanes and amphibious vehicles other than hovercraft. No form of commercial betting and gaming is permitted.

Appendix B: Delegation of Functions

Matter to be dealt with	Full Council	Sub-committee of Licensing Committee	Officers
Final approval of 3 year Licensing Policy	X		
Policy not to permit casinos	X		
Fee setting (when appropriate)		X	
Application for premises licence		Where representations have been received and not withdrawn	Where no representations received/ Representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/ Representations have been withdrawn
Application for a transfer of a licence		Where representations have been received and not withdrawn	Where no representations received/ Representations have been withdrawn
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/ Representations have been withdrawn
Review of a premises licence		X	
Application for a club gaming/club machine permit		Where representations have been received and not withdrawn	Where no representations received/ Representations have been withdrawn
Cancellation of a club gaming/club machines permit			
Application for other permits			X
Alcohol licenced		6 or more	3-5 machines

premises gaming machine permits		machines	with Chair of Licensing Committee. 3 Machines.
Cancellation of licensed premises gaming machine permit			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

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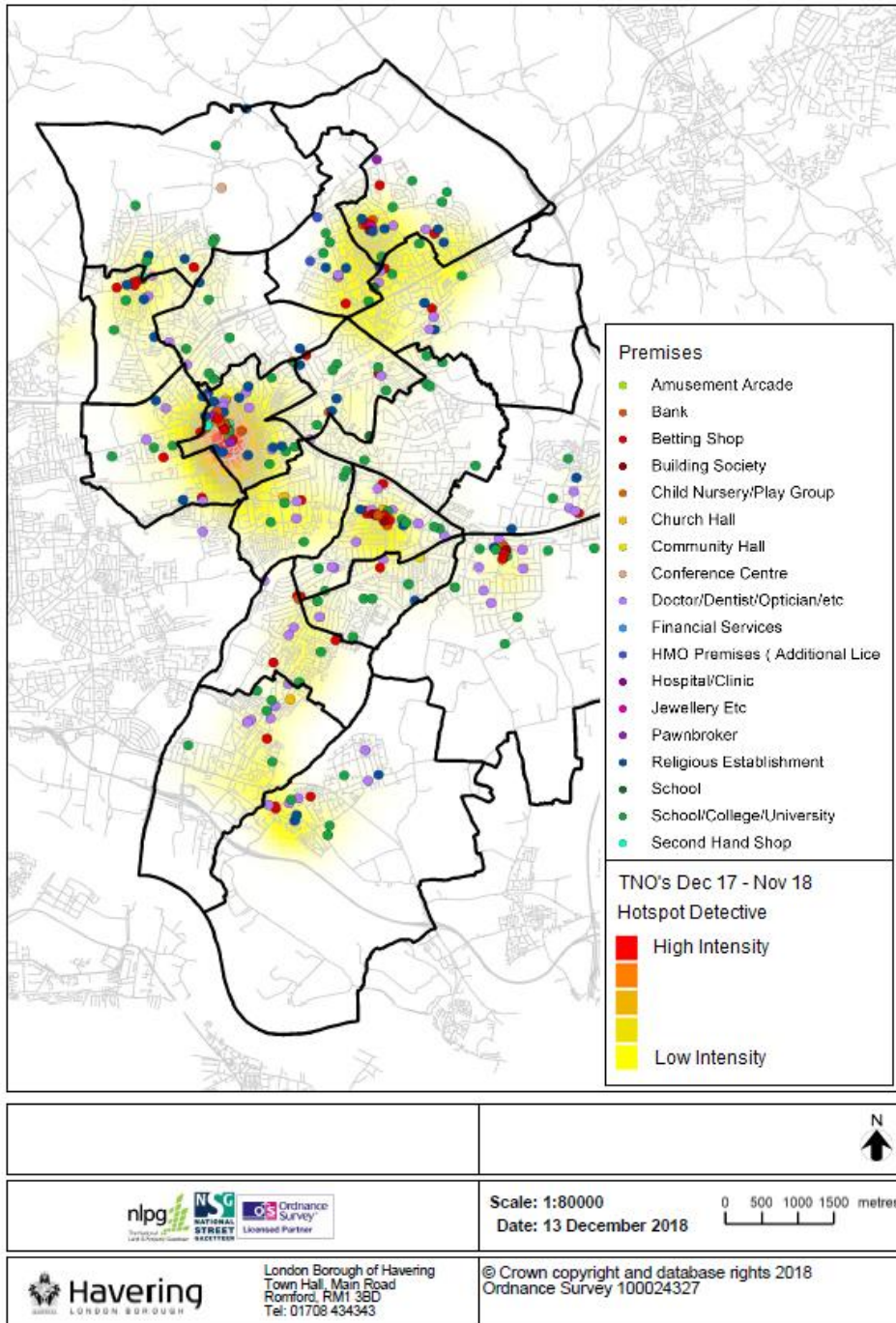
Appendix C: Categories of Gaming Machines

Machine category	Maximum stake (from April 2019 <u>January 2014</u>)	Maximum prize (from April 2019 <u>January 2014</u>)	Allowed premises
A	unlimited	unlimited	Regional casino
B1	£5	£10,000 (with an option of a maximum £20,000 linked to a progressive jackpot on a premises basis only)	Large casino, small casino, pre- Act Casino and Regional Casino.
B2	£2400	£500	Betting premises and tracks occupied by pool betting and all of the above
B3	£2	£500	Bingo premises, adult gaming centre and all of the above
B3A	£2	£500	Members club or Miners Welfare institute only
B4	£2	£400	Members club or miners welfare club, commercial club and all of the above
C	£1	£100	Family entertainment centre (with Commission operating licence, qualifying alcohol licenced premises (without) additional gaming machine permit), qualifying alcohol licenced premises (with additional LA gaming machine permit) and all of the above
D money prize	10p	£5	Travelling fairs, unlicensed (permit) Family entertainment centre and all of the above
D non-money prize (other than crane grab machine)	30p	£8	All of the above
D non-money prize (crane grab	£1	£50	All of the above

machine)			
D combined money and non-money prize (other than coin pusher or penny falls machines)	10p	£8 (of which no more than £5 may be money prize)	All of the above
D combined money and non-money prize (coin pusher or	20p	£20 (of which no more than £10 may be a money prize)	All of the above.

Appendix D: Local Area Profile for Total Notifiable Offences*

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*Total Notifiable Offences (TNO's) for the borough include all crimes such as violence against the person, burglary, robbery, sexual offences, motor vehicle fraud and theft.

Appendix E: List of Consultees

The Gambling Act 2005 contains details of the consultees that are to be consulted as part of the review of the policy. These are:

The Chief Officer of Police for the authority's area;

One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area;

One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act.

The following are also included in the consultation:

Association of British Bookmakers

Bingo Association

BACTA (Amusement and Gaming Machine Industry)

Children's Services (Responsible Authority under the Gambling Act)

Economic Development/Regeneration

Environmental Health (Responsible Authority under the Gambling Act)

Gamble Aware

Gamblers Anonymous

Gambling Commission

Gamcare

Havering Chamber of Commerce

Havering Community Safety Partnership

HMRC (Responsible Authority under the Gambling Act)

London Fire Brigade (Responsible Authority under the Gambling Act)

Planning (Responsible Authority under the Gambling Act)

Westminster drug project

Havering LGBT Forum

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Appendix 2

**Consultation Results Summary Report
Statement of Gambling Policy 2019-2022**

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Contents

1. Introduction

2. Consultation Activity undertaken

3. Summary of Survey Results

4. Council's response to key issues raised by respondents

5. Conclusion

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1. Introduction

Section 349(3) of the Gambling Act 2005 states that: In preparing a statement or revision under this section a licensing authority shall consult:

(a) either—

(i) in England and Wales, the chief officer of police for the authority's area, or

(ii) in Scotland, the chief constable of the police force maintained for the police area comprising that area,

(b) one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area, and

(c) one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under this Act.

2. Consultation Activity Undertaken

The Gambling Commission do not recommend any minimum consultation period. As the changes were relatively minor it was felt that an eight week consultation period was appropriate.

This consultation commenced on 30th September 2019 and continued for the eight weeks, ending at midnight on 25th November 2019.

The Council's proposals were summarised in a consultation document that was made available in the consultation pages of the Council's website. Responses to the proposals were invited via an online survey/questionnaire (hard copies were also available on request) and through individual written reply by letter or email.

The consultation was publicised in the following ways:

- A press release was issued to launch the consultation on 4th October 2019
- The link to the consultation has been on the Local Authority website throughout the consultation period.
- An email or letter was sent to all of the consultees listed in Appendix E of the Draft Statement of Gambling Policy.
- The consultation was publicised in the September and October editions of the Safer Havering-Safety & Enforcement Newsletter.

- The consultation has been publicised on social media on most days including weekends during the consultation period. The messaging was varied between promoting the consultation as a whole and promoting the key messaging.
- Social media data:
 - On average there were between 840 and 1283 impressions on all posts throughout the consultation [impressions are the number of times a tweet shows up in somebody's timeline]
 - Engagement on posts averaged between 1-9 per post with the highest engagement of 14, 16, & 17 on 3 separate posts [Engagement is total number of times a user interacted with a post. Clicks anywhere on the Tweet/post, including Retweets, replies, follows, likes, links, cards, hashtags, embedded media, username, profile photo]
- Inclusion of relevant cabinet member in communications [Before Purdah]
- All officers within Public Protection have added the consultation link to their email footers during the consultation period.

3. Summary of Survey Results

Full responses to the online survey were received from 5 participants.

Table 1 summarises the responses received to key questions about the consultation scheme:

Table 1

Question	Response Yes	Response No	Comments
In paragraphs 7.4 & 10.35, we have clarified issues that we will consider as part of our risk based approach to inspections. Do you agree these changes are beneficial?	5 (100%)	0	
Section 8 is a new section which sets out the Licensing Authority's principles relating to protecting children and other vulnerable persons from being harmed or exploited by gambling. Do you agree these changes are beneficial?	5 (100%)	0	
10.19 We are encouraging applicants to conduct Local Risk Assessments (LRAs)	5 (100%)	0	

<p>and keep a copy at the premises available for inspection.</p> <p>Do you agree with this proposal?</p>			
<p>10.22 & 10.23 We expect applicants to follow the Gambling Commissions advice regarding self-exclusion.</p> <p>Do you agree with this proposal?</p>	5 (100%)	0	
<p>10.24 We have added examples of conditions that applicants may wish to offer when applying for a licence.</p> <p>Are these suggested conditions helpful?</p>	5 (100%)	0	
<p>10.30 Adult Gambling Centres- We are requiring all licences to include procedures designed to prevent underage gambling.</p> <p>Do you agree with this proposal?</p>	5 (100%)	0	
<p>11.6 Gaming Machine Permits- The authority expects operators to provide information leaflets and helpline numbers to protect vulnerable persons.</p> <p>Do you agree with this proposal?</p>	4 (80%)	1 (20%)	Pamphlets are great, but many addicts are oblivious to their condition. You need practical measures, eg max 1 hour on machines.
<p>Are there any other comments you wish to make in respect of the policy? - Please answer below</p>			A reduction in the number of licensed premises for gambling overall would be more beneficial to the local environment.

The Authority received two other responses in relation to the consultation. These were both received by email to the licensing mailbox.

4. Council's response to key issues raised by respondents

General comments about the proposed Statement of Gambling Policy were received both as part of the online consultation and in the form of emails which were sent directly to the Licensing email account. A total of 4 comments were received which were generally in relation to the potential harm caused by gambling. The responses to the comments are given below in table 2.

Table 2

Body or Organisation	Consultation Representation	Response
Not specified	Pamphlets are great, but many addicts are oblivious to their condition. You need practical measures, eg max 1 hour on machines.	<p>The Gambling Act 2005 does not give the legal power to restrict the duration that users may use gaming machines in alcohol licensed premises.</p> <p>The Licensing Authority would recommend however that the Gaming Machine in Pubs guidance issued by the Gambling Commission is adopted by all operators within the borough. The following paragraph is to be added to the draft policy document at section 11.6:</p> <p><i>'Pubs that choose to make machines available to the public must only do so during the hours that the premises licence allows the sale of alcohol. They should also adhere to the Code of Practice for Gaming Machines in Clubs and Premises with an Alcohol Licence'</i></p>

Not specified	A reduction in the number of licensed premises for gambling overall would be more beneficial to the local environment.	The Gambling Act 2005 does not give the legal power to restrict the number of gambling premises in a Licensing Authorities area.
Not specified	<p>I am extremely pleased that someone is trying to help the sorry number of people effected by this horrendous vice.</p> <p>My son has lost his family and no end of jobs, due to his serious gambling addiction. He has attempted suicide, bankrupt and still will not be left alone by unscrupulous businesses that continue to tempt him back, every time he has tried to stop by offering him free bets. I have financially supported him, making myself go without. He is perused by debt collectors.</p> <p>It is only a question of time before he will succeed in his deep depressive state to end his life.</p> <p>No on understands a man that has such deep addiction and cannot seek help.</p> <p>To date I have kept him off the streets, but my money is coming to an end ... this is just one of many sad stories.</p> <p>It is my only wish that I never have to be at his funeral.</p> <p>All in the name of 'Gambling ' Do your best to help clean the world of this .. shut those gambling shops down, as far as I am concerned. The very least shut them on a Sunday and in the evenings!!!</p>	<p>The Gambling Act 2005 does not give the legal power to restrict the operating hours of premises in a Licensing Authorities area.</p> <p>Operating hours are subject to the appropriate planning permission for each individual premises.</p> <p>This Licensing Authority will however ensure that premises that undermine the gambling objectives are investigated and appropriate action taken.</p> <p>It is our opinion that this policy takes a more proactive stance towards tackling gambling related harm and the protection of children and vulnerable persons from gambling than the previous policy.</p>

