

To Members of the Council

Cllr. Nick Chapman (Chairman)
Cllr. Janet Forey (Vice-Chairman)

Cllr. Shabbir Aslam
Cllr. Royston Bayliss
Cllr. Lee Breckon JP
Cllr. Nick Brown
Cllr. Adrian Clifford
Cllr. Cheryl Cashmore
Cllr. Stuart Coar
Cllr. Luke Cousin
Cllr. Tony Deakin
Cllr. Roy Denney
Cllr. Alex DeWinter
Cllr. Susan Findlay

Cllr. Helen Gambardella
Cllr. Hannah Gill
Cllr. Nigel Grundy
Cllr. Paul Hartshorn
Cllr. Richard Holdridge
Cllr. Mark Jackson
Cllr. Becca Lunn
Cllr. Antony Moseley
Cllr. Les Phillimore
Cllr. Terry Richardson
Cllr. Ande Savage
Cllr. Tracey Shepherd

Cllr. Dillan Shikotra
Cllr. Mike Shirley
Cllr. Roger Stead
Cllr. Ben Taylor
Cllr. Matt Tomeo
Cllr. Bob Waterton
Cllr. Bev Welsh
Cllr. Jane Wolfe
Cllr. Maggie Wright
Cllr. Neil Wright

Dear Councillor,

A meeting of the **COUNCIL** will be held in the Council Chamber - Council Offices, Narborough on **TUESDAY, 28 JANUARY 2025** at **5.30 p.m.** for the transaction of the following business and your attendance is requested.

Yours faithfully



Gemma Dennis
Corporate Services Group Manager and Monitoring Officer

AGENDA

SECTION 1 - INTRODUCTION

To receive apologies for absence, disclosures of interest from Councillors, and Minutes of the previous Council meeting.

1. Apologies for absence
2. Disclosures of Interests from Members

To receive disclosures of interests from Members (i.e. the existence and the nature of those interests in respect of items on this agenda).

3. Minutes (Pages 5 - 10)

To approve and sign the minutes of the meeting held on 19 November 2024 (enclosed).

SECTION 2 - STANDARD COUNCIL BUSINESS

To receive announcements from the Chairman and the statement of the Leader of the Council.

Any reports for consideration listed under this section will be moved in one block without discussion, unless any Member present requests otherwise.

4. Chairman's Announcements
5. Leader's Statement (To Follow)
6. Constitutional Amendment- Standards Committee terms of reference (Pages 11 - 20)

To consider the report of the Elections and Governance Manager (enclosed).

SECTION 3 - PRESENTATIONS TO COUNCIL

To consider any presentations from Council Officer's or an external body/partner agency.

7. Presentation: Youth Council Update

Members will receive a presentation from Youth Council Members.

SECTION 4 - QUESTIONS FROM THE PUBLIC & PRESENTATION OF PETITIONS

To receive questions to Councillors submitted by members of the public and to receive any petitions submitted in accordance with the Council's petitions scheme.

8. Public Speaking Protocol

Requests received by the Protocol deadline to be reported by the Monitoring Officer with details of the Agenda Item to which they relate. (Such persons entitled to use the Protocol attend for the purpose of making representations, answering questions or giving evidence relating to the business of the meeting and the time allocated to each person is a maximum of three minutes unless extended at the discretion of the Chairman).

9. To receive a petition objecting to the inclusion of Carlton Park and Enderby Golf Course in the New Local Plan

Petition request:

'I strongly object to the proposed inclusion of Carlton Park & Enderby Golf Course in the New Local Plan. This whole area has significant importance to local and non-local residents for both physical & mental wellbeing. This accessible green space has been used & enjoyed by residents and non-residents for many decades, for recreational and leisure purposes. I wish for the whole area to remain Green Wedge for the benefit of current & future generations to enjoy and protect the diverse flora & fauna that resides & forages there and designate the areas as a local wildlife site'

Total number of signatures: 2532

Any petition that has over 750 signatures or 55% of a parish area (whichever is the smaller figure) will trigger a debate. Councillors will debate this petition at the meeting.

Following this debate the petition will be referred to the Group Manager for Planning & Strategic Growth to be considered as part of the Local Plan process.

10. To receive a petition to keep Enderby Golf Course open

Total number of signatures: 2146

Any petition that has over 750 signatures or 55% of a parish area (whichever is the smaller figure) will trigger a debate. Councillors will debate this petition at the meeting.

Following this debate the petition will be referred to the Group Manager for Assets and Major Projects for a written response.

SECTION 5 - MEMBERS' QUESTIONS

To receive any questions submitted by Councillors.

11. Questions from Members

Any Members wishing to submit questions must do so to the Monitoring Officer no later than 5 working days before the meeting.

The Monitoring Officer will report if any questions have been submitted.

SECTION 6 - REPORTS FOR DECISIONS

To consider any reports submitted for consideration by Council.

12. Asset Disposals and Affordable Housing Site Update (Pages 21 - 36)

To consider the report of the Neighbourhood Services Group Manager (enclosed).

13. 3 Year Review of Gambling Act 2005 Statement of Principles (Pages 37 - 72)

To consider the report of the Licensing Team Leader (enclosed).

14. Polling Place Review- Croft and Huncote (Pages 73 - 76)

To consider the report of the Elections and Governance Manager (enclosed).

15. Appointment to the Independent Remuneration Panel (Pages 77 - 80)

To consider the report of the Elections and Governance Manager (enclosed).

16. Debate not Hate (Pages 81 - 96)

To consider the report of the Elections and Governance Manager (enclosed).

SECTION 7 - MOTIONS/ DEBATES/CONSULTATIONS & MEMBERS' FEEDBACK

To consider Motions submitted by Councillors, take part in a debate or receive Member feedback from attendance at national briefings, key training initiatives or work on any Outside Bodies.