<p>GamCare</p>	<p>While we do not have the resources available to allow us to personally respond to each Local Authority which contacts us regarding their refreshed Statement of Principles, we have compiled a list of the issues or factors which we think it would be helpful to consider below, more information is available via the Gambling Commission.</p> <p>The function of the Statement is to reflect locally specific gambling concerns and to reflect the Council's wider strategic objectives. The active use of the Statement is one means by which you can make clear your expectations of gambling operators who have premises in your area. This allows operators to respond to locally specific requirements and adjust their own policies and procedures as required.</p> <ul style="list-style-type: none"> • A helpful first step is to develop a risk map of your local area so that you are aware of both potential and actual risks around gambling venues. A useful explanation of area-based risk-mapping has been developed with Westminster and Manchester City Councils, which gives some guidance on those who may be most vulnerable or at-risk of gambling-related harm. For more information please see www.geofutures.com/research-2/gambling-related-harm-how-local-space-shapes-our- 	<p>In reviewing the policy post consultation most of these items have been covered and there were only a few revisions made:</p> <p><i>Does the operator have a specific training programme for staff to ensure that they are able to identify children and other vulnerable people, and take appropriate action to ensure they are not able to access the premises or are supported appropriately?</i></p> <p>Vulnerable adults are to be added at section 8.2 as well as children.</p> <p><i>Consider whether any promotional material associated with the premises could encourage the use of the premises by children or young people if they are not legally allowed to do so.</i></p> <p>This is to be added as a bullet at 8.3</p> <p><i>We would suggest that the Local Licensing Authority primarily consider applications from operators who have achieved our Safer Gambling Standard.</i></p> <p>A bullet point at paragraph 8.3 is to be added stating</p>
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	<p>understanding-of-risk/</p> <ul style="list-style-type: none"> • Consider that proposals for new gambling premises which are near hostels or other accommodation or centres catering for vulnerable people, including those with learning difficulties, and those with gambling / alcohol / drug abuse problems, as likely to adversely affect the licensing objectives set out by the Gambling Commission. This is also relevant regarding the proximity to schools, colleges and universities. • A detailed local risk assessment at each gambling venue – pertinent to the environment immediately surrounding the premises as well as the wider local area – is a good way to gauge whether the operator and staff teams are fully aware of the challenges present in the local area and can help reassure the Local Licensing Authority that appropriate mitigations are in place. • Does the operator have a specific training programme for staff to ensure that they are able to identify children and other vulnerable people, and take appropriate action to ensure they are not able to access the premises or are supported 	<p>“The Licensing Authority would encourage operators to participate in voluntary best practice or certification schemes to assist in their promotion of the objective of protecting children and other vulnerable persons from being harmed or exploited by gambling”</p>
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	<p>appropriately?</p> <ul style="list-style-type: none"> • Does the operator ensure that there is an adequate number of staff and managers are on the premises at key points throughout the day? This may be particularly relevant for premises situated nearby schools / colleges / universities, and/or pubs, bars and clubs. • Consider whether the layout, lighting and fitting out of the premises have been designed so as not to attract children and other vulnerable persons who might be harmed or exploited by gambling. • Consider whether any promotional material associated with the premises could encourage the use of the premises by children or young people if they are not legally allowed to do so. <p>We would suggest that the Local Licensing Authority primarily consider applications from operators who have achieved our Safer Gambling Standard.</p>	
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5. Conclusion

It is clear from the online survey that there is overall support for the Statement of Licensing Policy 2019-22. A few responses expressed concern about the potential harm of gambling and expressed a desire to see a reduction in the number of premises or the hours that they operated.

It is our opinion that this policy takes a more proactive stance towards tackling gambling related harm and the protection of children and vulnerable persons from gambling than the previous policy.

The Gambling Act 2005 does not give the legal power to restrict the number of gambling premises in a Licensing Authorities area. However the Licensing Authority will ensure that premises that undermine the gambling objectives are investigated and appropriate action taken.

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Equality & Health Impact Assessment (EqHIA)

Document control

Title of activity:	Adoption of the Statement of Gambling Policy 2020-2023
Lead officer:	Keith Bush, Public Protection Manager (Licensing and Trading Standards) 01708 433425 Keith.bush@havering.gov.uk
Approved by:	Dipti Patel, Assistant Director, Environment
Date completed:	3/12/19
Scheduled date for review:	The Statement of Gambling Policy needs to be reviewed every three years. It will next be reviewed in July 2023.

Please note that the Corporate Policy & Diversity and Public Health teams require at least **5 working days** to provide advice on EqHIAs.

Did you seek advice from the Corporate Policy & Diversity team?	Yes
Did you seek advice from the Public Health team?	Yes
Does the EqHIA contain any confidential or exempt information that would prevent you publishing it on the Council's website?	No

Please note that EqHIAs are **public** documents and must be made available on the Council's [EqHIA webpage](#).

Please submit the completed form via e-mail to EqHIA@havering.gov.uk thank you.

1. Equality & Health Impact Assessment Checklist

Please complete the following checklist to determine whether or not you will need to complete an EqHIA and ensure you keep this section for your audit trail. If you have any questions, please contact EqHIA@havering.gov.uk for advice from either the Corporate Diversity or Public Health teams. Please refer to the Guidance in Appendix 1 on how to complete this form.

About your activity

1	Title of activity	Adoption of the Statement of Gambling Policy 2020-23		
2	Type of activity	Adoption of a Statement of Gambling Policy		
3	Scope of activity	<p>It is a legal requirement under s349 of the Gambling Act 2005 for each licensing authority to prepare a statement of principles that they propose to apply when exercising their licensing function. The Authority is required to review the policy at least every 3 years.</p> <p>The London Borough Of Havering's current Statement of Gambling Policy 2016-2019 was agreed by Full Council on 25th November 2015 and a revised policy therefore needs to be considered. The Statement of Gambling Policy is the primary document for setting out the Council's local approach to gambling regulation. Officers have reviewed the existing Policy and concluded that it would be appropriate to make revisions.</p> <p>Before the licensing authority publishes, its statement of licensing principles it must carry out a public consultation. This consultation was undertaken for eight weeks between 30th September 2019 and 25th November 2019.</p> <p>The Statement of Gambling Policy needs to be agreed by Cabinet before going to Full Council for final approval.</p>		
4a	Are you changing, introducing a new, or removing a service, policy, strategy or function?	Yes	If the answer to <u>any</u> of these questions is 'YES', please continue to question 5.	If the answer to <u>all</u> of the questions (4a, 4b & 4c) is 'NO', please go to question 6.
4b	Does this activity have the potential to impact (either positively or negatively) upon people (9 protected characteristics)?	Yes		
4c	Does the activity have the potential to impact (either positively or negatively) upon	Yes		

	any factors which determine people's health and wellbeing?			
5	If you answered YES:	Please complete the EqHIA in Section 2 of this document. Please see Appendix 1 for Guidance.		
6	If you answered NO:	N/A		

Completed by:	Keith Bush, Public Protection Manager (Licensing and Trading Standards) Environment Directorate 01708 433425 Keith.bush@haverling.gov.uk
Date:	3/12/19

2. The EqHIA – How will the strategy, policy, plan, procedure and/or service impact on people?

Background/context:
<p>The Gambling Act 2005 (the "Act") requires this Licensing Authority to consult on and publish a Statement of Gambling Policy in relation to its responsibilities under the Act. Once published, this Policy Statement will be kept under constant review and, reviewed every three years. Before any revision of the Statement of Gambling Policy is published, this Authority will carry out a full consultation exercise on the relevant sections. The Statement of Gambling Policy has been revised after review and is for the period 2020 – 2023.</p> <p>The Gambling Commission states in the introduction to its Guidance to Licensing Authorities:</p> <p><i>'The aim of this Guidance is to ensure that every licensing authority has the information it needs to make effective decisions. It does not seek to impose a 'one size fits all' model across all licensing authorities. We recognise that every licensing authority is different and will have different views about how it wishes to manage gambling locally. Indeed, the Act establishes a high degree of local accountability for gambling regulation.</i></p> <p><i>This Guidance does not, therefore, attempt to fetter the discretion that licensing authorities have under the Act and it is not intended to replace their judgement in individual cases. Moreover, this Guidance cannot anticipate every set of circumstances that may arise and, as long as it has been understood and taken into</i></p>

account, licensing authorities may depart from it where they consider it would be right to do so. There should, however, be strong reasons for departing from this Guidance and these need to be clearly expressed and explained if a licensing authority is to avoid judicial review or challenge on appeal for failing to take this Guidance into account.'

This Policy, therefore, generally follows the principles laid down in the Gambling Commission's Guidance to Licensing Authorities.

Licensing objectives

The Act also requires this Authority to carry out its various licensing functions so as to be reasonably consistent with the following three licensing objectives:

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

As required by the Guidance issued by the Gambling Commission, the Council, in carrying out its licensing functions under the Act will aim to permit the use of premises for gambling as long as it is considered to be:-

- in accordance with any relevant code of practice issued by the Gambling Commission,
- in accordance with any relevant guidance issued by the Commission
- reasonably consistent with the licensing objectives, and
- in accordance with this Policy Statement published under section 349 of the Act

Nothing in this Statement of Gambling Policy will override the right of any person to make an application under this Act and have that application considered on its individual merits. Equally, nothing in this Statement of Gambling Policy will undermine the right of any person to make representations to an application, or seek a review of a licence where there is a legal power to do so. This Authority will ensure that, when considering applications under this legislation, it will avoid duplication with other regulatory regimes.

The London Borough of Havering has undertaken an eight week consultation. The feedback and comments have been considered and further amendments have been made where appropriate.

It can be argued that the policy itself can have positive impacts in terms of business and income generation, and for some people is fun and sociable contributing to their overall wellbeing.

However, in recognition that some groups are disproportionately affected by gambling as an activity per se, and thus has potentially negative impacts, the policy wording seeks to minimise these negative impacts. The overall impact is intended to be neutral.

Section 8 of the Gambling Policy explicitly seeks to Protect Children and other Vulnerable Persons from being harmed or exploited by Gambling, including such measures as:

- Proof of age schemes
- CCTV
- Supervision of entrances/machine areas
- Physical separation of areas
- Specific opening hours
- Self-barring schemes
- Notices/signage
- Measures/training for staff on how to deal with suspected truanting school children on the premises and how to recognise signs of potential child sexual exploitation
- clear policies that outline the steps to be taken to protect children from harm;
- Provision of information leaflets/helpline numbers for organisations such as GamCare and GambleAware.

Following the consultation all responses have been considered and where appropriate additional amendments adopted. Further controls include:

- Requiring that pubs with gaming machines adhere to the Code of Practice for Gaming Machines in Clubs and Premises with an Alcohol Licence.
- Clarify that training for staff is not only in relation to the protection of children but also other vulnerable people.
- The Licensing Authority would also encourage operators to consider participation in voluntary best practice or certification schemes to assist in their promotion of the objective of protecting children and other vulnerable persons from being harmed or exploited by gambling.

Who will be affected by the activity?

Those that use gambling premises and machines. Those that live near to and pass by gambling premises. Individuals employed within the gambling industry. It is recognised that if gaming and betting premises are well run that they provide can build community cohesion and cultural development.

The policy also recognises that negative impacts can also occur if good management practices are not followed. The revised policy addresses the need to protect children and other vulnerable persons from being harmed or exploited by gambling.

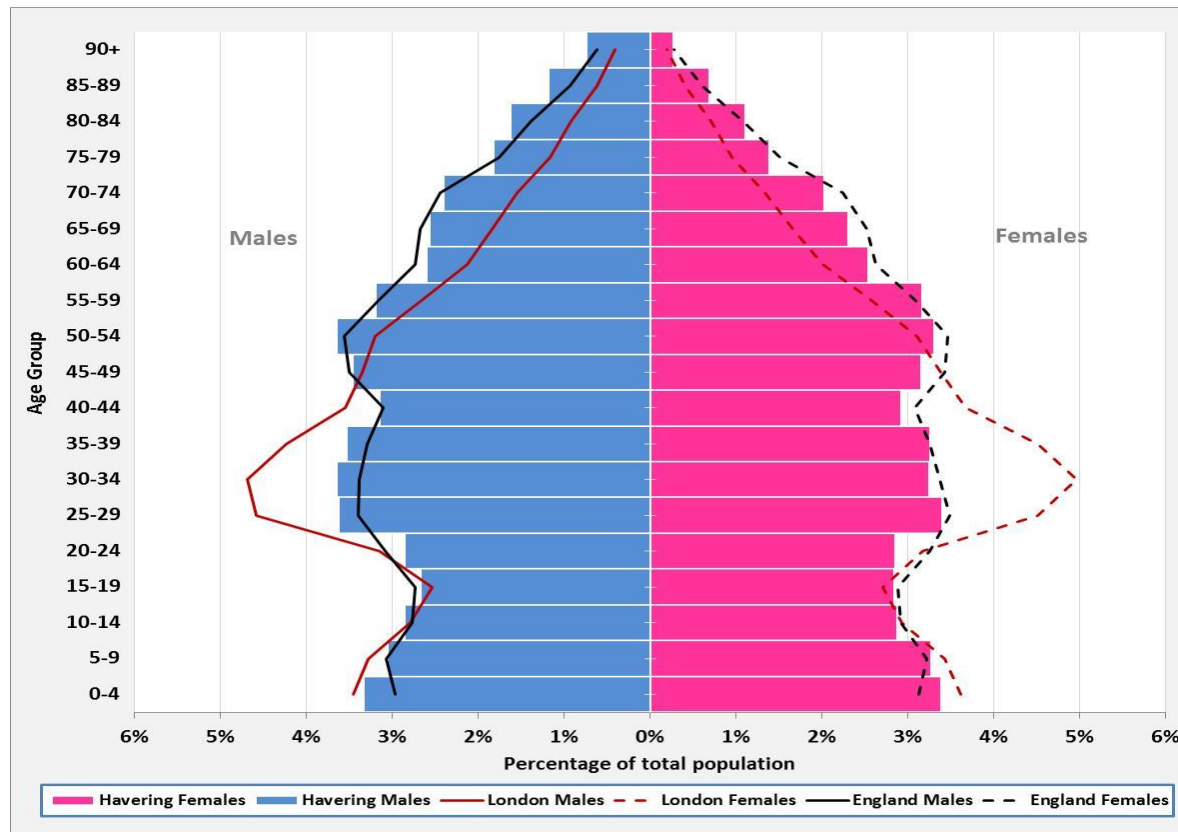
Potential negative impacts may arise in the form of noise, nuisance, disturbance and crime and disorder problems. With gaming and betting establishments, there are also risks of individual gambling addiction.

Protected Characteristic - Age:		
<i>Please tick (✓) the relevant box:</i>		<p>Overall impact: Neutral</p> <p>Those under 18 are at higher risk from gambling as an activity and those aged 25-34 are also most likely to be problem gamblers.</p> <p>The proposed statement of gambling policy is intended to address this negative issue by promoting responsible retailing and ensuring that those that apply for a license consider the impact of their business on this group.</p> <p>The policy requires them to conduct a Local Risk Assessment and act appropriately to protect children from harm. This would include considering the location of their premises in relation to premises used by children and using age verification tools such as Challenge 25 to prevent underage gambling.</p> <p>It also aims to protect vulnerable persons including considering the location of the premises in relation to premises frequented by vulnerable persons and the provision of information regarding self-exclusion and leaflets/helpline numbers for customers who may have a gambling addiction, from organisations such as GamCare and GambleAware.</p>
Positive		
Neutral	✓	
Negative		
<p>Evidence:</p> <p>The estimated population of the London Borough of Havering is 256,039.</p> <ul style="list-style-type: none"> • It has the oldest population in London with a median age of approximately 40 years old, as recorded in the 2011 census. • The Borough experienced a net population loss of 6.3% from 1983 to 2002 but the population has increased year on year from 2002, with a 13.7% increase from 2002 to 2017. • As well as increases in the number of births in Havering, there has been an increase in the general fertility rate from 58 (per 1,000 women aged 15-44) in 2004 to 68 in 2017. This equates to an additional 10 births per 1,000 women aged 15-44 within the period. • From 2011 to 2016, Havering experienced the largest net inflow of children across all London boroughs. 4,580 children settled in the borough from another part of the United Kingdom during this six-year period. • It is projected that the largest increases in population will occur in children (0-17 years) rising from 58,500 in 2018 to 72,100 in 2033 and older people age groups (65 years and above) from 46,900 in 2018 to 61,400 in 2033. • The life expectancy at birth for people living in Havering is 80.1 years for males and 84.2 years for females. • The life expectancy at age 65 years in Havering is 18.9 years for males and 21.6 years for females. 		

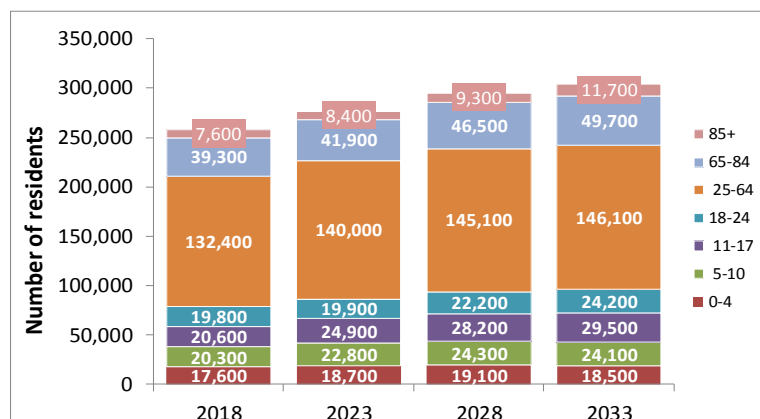
The table below shows the breakdown of current (mid-2017) population by gender and five-year age bands.

AGE BAND (YEARS)	MALE	FEMALE	PERSONS
00-04	8,671	8,553	17,224
05-09	8,371	7,820	16,191
10-14	7,359	7,306	14,665
15-19	7,277	6,833	14,110
20-24	7,316	7,308	14,624
25-29	8,688	9,295	17,983
30-34	8,325	9,355	17,680
35-39	8,344	9,038	17,382
40-44	7,491	8,078	15,569
45-49	8,064	8,879	16,943
50-54	8,463	9,333	17,796
55-59	8,103	8,183	16,286
60-64	6,504	6,664	13,168
65-69	5,903	6,577	12,480
70-74	5,191	6,158	11,349
75-79	3,539	4,672	8,211
80-84	2,836	4,157	6,993
85-89	1,756	3,032	4,788
90+	706	1,891	2,597
All Ages	122,907	133,132	256,039

The population pyramid compares the population figures for Havering with London and England by five-year age bands. The pyramid shows a much older age structure for the population of Havering compared to London but similar to England.



Projected Population Increases by Age group



Age Group	Percentage change from 2018 to		
	2023	2028	2033
0-4	6%	9%	5%
5-10	12%	20%	19%
11-17	21%	37%	43%
18-24	1%	12%	22%
25-64	6%	10%	10%
65-84	7%	18%	26%
85+	11%	22%	54%

The Gambling Commission published a document in February 2018 called ‘Gambling Participation in 2017: behaviour, awareness and attitudes.’ It found that those participating in gambling are more likely to be aged between 25 to 34 and 45 to 64.

Gambling and Young People

Whilst gambling is aimed at those over 18, it is recognised that those under 18 may be attracted to it. The Gambling Commission published a research paper entitled ‘Young People and Gambling 2018’ in November 2018. They found that:

Compared to other potentially harmful activities, the rate of gambling in the past week among young people (14%) is higher than the rates of drinking alcohol (13%), smoking cigarettes (4%) and taking illegal drugs (2%).

Problem gambling

The survey indicates that 1.7% of 11-16 year olds are problem gamblers, 2.2% are ‘at risk’ gamblers and 32.5% are non-problem gamblers. These percentages are based on the youth-adapted problem gambling screen DSM-IV-MR-J6.

These figures represent an increase compared to the rates of problem and at risk gambling seen in the 2017 survey (0.9% and 1.3% respectively). The differences can largely be attributed to a larger number of respondents qualifying for the screening questions than in

previous years, due to the addition of a question, which enabled us to identify past 12-month gamblers more accurately than before.

The Gambling Commission published a document in February 2018 called 'Gambling Participation in 2017: Behaviour, Awareness and Attitudes.' It found that those aged 25 to 34 are most likely to be classified as problem gamblers (2.0%), followed by 16-24 year olds (1.6%).

The Draft Statement of Gambling Policy has the following components which are intended to mitigate for harmful impacts including:

Applicants to use of Local Risk Assessments in relation to young persons:

- As per the Gambling Commission's Guidance for Licensing Authorities, the Licensing Authority expects operators of gambling premises to have in place policies and measures to ensure children and other vulnerable people are protected from being harmed or exploited by gambling. Harm in this context is not limited to harm from gambling but includes wider child protection considerations, including the risk of child sexual exploitation.
- The Authority will expect applicants for the new grant of, or variation to an existing, licence to also submit their LRA to comply with Social Responsibility (SR) code 10.1.1 and Ordinary code provision 10.1.2.

The Authority will expect the local risk assessment to consider:

- The location of services for children such as schools, playgrounds, leisure/community centres and other areas where children and young people will congregate such as youth clubs, parks, bus stops, cafés, shops, entertainment venues such as cinemas, bowling allies and any other place where children are attracted.
- The demographics of the area in relation to vulnerable groups and how vulnerable persons from different cultures will be protected.
- Whether the premises is in an area subject to high levels of crime and/or disorder, including areas that are prone to youths participating in antisocial behaviour, e.g. graffiti/tagging or underage drinking.
- How vulnerable people, including people with gambling dependencies are protected.
- Assessing staffing levels when a local college closes and the students begin to vacate the grounds.
- Age verification policies such as 'Challenge 25'.
- Line of sight from the counter to gambling machines
- Information held regarding self-exclusions and incidences of underage gambling.
- Whether specific measures are required at particular premises such as supervision of entrances/machines, segregation of areas etc.
- Extra controls where category C or above machines are on offer in premises to which children are admitted.
- Provision of information leaflets/helpline numbers for customers who may have a gambling addiction, from organisations such as GamCare and GambleAware.

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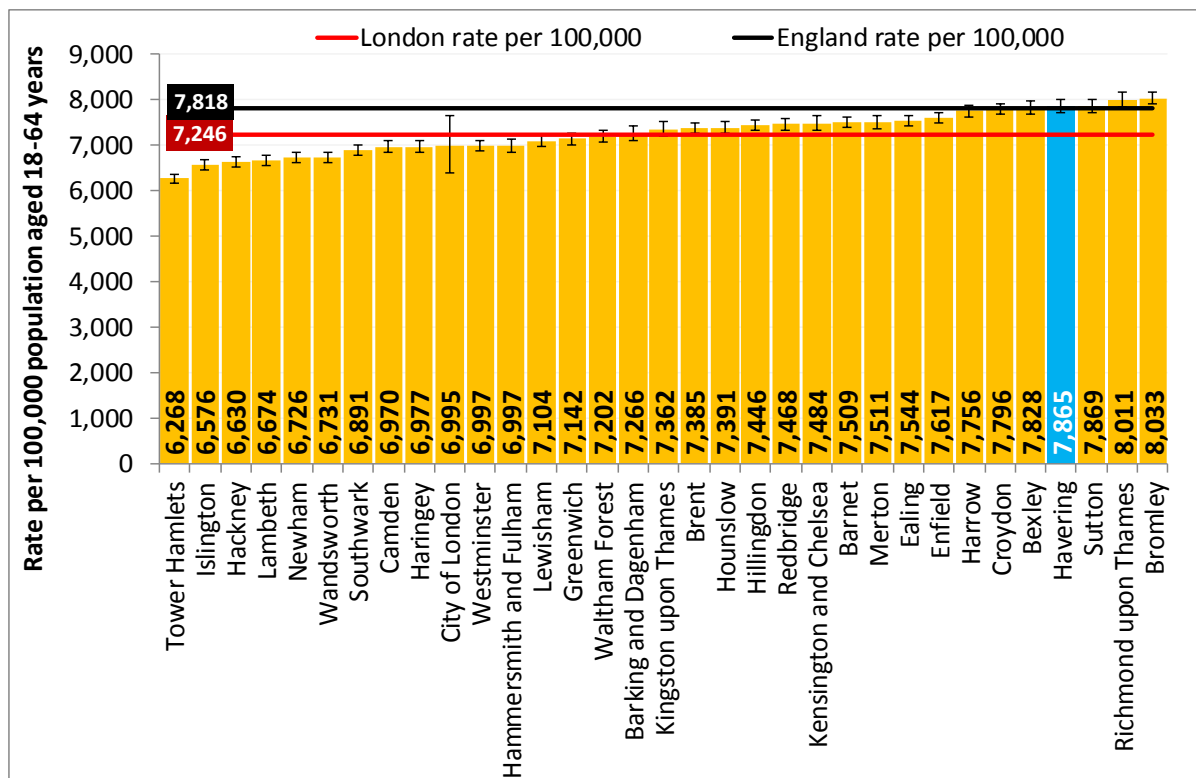
Sources used:

- This is Havering 2018 version 4.1 (August 2018) *produced by public health intelligence*
- Mid-year population estimates 2017; Office for National Statistics (ONS)
- GLA 2016 based Demographic Projections – Local Authority population projections Housing Led Model
- Gambling participation in 2017: behaviour, awareness and attitudes. February 2018, The Gambling Commission.
- Young People & Gambling 2018, A research among 11-16 year olds in Great Britain, November 2018, The Gambling Commission.

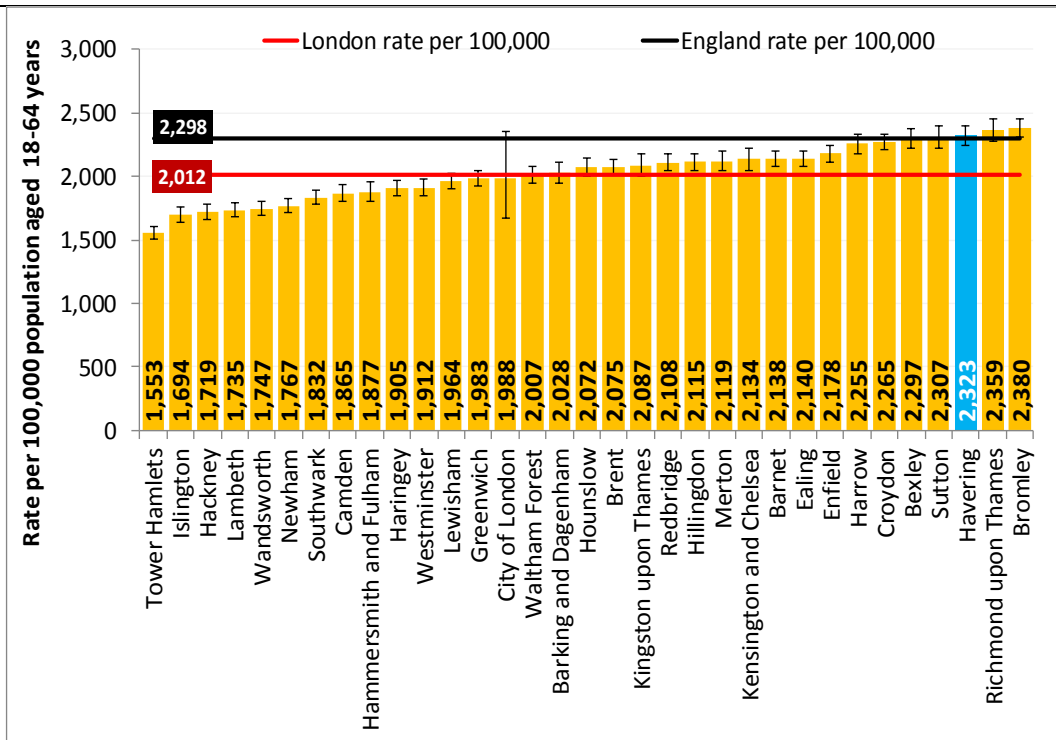
Protected Characteristic - Disability:	
Please tick (✓) the relevant box:	
Positive	<input type="checkbox"/>
Neutral	<input checked="" type="checkbox"/>
Negative	<input type="checkbox"/>
<p>Overall impact:</p> <p>Physical Disability: Neutral</p> <p>No differential impact has been identified on the grounds of this protected characteristic. The Statement of Gambling Policy proposal applies equally to all traders operating in Havering irrespective of physical disability.</p> <p>Mental Disability and those with learning difficulties: Negative</p> <p>Those with mental health illness are at higher risk from gambling as an activity. However, the proposed Statement of Gambling Policy is intended to address this negative issue by promoting responsible retailing and ensuring that those that apply for a license consider the impact of their business on this group.</p> <p>The policy requires them to conduct a Local Risk Assessment and respond appropriately to protect vulnerable persons including considering the location of the premises. This is in relation to premises frequented by vulnerable persons and the provision of information regarding self-exclusion and leaflets/helpline numbers for customers who may have a gambling addiction, from organisations such as GamCare and GambleAware.</p>	

Evidence:

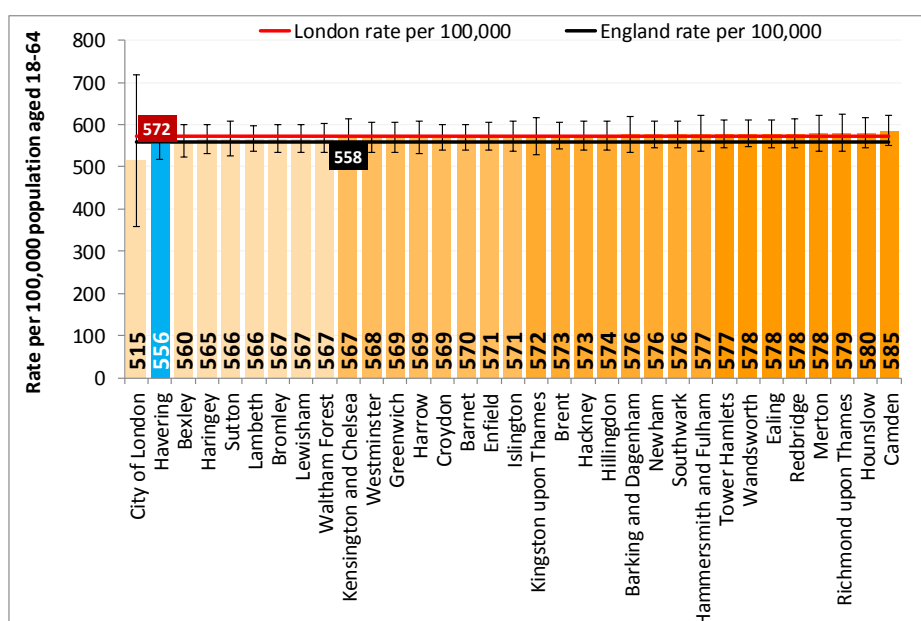
- According to the latest ONS Annual Population Survey (Jan 2015-Dec 2015), 19% of working age people living in Havering have disclosed that they have a disability or long term illness. This is a similar proportion to England (20%).
- The estimated number of people in Havering aged 18-64 living with moderate physical disabilities was 11,870 in 2017 – a rate of 7,865 per 100,000 population aged 18-64 years. This rate is one of the highest among London local authorities. It is statistically similar to England but significantly higher than the London average.



- In 2017, 3,506 adults (aged 18-64 years) were estimated to be living with serious physical disabilities in Havering. The estimated rate of serious physical disabilities in Havering (2,323 per 100,000-population aged 18-64 years) is similar to England but significantly higher than London average and one of the highest rates of London local authorities. The rationale for this is likely due to the relatively older population in Havering compared to other London boroughs.



- About 817 adults (aged 18-64 years) are estimated to be living with moderate or severe learning disabilities in Havering in 2015 and hence likely to be in receipt of health and social care services.
- The 2017 estimated rate of moderate or severe learning disabilities in Havering (556 per 100,000 persons aged 18-64 years) is similar to England. Havering is estimated to have the second lowest rate of moderate or severe learning disabilities among London local authorities.



- At least one in four people will experience a mental health problem at some point in their life and one in six adults have a mental health problem at any one time.
- One in ten children between 5 and 16 years has a mental health problem, and many continue to have mental health problems in adulthood.
- Half of those with lifetime mental health problems first experience symptoms by the age of 14, and three quarters before their mid-twenties.
- Self-harming in young people is not uncommon (10-13% of 15-16 year olds have self-harmed).
- Almost half of all adults will experience at least one episode of depression during their lifetime.
- One in ten new mothers experience postnatal depression.
- About one in 100 people has a severe mental health problem.
- Some 60% of adults living in hostels have a personality disorder.
- Some 90% of all prisoners are estimated to have diagnosable mental health problem (including personality disorder) and / or substance misuse problem.

Mental Health and Gambling

People gamble for a whole range of reasons. While gambling moderately is not a problem, gambling can become an addiction and can be harmful to mental health. Some people say that there is no such thing as safe gambling. Others argue that gambling is like drinking alcohol - it is safe to do as long as you follow some sensible rules. *

According to the Royal College of Psychiatrists, problem gamblers are more likely than others to suffer from low self-esteem, develop stress-related disorders, to become anxious, have poor sleep and appetite, to develop a substance misuse problem and to suffer from depression. **

A report titled 'Problem gambling in Birmingham. A Rapid Assessment Report' published in May 2018 states that:

'There is a strong correlation between problem gambling and mental health problems though the nature of the links between the two are complex'.

The Statement of Licensing Policy has the following components which are intended to mitigate for harmful impacts including:

- As per the Gambling Commission's Guidance for Licensing Authorities, the Licensing Authority expects operators of gambling premises to have in place policies and measures to ensure children and other vulnerable people are protected from being harmed or exploited by gambling. Harm in this context is not limited to harm from gambling but includes wider child protection considerations, including the risk of child sexual exploitation.
- Encouraging applicants to conduct local risk assessments, particularly in relation to proximity to local housing, places of worship and/or other premises visited by children or vulnerable people.

- The Authority will expect the local risk assessment to consider:
 - The location of services for children such as schools, playgrounds, leisure/community centres and other areas where children and young people will congregate such as youth clubs, parks, bus stops, cafés, shops, entertainment venues such as cinemas, bowling allies and any other place where children are attracted.
 - The demographics of the area in relation to vulnerable groups and how vulnerable persons from different cultures will be protected.
 - Whether the premises is in an area subject to high levels of crime and/or disorder, including areas that are prone to youths participating in antisocial behaviour, e.g. graffiti/tagging or underage drinking.
 - How vulnerable people, including people with gambling dependencies are protected.
 - Assessing staffing levels when a local college closes and the students begin to vacate the grounds.
 - Age verification policies such as 'Challenge 25'.
 - Line of sight from the counter to gambling machines.
 - Information held regarding self-exclusions and incidences of underage gambling.
 - Gaming trends that may mirror days for financial payments such as pay days or benefit payments.
 - Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor's surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate.
 - Provision of information leaflets/helpline numbers for customers who may have a gambling addiction, from organisations such as GamCare and GambleAware.

Sensory Impairment

Sight

- The estimated number of people living with sight **loss** in **England** is 1.7 million.
- Only 17 per cent of people experiencing sight loss are offered emotional support in response to their deteriorating vision.
- Only 27 per cent of blind and partially sighted people of working age are in employment – a fall from 33 per cent in employment in 2006.
- 39 per cent of blind and partially sighted people of working age say they have some or great difficulty in making ends meet.
- 35 per cent of blind and partially sighted people say that they sometimes, frequently or always experience negative attitudes from the public in relation to their sight loss.
- 31 per cent of people are rarely or never optimistic about the future.

Hearing

- There are 11 million people with hearing loss across the UK, that's around one in

six of us.

- By 2035, we estimate there will be around 15.6 million people with hearing loss across the UK - that is one in five.
- There are 50,000 children with hearing loss in the UK. Around half are born with hearing loss while the other half lose their hearing during childhood.
- An estimated 900,000 people in the UK have severe or profound hearing loss.
- We estimate that there are at least 24,000 people across the UK who use British Sign Language (BSL) as their main language (although there are likely to be more that we do not know about).
- More than 40% of people over 50 years old have hearing loss, rising to 71% of people over the age of 70.
- Around one in 10 UK adults has tinnitus.

Sources used:

- This is Havering 2018 version 4.1 (August 2018) *produced by public health intelligence*
- Projecting Adult Needs and Service Information System (PANSI, 2017); calculations uses Mid-year population estimates 2017; Office for National Statistics (ONS); *produced by public health intelligence*
- Mental Health JSNA January 2015
- Royal National Institute for the Blind
- Action on Hearing Loss
- Mental Health Foundation https://www.mentalhealth.org.uk/a-to-z/g/gambling-and-mental-health*
- GamCare https://www.gamcare.org.uk/get-advice/how-can-gambling-affect-your-life/mental-health**
- Problem gambling in Birmingham. A Rapid Assessment Report May 2018

Protected Characteristic - Sex/gender:

Please tick (✓) the relevant box:

Positive

Neutral

Negative

Overall impact:

Evidence would suggest that there is a slightly higher proportion of men than women that gamble and that men are more likely to be classed as problem gamblers.

The proposed statement of gambling policy is intended to address this negative issue by promoting responsible retailing and ensuring that those that apply for a license consider the impact of their business on this group.

The policy requires them to conduct a Local Risk Assessment and act appropriately to protect vulnerable persons including considering the location of the premises in relation to premises frequented by vulnerable persons and the provision of information regarding self-exclusion and leaflets/helpline numbers for customers who may have a gambling addiction, from organisations such as GamCare and GambleAware.

Evidence:

MALE		FEMALE		TOTAL
122,907	48.0%	133,132	52.0%	256,039

The table below shows the breakdown of current (mid-2017) population by gender and five-year age bands.

AGE BAND (YEARS)	MALE	FEMALE	PERSONS
00-04	8,671	8,553	17,224
05-09	8,371	7,820	16,191
10-14	7,359	7,306	14,665
15-19	7,277	6,833	14,110
20-24	7,316	7,308	14,624
25-29	8,688	9,295	17,983
30-34	8,325	9,355	17,680
35-39	8,344	9,038	17,382
40-44	7,491	8,078	15,569
45-49	8,064	8,879	16,943
50-54	8,463	9,333	17,796
55-59	8,103	8,183	16,286
60-64	6,504	6,664	13,168
65-69	5,903	6,577	12,480
70-74	5,191	6,158	11,349
75-79	3,539	4,672	8,211
80-84	2,836	4,157	6,993
85-89	1,756	3,032	4,788
90+	706	1,891	2,597
All Ages	122,907	133,132	256,039

The Gambling Commission published a document in February 2018 called 'Gambling

participation in 2017: behaviour, awareness and attitudes.’ It found a slightly higher percentage of men than women gamble with 48% of men had gambled compared with 41% of women.

Problem Gambling

According to the Commissions official Health Survey rates men are more likely to be classified as problem gamblers with 1.5% of men identified as such compared to 0.2% of women.

The statement of licensing policy has the following components which are intended to mitigate for harmful impacts including:

- As per the Gambling Commission’s Guidance for Licensing Authorities, the Licensing Authority expects operators of gambling premises to have in place policies and measures to ensure children and other vulnerable people are protected from being harmed or exploited by gambling. Harm in this context is not limited to harm from gambling but includes wider child protection considerations, including the risk of child sexual exploitation.
- Encouraging applicants to conduct local risk assessments, particularly in relation to proximity to local housing, places of worship and/or other premises visited by children or vulnerable people.
- The Authority will expect the local risk assessment to consider:
 - The location of services for children such as schools, playgrounds, leisure/community centres and other areas where children and young people will congregate such as youth clubs, parks, bus stops, cafés, shops, entertainment venues such as cinemas, bowling allies and any other place where children are attracted.
 - The demographics of the area in relation to vulnerable groups and how vulnerable persons from different cultures will be protected.
 - Whether the premises is in an area subject to high levels of crime and/or disorder, including areas that are prone to youths participating in antisocial behaviour, e.g. graffiti/tagging or underage drinking.
 - How vulnerable people, including people with gambling dependencies are protected.
 - Assessing staffing levels when a local college closes and the students begin to vacate the grounds.
 - Age verification policies such as ‘Challenge 25’.
 - Line of sight from the counter to gambling machines.
 - Information held regarding self-exclusions and incidences of underage gambling.
 - Gaming trends that may mirror days for financial payments such as paydays or benefit payments.
 - Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor’s surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate.
 - Provision of information leaflets/helpline numbers for customers who may have

a gambling addiction, from organisations such as GamCare and GambleAware.

Sources used:

- This is Havering 2018 version 4.1 (August 2018) *produced by public health intelligence*
- Gambling participation in 2017: behaviour, awareness and attitudes. February 2018, The Gambling Commission.

Protected Characteristic - Ethnicity/race: Consider the impact on different ethnic groups and nationalities

Please tick (✓) the relevant box:

Positive

Neutral ✓

Negative

Overall impact:

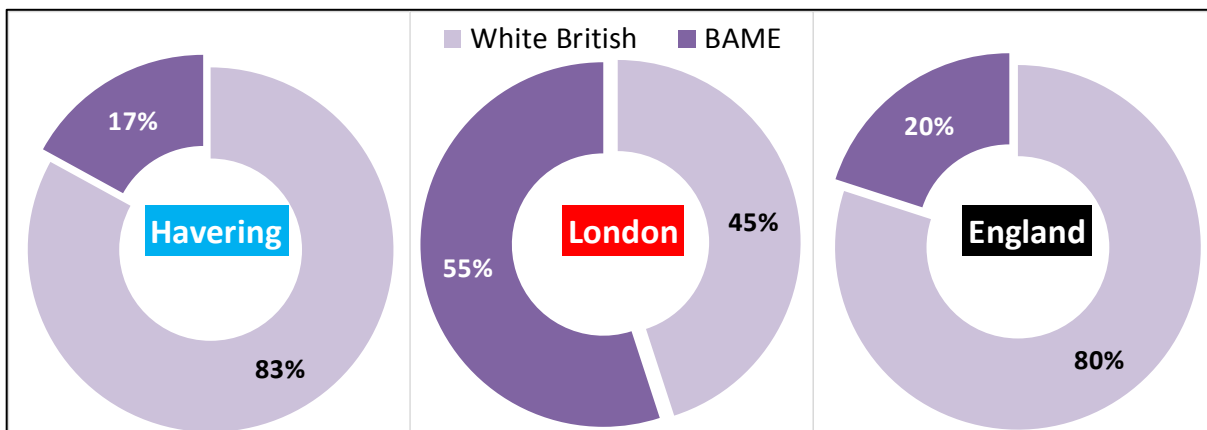
There are different cultural attitudes to gambling. Whilst it can offer cultural enrichment it is noted that Asian/Asian British and Black British backgrounds have been shown to have higher rates of problem gambling.

The proposed statement of gambling policy is intended to address this negative issue by promoting responsible retailing and ensuring that those that apply for a license consider the impact of their business on this group.

The policy requires them to conduct a Local Risk Assessment and take appropriate measures to protect vulnerable persons including considering the location of the premises in relation to premises frequented by vulnerable persons and the provision of information regarding self-exclusion and leaflets/helpline numbers for customers who may have a gambling addiction, from organisations such as GamCare and GambleAware.

Evidence:

- Havering is one of the most ethnically homogenous places in London, with 83% of its residents recorded as White British in the 2011 census, higher than both London and England.
- However, the ethnically homogenous characteristic of Havering is gradually changing due to its growing cultural diversity.
- About 90% of the borough population were born in the United Kingdom.
- The Borough’s white population is projected to decrease from the current 84% to 78% in 2032.
- The BME population, notably those from Black African heritage (though many of whom are likely to be British born) is projected to increase from 4.1% in 2017 to 5.3% of the Havering population in 2032.



Ethnicity - GLA Datastore - cis ethnicity dashboard 2011 census

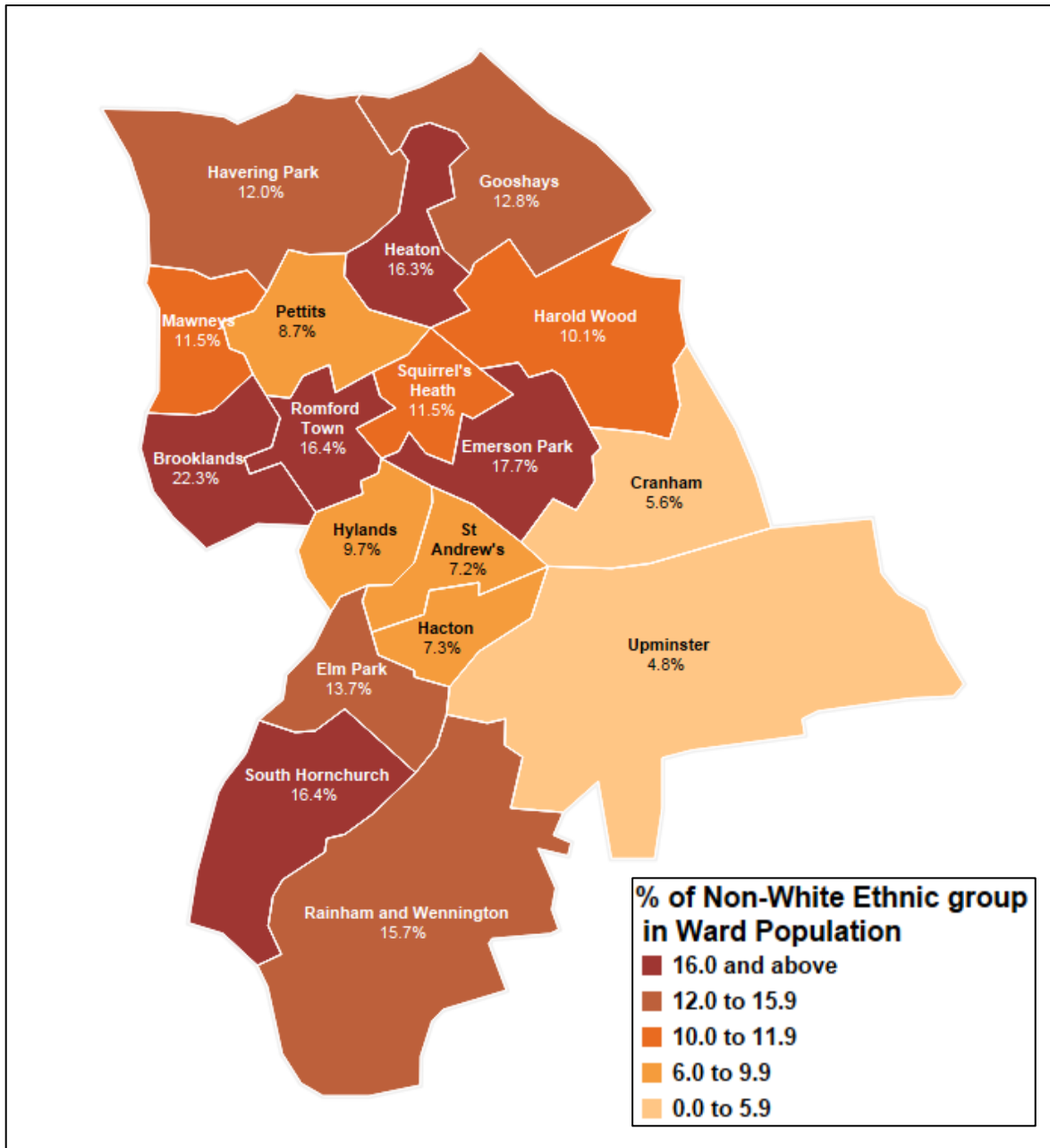
	Data	%
White British	197,615	83.3%
White Irish	2,989	1.3%
Gypsy	160	0.1%
Other White	7,185	3.0%
White and Black Caribbean	1,970	0.8%
White and Black African	712	0.3%
White and Asian	1,154	0.5%
Other Mixed	1,097	0.5%
Indian	5,017	2.1%
Pakistani	1,492	0.6%
Bangladeshi	975	0.4%
Chinese	1,459	0.6%
Other Asian	2,602	1.1%
Black African	7,581	3.2%
Black Caribbean	2,885	1.2%
Other Black	1,015	0.4%
Arab	311	0.1%
Any other ethnic group	1,013	0.4%
Totals	237,232	

Country of Birth - GLA - 2011 Census

Country of Birth	Number	%
UK Born	212,840	89.7%
Non UK Born	24,392	10.3%
Havering	237,232	100.0%

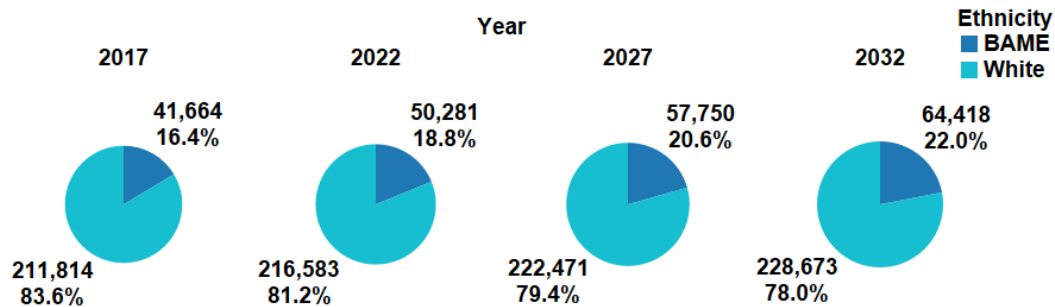
Country of Birth	Number	%
UK Born	212,840	89.7%
Ireland	2,503	1.1%
India	2,301	1.0%
Nigeria	2,241	0.9%
Lithuania	1,065	0.4%
Poland	925	0.4%
Philippines	759	0.3%
Ghana	678	0.3%
Pakistan	653	0.3%
Zimbabwe	647	0.3%
South Africa	621	0.3%
Other	11,999	5.1%
Total	237,232	100.0%

Percentage of Non-white ethnic group by ward from 2011 census

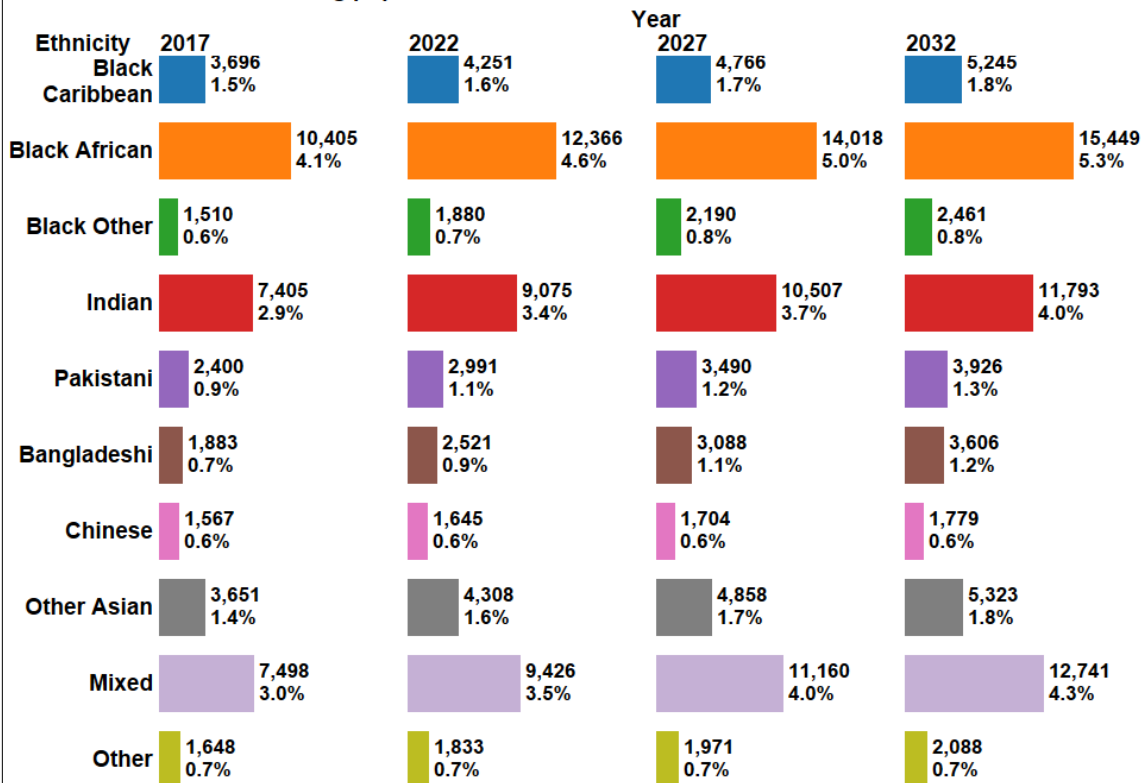


Ethnicity population projections 2017 - 2032

Proportion of Black, Asian and Minority Ethnic (BAME) and White population in Havering



Break down of Havering population classed as BAME



English as First Language (2011 Census)

- Havering number of Households 97,199.
- Number of people aged 16 and over in household that have English as main Language 91,739.
- At least one person aged 16 and over in household that have English as main Language 2,504.
- No people aged 16 and over in household but at least one person aged 3-15 that have English as main Language 684.
- No people in household have English as main Language 2,272.
- From 2011 census 10,461 people in Havering main language is not English.

A report titled 'Problem gambling in Birmingham. A Rapid Assessment Report' published in May 2018 states that:

Minority ethnic groups

- A review of national British survey data consistently shows that those from Asian/Asian British and Black British backgrounds have higher rates of problem gambling.
- Further analysis of the British Gambling Prevalence Survey (BGPS) and Health Survey England (HSE) datasets by a different research team has confirmed these associations.

The statement of licensing policy has the following components which are intended to mitigate for harmful impacts including:

- As per the Gambling Commission's Guidance for Licensing Authorities, the Licensing Authority expects operators of gambling premises to have in place policies and measures to ensure children and other vulnerable people are protected from being harmed or exploited by gambling. Harm in this context is not limited to harm from gambling but includes wider child protection considerations, including the risk of child sexual exploitation.
- Encouraging applicants to conduct local risk assessments, particularly in relation to proximity to local housing, places of worship and/or other premises visited by children or vulnerable people.
- The Authority will expect the local risk assessment to consider:
 - The location of services for children such as schools, playgrounds, leisure/community centres and other areas where children and young people will congregate such as youth clubs, parks, bus stops, cafés, shops, entertainment venues such as cinemas, bowling allies and any other place where children are attracted.
 - The demographics of the area in relation to vulnerable groups and how vulnerable persons from different cultures will be protected.
 - Whether the premises is in an area subject to high levels of crime and/or disorder, including areas that are prone to youths participating in antisocial behaviour, e.g. graffiti/tagging or underage drinking.
 - How vulnerable people, including people with gambling dependencies are protected.
 - Assessing staffing levels when a local college closes and the students begin to vacate the grounds.
 - Age verification policies such as 'Challenge 25'.
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 - Gaming trends that may mirror days for financial payments such as paydays or benefit payments.
 - Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor's surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate.
 - Provision of information leaflets/helpline numbers for customers who may have a gambling addiction, from organisations such as GamCare and GambleAware.

Sources used:

- This is Havering 2018 version 4.1 (August 2018)
- 2011 Census
- Problem gambling in Birmingham. A Rapid Assessment Report May 2018

Protected Characteristic - Religion/faith

Please tick (✓) the relevant box:

Overall impact: Neutral

Positive

No differential impact has been identified on the grounds of this protected characteristic. The Statement of Gambling Policy proposal applies equally to all traders operating in Havering irrespective of religion/faith.

Neutral

✓

Negative

Evidence:

(Please add in any additional evidence and use the evidence below that is relevant for your particular impact assessment, please delete unnecessary data)

Religion and Belief 2011 Census

Faith	Number	%
Christian	155,597	65.6%
Buddhist	760	0.3%
Hindu	2,963	1.2%
Jewish	1,159	0.5%
Muslim	4,829	2.0%
Sikh	1,928	0.8%
Other Religion	648	0.3%
No Religion	53,549	22.6%
No Response	15,799	6.7%
Totals	237,232	100.0%

It is recognised that most faiths do not support gambling. The draft policy encourages the use of Local Risk Assessments in relation to the location of gambling premises and the proximity to churches, mosques, temples or other places of worship:

‘Applicants should also be aware of areas with concentrations of hostels and other types of accommodation for vulnerable people. Where they propose to make an application for the new grant of a premises licence, or a variation to an existing licence, in such areas they should explain fully in their Local Risk Assessment (LRA) how they will mitigate any risks of operating gambling premises in close proximity to concentrations of housing for vulnerable people or proximity to churches, mosques, temples or any other place of worship. Religious premises and places of worship are often focal points for a percentage of vulnerable members of the local community, including the homeless community and youth population, and have therefore been included in the policy, rather than for any

moral or ethical reasons.'

Sources used:

- 2011 Census

Protected Characteristic - Sexual orientation

*Please tick (✓)
the relevant box:*

Positive

Neutral

Negative

Overall impact: Neutral

No differential impact has been identified on the grounds of this protected characteristic. The Statement of Gambling Policy proposal applies equally to all traders operating in Havering irrespective of sexual orientation.

Evidence:

There is insufficient data available to measure accurately the potential effect of these proposals in relation to sexual orientation.

It is not believed that the Statement on Gambling Policy will have an impact in relation to this protected characteristic. However it is intended to include the group during the consultation process at:

info@haveringlgbtforum.co.uk

Sources used:

Protected Characteristic - Gender reassignment: Consider people who are seeking, undergoing or have received gender reassignment surgery, as well as people whose gender identity is different from their gender at birth	
<i>Please tick (✓) the relevant box:</i>	
Positive	<input type="checkbox"/>
Neutral	<input checked="" type="checkbox"/>
Negative	<input type="checkbox"/>
Overall impact: Neutral	
No differential impact has been identified on the grounds of this protected characteristic. The Statement of Gambling Policy proposal applies equally to all traders operating in Havering irrespective of gender reassignment.	
Evidence:	
There is insufficient data available to measure accurately the potential effect of these proposals in relation to gender reassignment.	
It is not believed that the Statement on Gambling Policy will have an impact in relation to this protected characteristic. However it is intended to include the group during the consultation process at: info@haveringlgbtforum.co.uk	
Sources used:	

Protected Characteristic - Marriage/civil partnership: Consider people in a marriage or civil partnership	
<i>Please tick (✓) the relevant box:</i>	
Positive	<input type="checkbox"/>
Neutral	<input checked="" type="checkbox"/>
Negative	<input type="checkbox"/>
Overall impact: Neutral	
No differential impact has been identified on the grounds of this protected characteristic. The Statement of Gambling Policy proposal applies equally to all traders operating in Havering irrespective of marriage/civil partnership.	
Evidence:	
In 2017 it is estimated that:	
<ul style="list-style-type: none"> • Single 27,558,916 • Married 24,249,371 • Civil Partnered 99,695 • Divorced 3,696,837 • Widowed 3,139,776 	
It is not believed that the Statement on Gambling Policy will have an impact in relation to this protected characteristic.	
Sources used:	
<ul style="list-style-type: none"> • Office for National Statistics (ONS) – Dataset Population estimates by marital status and living arrangements, England and Wales 	

Protected Characteristic - Pregnancy, maternity and paternity

Please tick (✓)
the relevant box:

Positive

Neutral

Negative

Overall impact: Neutral

No differential impact has been identified on the grounds of this protected characteristic. The Statement of Gambling Policy proposal applies equally to all traders operating in Havering irrespective of pregnancy, maternity and paternity.

Evidence:

2016 Data for Havering

- All Conceptions – 4,475
- Percentage all conceptions leading to abortion – 24.9%
- Conceptions under 18 – 106
- Percentage under 18 leading to abortion – 67%
- Conceptions under 16 – 13
- Percentage under 16 leading to abortion – 69.2%

2017 Data for Havering

- Fertility rate 1.91 children per woman
- Live births 3,393

It is not believed that the Statement on Gambling Policy will have an impact in relation to this protected characteristic.

Sources used:

- Office for National Statistics (ONS)

Health & Wellbeing Impact: Consider both short and long-term impacts of the activity on a person's physical and mental health, particularly for disadvantaged, vulnerable or at-risk groups. Can health and wellbeing be positively promoted through this activity? Please use the Health and Wellbeing Impact Tool in Appendix 2 to help you answer this question.

Please tick (✓) all the relevant boxes that apply:

Positive ✓

Neutral ✓

Negative ✓

Overall impact: Neutral
 The Statement of Gambling Policy is likely to have both positive and negative impacts.

The legislative framework for gambling recognises it as a legitimate leisure activity that many people enjoy; it can be social, fun and as such might have positive impacts on wellbeing. In addition, it generates income, employment and tax revenue, creating employment, which is an important determinant of health and wellbeing.

However, set against this, it also generates significant dis-benefits such as working days lost through disordered gambling, or the cost of treatment for ill-health caused by stress related to gambling debt. Less easily measured are potentially very significant impacts such as the negative effects of some gambling on family relationships, and the psychological and social development of children.

The proposed statement of gambling policy is intended to address this negative issue by promoting responsible retailing and ensuring that those that apply for a license consider the impact of their business on this group.

The policy requires them to conduct a Local Risk Assessment and take appropriate measures to protect children and vulnerable persons including considering the location of the premises in relation to premises frequented by children and vulnerable persons and the provision of information regarding self-exclusion and leaflets/helpline numbers for customers who may have a gambling addiction, from organisations such as GamCare and GambleAware.

Do you consider that a more in-depth HIA is required as a result of this brief assessment? Please tick (✓) the relevant box

Yes No

The Statement of Gambling Policy is likely to have both positive and negative impacts. The legislative framework for gambling recognises it as a legitimate leisure activity that many people enjoy; it can be social, fun and as such might have positive impacts on wellbeing. In addition, it generates income, employment and tax revenue, creating employment, which is an important determinant of health and wellbeing. However, set against this, it also generates significant dis-benefits such as working days lost through disordered gambling, or the cost of treatment for ill-health caused by stress related to gambling debt. Less easily measured are potentially very significant impacts such as the negative effects of some gambling on family relationships, and the psychological and social development of children. Similarly, there might be some indirect benefits, including positive social impacts when happy gamblers make a greater contribution to societal wellbeing than they would in the absence of gambling. Much less is known of these effects.

The statement of licensing policy has the following components which are intended to mitigate for harmful impacts and enhance positive impacts, including:

- As per the Gambling Commission's Guidance for Licensing Authorities, the Licensing Authority expects operators of gambling premises to have in place policies and measures to ensure children and other vulnerable people are protected from being harmed or exploited by gambling. Harm in this context is not limited to harm from gambling but includes wider child protection considerations, including the risk of child sexual exploitation.
- Encouraging applicants to conduct local risk assessments, particularly in relation to proximity to local housing, places of worship and/or other premises visited by children or vulnerable people. The Authority will expect the local risk assessment to consider:
 - The location of services for children such as schools, playgrounds, leisure/community centres and other areas where children and young people will congregate such as youth clubs, parks, bus stops, cafés, shops, entertainment venues such as cinemas, bowling allies and any other place where children are attracted.
 - The demographics of the area in relation to vulnerable groups and how vulnerable persons from different cultures will be protected
 - Whether the premises is in an area subject to high levels of crime and/or disorder, including areas that are prone to youths participating in antisocial behaviour, e.g. graffiti/tagging or underage drinking.
 - How vulnerable people, including people with gambling dependencies are protected.
 - Assessing staffing levels when a local college closes and the students begin to vacate the grounds.
 - Age verification policies such as 'Challenge 25'.
 - Line of sight from the counter to gambling machines.
 - Information held regarding self-exclusions and incidences of underage gambling.
 - Gaming trends that may mirror days for financial payments such as pay days or benefit payments.
 - Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor's surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate.
 - Concentrations of housing for vulnerable people.
 - Churches, mosques, temples or any other place of worship. Religious premises and places of worship are often focal points for a percentage of vulnerable members of the local community, including the homeless community and youth population, and have therefore been included in this policy, rather than for any moral or ethical reasons.

Sources used:

Gambling Commission (2018) Gambling-related harm as a public health issue.
<https://www.gamblingcommission.gov.uk/PDF/Gambling-related-harm-as-a-public-health-issue.pdf>

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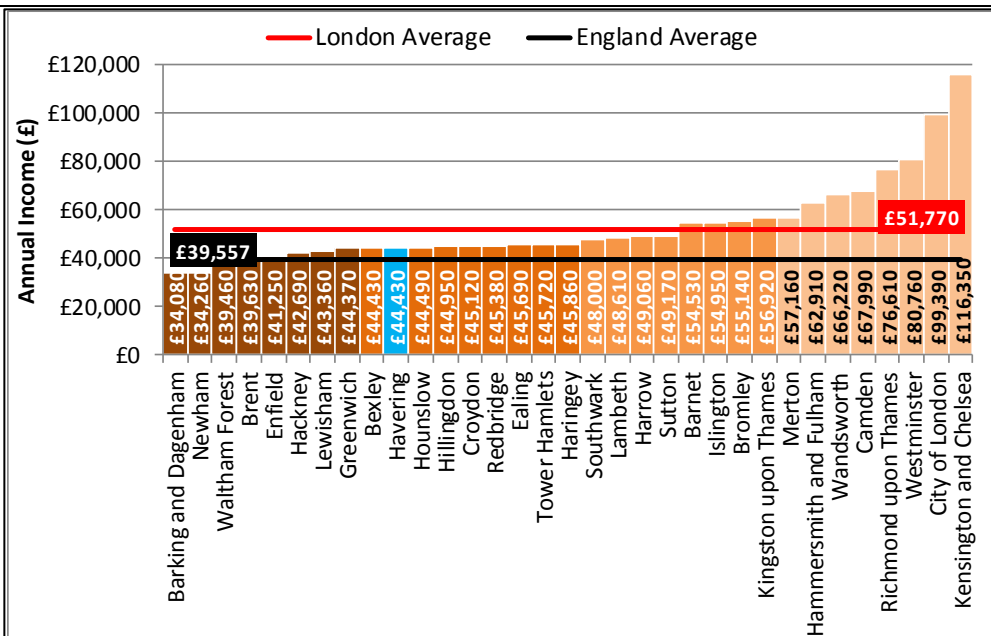
Socio – Economic impact:		
<i>Please tick (✓) the relevant box:</i>	<p>Overall impact:</p> <p>The Statement of Gambling Policy is likely to have both positive and negative impacts. Gambling generates income, employment and tax revenue, creating employment. However, set against this, it also generates significant dis-benefits such as working days lost through disordered gambling, or the cost of treatment for ill-health caused by stress related to gambling debt. For problem gamblers the effects on their personal and family finances are likely to be significant.</p> <p>There is some evidence to suggest that problem gambling affects those living in more deprived areas and therefore on lower incomes.</p> <p>The proposed statement of gambling policy is intended to address this negative issue by promoting responsible retailing and ensuring that those that apply for a license consider the impact of their business on this group.</p> <p>Section 8 of the Gambling Policy explicitly seeks to Protect Children and other Vulnerable Persons from being harmed or exploited by Gambling, including such measures as:</p> <ul style="list-style-type: none"> • Proof of age schemes • CCTV • Supervision of entrances/machine areas • Physical separation of areas • Specific opening hours • Self-barring schemes • Notices/signage • Measures/training for staff on how to deal with suspected truanting school children on the premises and how to recognise signs of potential child sexual exploitation • clear policies that outline the steps to be taken to protect children from harm; • Provision of information leaflets/helpline numbers for organisations such as GamCare and GambleAware. <p>Following the consultation all responses have been considered and where appropriate additional amendments adopted. Further controls include:</p> <ul style="list-style-type: none"> • Requiring that pubs with gaming machines adhere to the Code 	
Positive		✓
Neutral		
Negative		

		<p>of Practice for Gaming Machines in Clubs and Premises with an Alcohol Licence.</p> <ul style="list-style-type: none"> • Clarify that training for staff is not only in relation to the protection of children but also other vulnerable people. <p>The Licensing Authority would also encourage operators to consider participation in voluntary best practice or certification schemes to assist in their promotion of the objective of protecting children and other vulnerable persons from being harmed or exploited by gambling.</p> <p>The new policy offers more protection to vulnerable people by than the previous policy and therefore the overall assessment is considered to be positive.</p>
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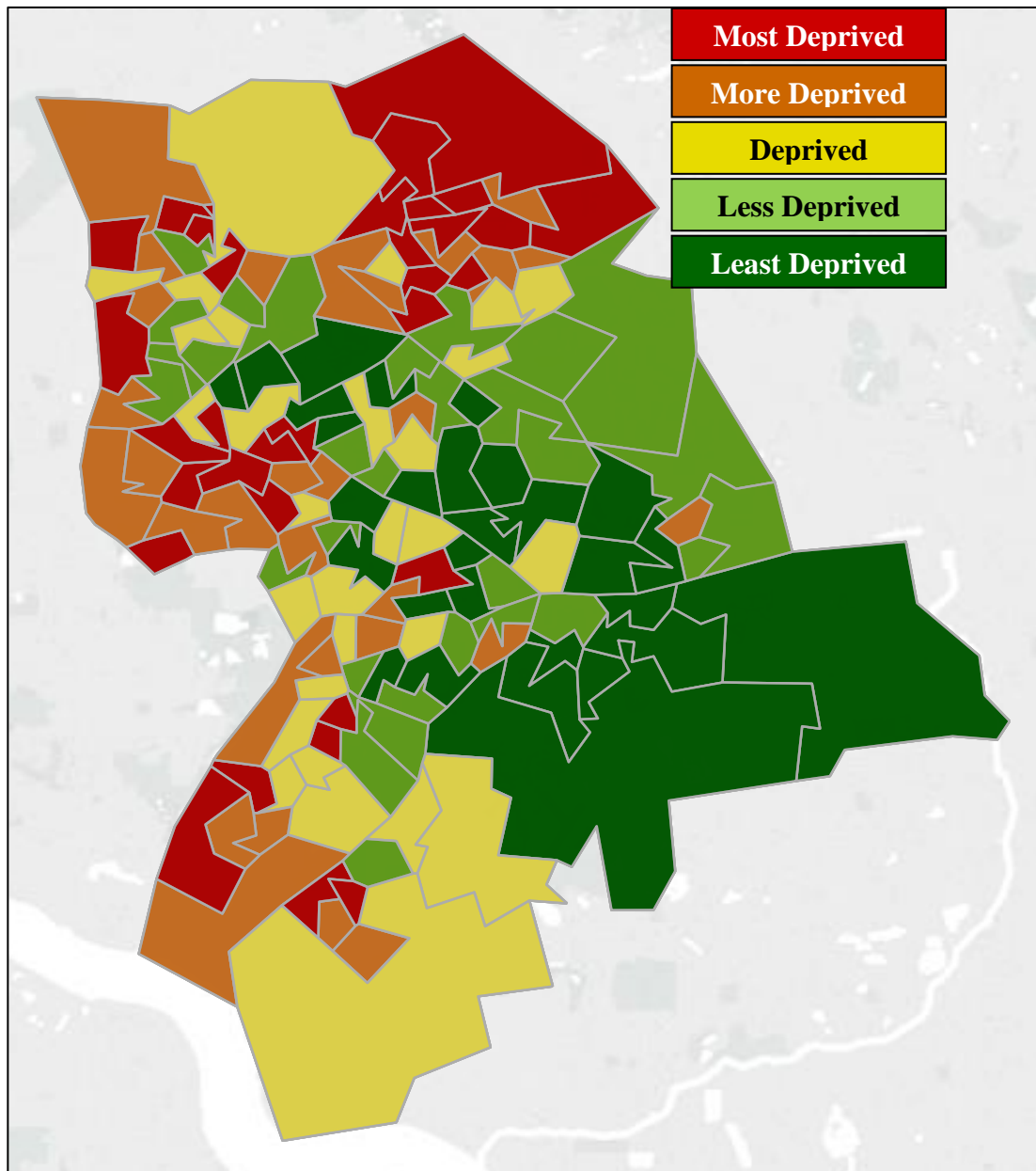
Evidence:

- The average gross income per household in Havering (£44,430, as measured in 2012/13) is low in comparison to the London average (£51,770) and slightly higher than the England average (£39,557).
- 77% of households in Havering have at least one car and compared to other local authorities in London, Havering has the second highest proportion of households (32.8%) with 2 or more cars.
- Majority of children in Havering are not poor, but around 8,800 live in income-deprived households. Gooshays and Heaton wards have the highest proportion of children living in poverty.
- About 77.9% of working age residents in Havering were in employment between April and June 2018. Overall employment rate in Havering is higher than London (74.6%) and England (75.9%)
- The proportion of working age residents in Havering claiming out-of-work benefits (6.8%) is significantly lower than England (8.4%).

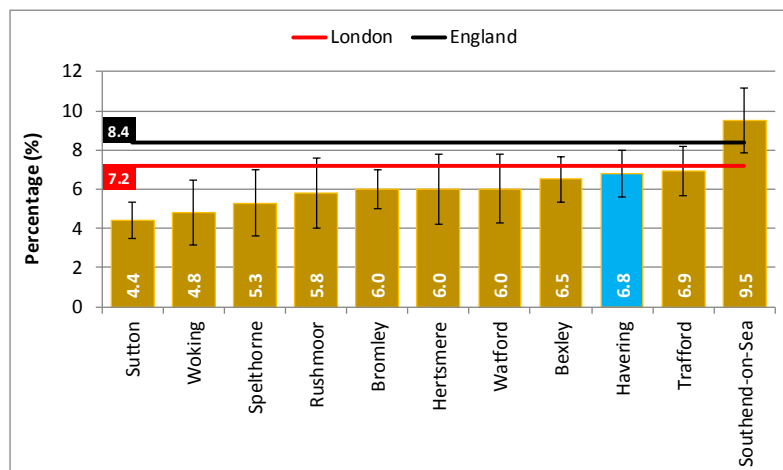
Income 2012/13



Income deprivation affecting Children, quintiles within Havering LSOA, 2015



Proportion of working age residents claiming out-of-work benefits in Havering and ONS statistical comparator group, November 2016



The Statement of Gambling Policy is likely to have both positive and negative impacts. Gambling generates income, employment and tax revenue, creating employment. However, set against this, it also generates significant dis-benefits such as working days lost through disordered gambling, or the cost of treatment for ill-health caused by stress related to gambling debt. For problem gamblers the effects on their personal and family finances are likely to be significant.

A report titled 'Problem gambling in Birmingham. A Rapid Assessment Report' published in May 2018 states that:

Just under 1% of the population in the UK have been identified as 'problem gamblers' with a further 4% identified as being of low to moderate risk of problem gambling. While these percentages are small, this amounts to around 400,000 problem gamblers in total and a further 2 million 'at risk'.

Unemployment and constrained economic circumstances

- Wardle (2015) concluded that the evidence relating to household income and problem gambling was mixed. Generally those of lower income are less likely to gamble but those that do spend a higher proportion of their income on gambling.

Area deprivation

- A review of a number of British surveys had, according to Wardle (2015), consistently shown that those living in more deprived areas are more likely to experience problems with their gambling behaviour. This was despite having roughly similar levels of past year gambling participation to those who live in less deprived areas.

While there are evidently crossovers in the characteristics of those that experience problem gambling and those at risk of financial exclusion, they are not necessarily the same group of people.

Those at risk of financial exclusion include those, for example, whose overdraft debt renders any working current account unusable (to such a degree that that person can no longer operate within the financial services mainstream any longer), or those who are

homeless having no proof of identification and being denied access to a basic bank account as a consequence.

We also know that impacts of problem gambling across the participants in another study (Kenyon et al, 2016) include losses being funded through overdrafts, family loans and informal borrowing, and loan sharks.

The statement of licensing policy has the following components which are intended to mitigate for harmful impacts and enhance positive impacts, including:

- As per the Gambling Commission's Guidance for Licensing Authorities, the Licensing Authority expects operators of gambling premises to have in place policies and measures to ensure children and other vulnerable people are protected from being harmed or exploited by gambling. Harm in this context is not limited to harm from gambling but includes wider child protection considerations, including the risk of child sexual exploitation.
- Encouraging applicants to conduct local risk assessments, particularly in relation to proximity to local housing, places of worship and/or other premises visited by children or vulnerable people. The Authority will expect the local risk assessment to consider:
 - The location of services for children such as schools, playgrounds, leisure/community centres and other areas where children and young people will congregate such as youth clubs, parks, bus stops, cafés, shops, entertainment venues such as cinemas, bowling allies and any other place where children are attracted.
 - The demographics of the area in relation to vulnerable groups and how vulnerable persons from different cultures will be protected.
 - Whether the premises is in an area subject to high levels of crime and/or disorder, including areas that are prone to youths participating in antisocial behaviour, e.g. graffiti/tagging or underage drinking.
 - How vulnerable people, including people with gambling dependencies are protected.
 - Assessing staffing levels when a local college closes and the students begin to vacate the grounds.
 - Age verification policies such as 'Challenge 25'.
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 - Gaming trends that may mirror days for financial payments such as pay days or benefit payments.
 - Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor's surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate.
 - Concentrations of housing for vulnerable people.
 - Churches, mosques, temples or any other place of worship. Religious premises and places of worship are often focal points for a percentage of vulnerable members of the local community, including the homeless community and youth population, and have therefore been included in this policy, rather than for any moral or ethical reasons.

Sources used:

- This is Havering 2018 version 4.1 (August 2018) *produced by public health intelligence*
- Problem gambling in Birmingham. A Rapid Assessment Report May 2018

3. Review

In this section you should identify how frequently the EqHIA will be reviewed; the date for next review; and who will be reviewing it.

Review:

Scheduled date of review: July 2023

Lead Officer conducting the review: Keith Bush

Please submit the completed form via e-mail to EqHIA@havering.gov.uk

Thank you.

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: ALLOCATION OF SEATS ON THE COMMITTEES OF THE COUNCIL

- 1 On 8 June 2020, Councillor Jan Sargent ceased to be a member of the Independent Residents' Group and became an Independent Member on the Council.
- 2 This report seeks to address the change in the make-up of the Council by re-visiting the allocation of seats on Committees in accordance with the Local Government (Committees and Political Groups) Regulations 1990. As a consequence of Councillor Sargent becoming an Independent Member, the Independent Residents' Group loses 3 seats from its allocation. In accordance with political balance rules, those seats are allocated to the Conservative Group (Joint Venture Working Party and Crime & Disorder Overview and Scrutiny Committee) and the Residents' Group (Environment Overview & Scrutiny Sub-Committee).
- 3 A brief summary of the legal requirements on political balance and their impact on the present makeup of the Council is set out at Appendix 1. Greater detail is provided in Annex B.
- 4 There are no additional financial implications or risks arising from this report.
- 5 There are no legal, human resources or equalities and social inclusion implications or risks attached to this report.

RECOMMENDATIONS

That Council agrees to the seat allocation for political balance as set out in Annex A.

Staff Contact: Andrew Beesley
Designation: Head of Democratic Services
E-mail address: andrew.beesley@onesource.co.uk

Andrew Blake-Herbert
Chief Executive

Background Papers List

None

POLITICAL BALANCE PRINCIPLES

The Council has a duty to make only such decisions as give effect, **so far as reasonably practicable**, to certain principles set out in the relevant legislation. The relevant principles are, in order of priority:

1. Not all of the seats on any Committee may be allocated to only one Group (note - the Cabinet is not a Committee).
2. The majority of seats on each Committee must be allocated to the Group having a majority of Members of the Council.
3. The total share of all the seats available for all Committees allocated to each political Group and to Members not in a Group must be proportionate to that Group's/Members' share of the total Council membership.
4. So far as can be done without conflicting with the other principles, the total number of seats on each Committee allocated to a political Group or to Members not in a Group must be proportionate to that Group's/those Members' share of total Council membership.

In practice, Committees are balanced against the overall total of Committee places and then, so far as that overall total allows, each Committee is balanced on its own. With the distribution of seats on the Council that results from the election, it is inevitable (a) Groups/Members will not all be able to be represented on every Committee and (b) that one Group's representation on some Committees will be at the expense of another's.

The minimum number of councillors in a group for it to exist is two.

The Council may make arrangements different from those prescribed **provided that no Member of the Council votes against** those different arrangements.

To make such a decision each member of the Council must at least be sent an agenda indicating that the approval of alternative arrangements is to be considered. The agenda for this Council meeting meets this requirement. To accommodate this requirement this report should be treated as giving due notice so that there is no impediment to such a proposal being made.

Council, 8 July 2020

Once the allocation of seats to Groups in accordance with the statutory procedure is undertaken, the Council is under a duty to make appointments to the Committee so as to give effect to the wishes expressed by that Group about who is to be appointed to their allocated seats.

The “wishes of the Group” may be communicated to the Proper Officer and will be implemented forthwith. Changes may be effected at any time by notice to the Proper Officer and will be notified to all Members in the next available edition of the weekly Calendar Brief.

It should be noted that the Constitution provides that the Chairmen and Vice-Chairmen of Committees are appointed by Council and any change in membership affecting a Chairman or Vice-Chairman will therefore require consideration by Council.

RECOMMENDED SEAT ALLOCATION

Having regard to the principles of political balance and of seat allocation referred to in Appendix 1, the following allocation of seats is recommended on the basis that, taking all factors into account, it shows a “reasonably practicable” allocation of seats and is therefore the default position.

		CONS	RES	UCRG	LAB	IRG	NHRG
Governance	12	6	2	1	1	1	1
Licensing	11	5	2	1	1	1	1
Planning	8	4	1	1	1	1	0
Strategic Planning	8	4	1	1	1	1	0
Highways Advisory	8	4	1	1	0	1	1
Adjudication	8	4	1	1	1	1	0
Pensions	7	3	1	1	1	0	1
Audit	6	3	1	1	0	0	1
JV WP	9	4	1	2	1	1	0
O&S Board	16	8	2	2	1	2	1
Children's	9	5	1	1	1	1	0
Crime & Disorder	6	4	0	1	1	0	0
Towns & Communities	9	4	2	1	1	1	0
Environment	6	3	1	0	1	0	1
Health	6	3	1	0	0	1	1
Individuals	7	3	1	1	1	1	0
Total seats allocated	136	67	19	16	13	13	8

- Committee seats are allocated, and each Committee is balanced, as “reasonably practicably” as possible

POLITICAL BALANCE PRINCIPLES

- 1.1 In allocating seats on Committees to the Groups, the Council has a duty to make only such decisions as give effect, **so far as reasonably practicable**, to certain principles set out in the relevant legislation. The relevant principles are, in order of priority:
1. Not all of the seats on any Committee may be allocated to only one Group (note - the Cabinet is not a Committee).
 2. The majority of seats on each Committee must be allocated to the Group having a majority of Members of the Council.
 3. The total share of all the seats available for all of the Council main Committees allocated to each political Group must be proportionate to that Group's share of the total Council membership.
 4. So far as can be done without conflicting with the other principles, the total number of seats on each Committee allocated to a political Group must be proportionate to that Group's share of total Council membership.
- 1.2 Moreover, in determining entitlements to seats, any members who are not in a Group are disregarded, as they are not entitled to a seat on any Committee; but the proportions on which entitlements are calculated must relate to the total number of Councillors.
- 1.3 **In practice, Committees are balanced against the overall total of Committee places and then, so far as that overall total allows, each Committee is balanced on its own.** With the distribution of seats on the Council that results from the election and recent changes in political make-up, it is inevitable (a) that the smaller Groups will not be able to be represented on every Committee, (b) that one Group's representation on some Committees will be at the expense of another's and (c) that, with calculations made as accurately as possible, one or more Groups may have actual seat numbers that differ from their entitlements.
- 1.4 The Council may make arrangements different from those prescribed **provided that no Member of the Council votes against** those different arrangements.
- 1.5 To make such a decision each member of the Council must at least be sent an agenda indicating that the approval of alternative arrangements is to be considered. The agenda for this Council meeting meets this requirement. To accommodate this requirement this report should be treated as giving due notice so that there is no impediment to such a proposal being made.
- 1.6 Once the allocation of seats to Groups in accordance with the statutory procedure is undertaken, the Council is under a duty to make appointments to each Committee so as to give effect to the wishes expressed by that Group about who is to be appointed to their allocated seats.

- 1.7 The “wishes of the Group” may be communicated to the Chief Executive (or the Head of Democratic Services on his behalf) by notice in writing by the Group Leader (or on his/her behalf by a recognised deputy) and will be implemented forthwith. Changes may be effected at any time by notice to the Chief Executive (or Head of Democratic Services) and will be notified to all Members in the next available edition of the weekly Calendar Brief.
- 1.8 It should be noted that the Chairmen and Vice-Chairmen of Committees were appointed by Council and any change in membership affecting a Chairman or Vice-Chairman would therefore require consideration by Council, and be dealt with by formal motion where necessary.
- 1.9 The Health and Wellbeing Board, while a Council Committee, is an executive Committee with separate statutory rules on membership. As with the Cabinet therefore, the Health and Wellbeing Board is not included in this seat allocation process.

PRINCIPLES FOR ALLOCATION OF SEATS ON COMMITTEES

- 2.1 The principles of seat allocation follow the requirements of the political balance principles, using a formula that takes account of the respective sizes of the Groups and the number of seats on Committees available for distribution among the Groups.

Basic allocation of seats

- 3.1 The Regulations specify that the minimum size of a Group is two Members. As seats are allocated on the basis of Groups, Members who do not belong to a Group do not have a right to be allocated any Committee seat.
- 3.2 The seat entitlements of the Groups are determined by a formula using the percentage of seats held by each Group, operating through a sequence of stages as follows:
 - **First**, the percentage of each Group’s membership of the Council is calculated.
 - **Next**, that percentage is then applied to the number of seats available on each Committee to determine each Group’s potential entitlement to seats on that Committee (rounded to the nearest whole number following the mathematical convention that numbers below 0.5 are rounded down, and those 0.5 or more are rounded up).

In some cases, a Group may be entitled to a seat even though, rounded down, its potential entitlement appears nil (i.e. less than 0.5), as there is a specific number of seats available on each Committee and no Group may have more seats on any Committee than its entitlement.

Those figures are then applied to the total number of seats available on each Committee, the seats being allocated in order, highest entitlement first, until all seats have been allocated.

- **Finally**, fine adjustment is required to ensure that, so far as reasonably practicable, the total of seats allocated reflects the overall proportion of Council membership held by each Group and the numerical strength of its entitlement to seats on particular Committees. For that purpose, at this stage the seat allocation of particular Committees will be adjusted from the ideally-balanced number reached in earlier stages of the process. This can result in a group being allocated more seats than appears to be its strict entitlement: this is the inevitable result of tensions within the political balance rules, which require different balancing arrangements as between the overall number of seats available, and the number of seats on each Committee.

Specific allocations

- 4.1 For the allocation of seats on specific Committees, several permutations are possible. Although the Council's Constitution does specify particular numbers of seats to each Committee, it is expressed as being "or such other number as the Council may agree", so there is discretion as to Committee sizes.
- 4.2 Once the number of seats available on each Committee has been determined, the allocation of seats to the individual Groups would then need to be adjusted between the Groups to achieve, so far as possible and practicable, an allocation that gives each Group its proportionate share of seats overall while ensuring that each Committee is proportionately balanced. In practice, it will be impossible to achieve both aims without enlarging Committee memberships to an unworkable size, so a degree of compromise is required.

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FULL COUNCIL, Wednesday 8 July 2020

MEMBERS' QUESTIONS

Cost of Disputes with Former Employees

- 1) **To the Leader of the Council (Councillor Damian White)**
From Councillor Ray Morgon

During his budget speech to Council, the Leader of the Council stated that he wants to make Havering Council to be an employer of choice, a top one hundred UK organization. In light of his statement, would the Leader comment on a recent article in the Romford Recorder in relation to Havering Council spending well over £1 million in the last four years to resolve disputes with former employees

Wearing of PPE on Public Transport

- 2) **To the Leader of the Council (Councillor Damian White)**
From Councillor David Durant

The Mayor of London has warned residents not to use public transport unless "absolutely necessary" and made oppressive mask wearing compulsory! Considering Havering residents pay a GLA precept was the Council Leader consulted about this and if so what is his view?

Disposal of Waste from Highways Maintenance

- 3) **To the Cabinet Member for Environment (Councillor Osman Dervish)**
From Councillor Ron Ower

Could the Cabinet Member advise this Council, as to what happens to removed paving slabs and other waste generated through highways maintenance operations?

Review of Environmental Policies

- 4) **To the Cabinet Member for Environment (Councillor Osman Dervish)**
From Councillor Keith Darvill

What progress has been made by the Executive to review its policies relating to:-

- a) the impact of Climate Change;
- b) the improvement in Air Quality; and,
- c) the need to improve significantly the recycling of waste products.

In accordance with the motion resolved at Full Council on 10th July 2019?

Proposed Immigration Centre

**5) To the Leader of the Council (Councillor Damian White)
From Councillor Martin Goode**

Can the Leader of the Council, please provide some clarity around the announcements that have appeared in social media, regarding the Home Office to provide accommodation to 200 Asylum Seekers at the former Palms Hotel site, in Hornchurch and in particular what agreement if any, has now been reached with Havering Council, in respect of the following :

- To provide any front line Services or Assistance to any potential resident or family that are placed in this accommodation?
- What category of Security level will this establishment be given.
- What safeguards will be put in place to ensure the safety and protection of not only the Asylum seekers themselves but more importantly the general public and Residents in the surrounding areas?

Service Charges to Council Tenants

**6) To the Cabinet Member for Housing (Councillor Joshua Chapman)
From Councillor Stephanie Nunn**

Council tenants, together with leaseholders in Council blocks are charged various service charges whether the service is provided or not. Does the Cabinet Member agree this is unethical and unfair?

River Maintenance near Rainham Village Conservation Area

**7) To the Cabinet Member for Environment (Councillor Osman Dervish)
From Councillor Jeffrey Tucker**

In view of new developments by Dovers Corner and in Rainham Village, please provide an update on any new infrastructure and planned maintenance of river and culverts to protect Rainham Village and Conservation Area from flooding?

Proposed Immigration Centre

**8) To the Leader of the Council (Councillor Damian White)
From Councillor Linda Hawthorn**

The opening of an Immigration Centre at Palms Hotel on the A127 has just been announced with the MP and Leader of the Council making representation for the centre to be relocated outside of the Borough. If the lobbying is unsuccessful, could the Leader of the Council confirm what catering, health and education measures will be in place including clarity on what government funding will be provided?

Delivery of Social Housing

9) To the Leader of the Council (Councillor Damian White)

From Councillor Paul McGeary

What progress is being made with the Joint Venture Housing Development Projects and in particular when will the planned social housing properties be available to let to local residents?

Cycling and Walking Investment Strategy

10) To the Cabinet Member for Environment (Councillor Osman Dervish)

From Councillor Darren Wise

Following the announcement made by the UK Government's Department for Transport regarding their Cycling and Walking Investment strategy. What safeguards will Havering Council, be considering when they start their review to implement any changes required for our current road layout, to encourage walking and cycling and enable continued social distancing as the lockdown restrictions begin to ease and what measures will be taken to assist the general public? In particular, to the many blind and partially sighted pedestrians, that use our walkways. Both guide dog and cane users rely on kerbs to navigate and it is crucial that a detectable kerb is maintained between vehicles – including bikes – and pedestrians.

Disabled Facilities Grant

11) To the Cabinet Member for Health and Adult Social Care (Councillor Jason Frost)

From Councillor Ray Morgon

In a recent Internal Audit of Disabled Facilities Grant, the audit report included comments such as not supported by documented procedures, cases are not consistently processed, Council open to allegations of discrimination and there is no internal control mechanism in place to identify when properties with a charge applied are being sold. Given these comments, would the Cabinet Member agree that Havering Council are far from being the most productive Council in London?

Independent Review into Racism and Racial Discrimination

**12) To the Leader of the Council (Councillor Damian White)
From Councillor David Durant**

Does the Leader of the Council agree that holding a costly and potentially racist review into “institutional racism” in Havering and at Havering Council, in response to a police killing in America, is inflammatory and misplaced and liable to bring the Council into disrepute?

Educational Standards at Academies

**13) To the Cabinet Member for Education, Children & Families (Councillor Robert Benham)
From Councillor Gillian Ford**

Havering has 7 Academies delivering at an ‘Average’ educational standard, 4 ‘Below Average Education’ and 2 ‘well below average’.
I assume the Council has made representation to the Regional Commissioner as a consequence of the low and unsatisfactory standard of education and therefore what action is being taken to improve educational standards at the above Academies?

The impact on vulnerable children of the Coronavirus Covid 19 Pandemic lockdown

**14) To the Cabinet Member for Education, Children & Families (Councillor Robert Benham)
From Councillor Tele Lawal**

In view of the concerns for the well being of children expressed by experts and psychologists what steps are being taken by the Council to work with schools to mitigate the harm caused to pupils by the lockdown and non attendance at schools.

Repair of Potholes

**15) To the Cabinet Member for Environment (Councillor Osman Dervish)
From Councillor Gerry O’Sullivan**

In a recent report from the RAC, it stated that many Councils have a “Patch and Dash” approach to the repair of potholes. What steps has the Cabinet Member taken to ensure that this does not happen in Havering?

COUNCIL, 8 JULY

MOTIONS

A. COVID-19 RECOVERY PLAN

Motion on behalf of the Conservative Group

This Council welcomes the steps taken by the Administration in managing the COVID-19 crisis. With the Country entering into the recovery phase of the pandemic, Council requests that the administration brings forward a revised corporate plan for the remaining Council term, truncated and submitted to each overview and scrutiny subcommittee, before being brought to a meeting of the Cabinet for approval.

Amendment on behalf of the Independent Residents' Group

(Amended wording shown in italics for clarity).

This Council welcomes the steps taken by the Administration in managing the COVID-19 crisis *and calls on the Executive to manage the recovery phase of the pandemic in an equitable way as the economy re-opens from lockdown* and Council requests that the administration brings forward a revised corporate plan for the remaining Council term, truncated and submitted to each overview and scrutiny subcommittee, before being brought to a meeting of the Cabinet for approval.

B. CCTV CAMERAS – RAINHAM VILLAGE

Motion on behalf of the Independent Residents' Group

The new Havering Local Plan seeks to strengthen the protection of our Conservation Areas and the Executive are promoting investments in the Rainham area, including a new swimming pool and leisure centre in Rainham Village.

In view of this our Council calls upon the Executive to install CCTV cameras at the Bridge Road junctions to safeguard the Rainham Village Conservation Area and London Bid area and protect these investments and to deter Wennington Road, Upminster Road South and Rainham Village constantly and increasingly being illegally used as a short cut for HGVs 40 ton muck lorries accessing Ferry Lane industrial area.

Amendment on behalf of the Conservative Group

The Council refers the issue of heavy good vehicles using prohibited roads within the South of Havering to the relevant Overview and Scrutiny Committee for an investigation, outlining issues faced and possible solutions.

C. OVERVIEW & SCRUTINY REVIEW

Motion on behalf of the Residents' Group and the Upminster and Cranham Residents Associations' Group

In February 2018, a cross party group of members put forward to the Governance Committee a report on changing the Overview and Scrutiny structure, in order to provide a more efficient and productive system of scrutiny. In light of the budget savings identified in the recent Council Tax setting meeting and the financial impact COVID-19 will have on borough finances, this council calls for a cross party group of members to re-visit this report and where appropriate provide further recommendations to the Governance Committee to recommend to council for implementation.

Amendment on behalf of the Conservative Group

Delete wording after 'will have on borough finances' and replace with:

The Council notes that the Governance Committee has already considered a report from a member-led review of the Overview & Scrutiny Structure and decided that it was unsuitable for adoption due to shortcomings but refers the matter back to the Governance Committee for further consideration.

For clarity, the amended motion would read as follows:

In February 2018, a cross party group of members put forward to the Governance Committee a report on changing the Overview and Scrutiny structure, in order to provide a more efficient and productive system of scrutiny. In light of the budget savings identified in the recent Council Tax setting meeting and the financial impact COVID-19 will have on borough finances, the Council notes that the Governance Committee has already considered a report from a member-led review of the Overview & Scrutiny Structure and decided that it was unsuitable for adoption due to shortcomings but refers the matter back to the Governance Committee for further consideration.

D. PROPOSED ASYLUM SEEKER ACCOMODATION

Motion on behalf of the Conservative Group

This Council welcomes the approach adopted by the Administration in seeking a review by the Home Office of the suitability of Palms Hotel to be used as accommodation for asylum seekers due to its location. It notes that this decision was taken without consultation with the Council, CCG or other agencies, and is

Council, 8 July 2020

concerned for the welfare, both physically and emotionally, of vulnerable people being placed at the Palms Hotel without adequate access to schooling, health facilities, transportation or wider social support and calls upon the government to enter negotiation with the Council immediately.

E. ACTIVE TRANSPORT FUNDING

Motion on behalf of the Labour Group

This Council welcomes the Government's recent announcement regarding funding for Active Transport facilities and welcomes the first tranche of funding, which the Department for Transport has indicatively allocated a sum of £100,000 to each individual borough and the balance of £1.7m to Transport for London. To receive any money under this or future tranches, Boroughs' and TfL will need to satisfy the Department that there are swift and meaningful plans in place to reallocate road space to cyclists and pedestrians, including on strategic corridors. This Council therefore, calls upon the Executive to apply for the funding available, if they haven't already done so. If the funding has already been applied for, have appropriate plans been prepared to enable improved cycle and walk ways within the Borough and if affirmative, this Council calls upon the Executive to publish them immediately to the public for consultation purposes.

Motion on behalf of the Conservative Group

Delete wording after 'strategic corridors' and replace with:

The Council notes that the Executive Decision which was taken to apply for funding to Transport for London as part of the Active Transport scheme was published on 19 June and requests that the results of this application are circulated to all Members once known.

For clarity, the amended motion would read as follows:

This Council welcomes the Government's recent announcement regarding funding for Active Transport facilities and welcomes the first tranche of funding, which the Department for Transport has indicatively allocated a sum of £100,000 to each individual borough and the balance of £1.7m to Transport for London. To receive any money under this or future tranches, Boroughs' and TfL will need to satisfy the Department that there are swift and meaningful plans in place to reallocate road space to cyclists and pedestrians, including on strategic corridors. The Council notes that the Executive Decision which was taken to apply for funding to Transport for London as part of the Active Transport scheme was published on 19 June and requests that the results of this application are circulated to all Members once known.