SECTION 8 - EXEMPT REPORTS

There are no reports for consideration under this Section.

COUNCIL

Minutes of a meeting held at the Council Offices, Narborough

TUESDAY, 19 NOVEMBER 2024

Present:-

Cllr. Nick Chapman (Chairman)
Cllr. Janet Forey (Vice-Chairman)

Cllr. Shabbir Aslam	Cllr. Nigel Grundy	Cllr. Dillan Shikotra
Cllr. Royston Bayliss	Cllr. Paul Hartshorn	Cllr. Mike Shirley
Cllr. Lee Breckon JP	Cllr. Richard Holdridge	Cllr. Roger Stead
Cllr. Nick Brown	Cllr. Mark Jackson	Cllr. Ben Taylor
Cllr. Adrian Clifford	Cllr. Becca Lunn	Cllr. Matt Tomeo
Cllr. Cheryl Cashmore	Cllr. Antony Moseley	Cllr. Bob Waterton
Cllr. Luke Cousin	Cllr. Les Phillimore	Cllr. Jane Wolfe
Cllr. Roy Denney	Cllr. Terry Richardson	Cllr. Maggie Wright
Cllr. Helen Gambardella	Cllr. Ande Savage	Cllr. Neil Wright
Cllr. Hannah Gill	Cllr. Tracey Shepherd	

Officers present:-

Julia Smith	- Chief Executive
Louisa Horton	- Executive Director - Communities
Marc Greenwood	- Executive Director - Place
Gemma Dennis	- Corporate Services Group Manager
Paul Coates	- Neighbourhood Services Group Manager
Katie Hollis	- Finance Group Manager
Katie Brooman	- Elections and Governance Manager
Sandeep Tiensa	- Senior Democratic Services & Scrutiny Officer
Nicole Cramp	- Democratic & Scrutiny Services Officer

Apologies:-

Cllr. Stuart Coar, Cllr. Tony Deakin, Cllr. Susan Findlay and Cllr. Bev Welsh

134. DISCLOSURES OF INTERESTS FROM MEMBERS

Cllr. Cheryl Cashmore - Item 11 – Transfer of Public Open Space

Nature of Interest - Non Registerable Interest.

Extent of Interest - Member of Enderby Parish Council and have been involved in recent discussions and retains an open mind.

Cllr. Maggie Wright - Item 11 – Transfer of Public Open Space

Nature of Interest - Non Registerable Interest.

Extent of Interest - Member of Thurlaston Parish Council and have been involved in recent discussions and retains an open mind.

135. MINUTES

The minutes of the previous meeting held on 24 September 2024 as circulated, were approved and signed as a correct record.

136. CHAIRMAN'S ANNOUNCEMENTS

The Chair, Cllr. Nick Chapman made announcements in respect of the following:

- Attended the Lord Mayor of Leicester's Civic Service on 28 September 2024.
- Attended the RCC Awards where the Blaby Drop-in Centre was recognised as the Community Building of the Year on 3 October 2024.
- Attended Leicestershire County Council's Civic Service on 6 October 2024.
- Attended the Leicestershire Justice Service on 13 October 2024.
- Joined three Leicestershire MPs and other local Civic Leaders at the Royal British Legions Festival of Remembrance on 19 October 2024.
- Hosted my Chairman's at Home Event on 8 November 2024. This event was held at Dom's Restaurant in Thurlaston where we raised significant funds for the East Midlands Air Ambulance Charity.
- Attended the Glenfield Remembrance Memorial where on behalf of Blaby District Council I laid a wreath in remembrance.
- Attended a Multi faith Remembrance Service on 10 November 2024.
- Attended the Blaby District Council Remembrance Ceremony on 11 November 2024.

137. LEADER'S STATEMENT

Cllr. Lee Breckon arrived at the meeting during this item.

The Leader, Cllr. Terry Richardson thanked Officers and Members on behalf of the Honorary Alderman Iain Hewson for attending his late wife Sandra Hewson's funeral.

The Leader, Cllr. Terry Richardson presented his statement in respect of the following:

- Armistice Day
- Community Awards
- Cork Lane Update
- Braunstone Conservation Area adopted
- Tourism Growth
- Transformation
- Member Development Update
- Local Government Association Conference
- Afghan Resettlement Property
- Blaby District Carbon by 2050

138. PUBLIC SPEAKING PROTOCOL

No requests were received.

139. QUESTIONS FROM MEMBERS

No questions were received.

140. RECOMMENDATIONS OF THE CABINET EXECUTIVE: TREASURY MANAGEMENT MID YEAR MONITORING REPORT 2024/25

Considered – Report of the Finance Group Manager, presented by Cllr. Maggie Wright – Finance, People & Performance Portfolio Holder and Deputy Leader.

DECISION

That the latest position in respect of treasury activities, and the prudential indicators, be accepted.

Reasons:

1. The regulatory framework governing treasury management activities includes a requirement that the Council should, as a minimum, receive quarterly treasury monitoring reports in addition to the forward-looking annual treasury strategy and the backward-looking annual treasury report. Whilst quarters 1 and 3 do not need to be formally reported to full Council, there is an implicit understanding that they should be adequately scrutinised by Cabinet Executive.
2. This report fulfils the requirement above and incorporates the needs of the Prudential Code to ensure adequate monitoring of capital expenditure plans and the Council's prudential indicators. The treasury strategy and prudential indicators for 2024/25 were contained in the report approved by Council on 27th February 2024.

141. RECOMMENDATIONS OF THE CABINET EXECUTIVE: QUARTER 2 CAPITAL PROGRAMME REVIEW 2024/25

Considered – Report of the Finance Group Manager, presented by Cllr. Maggie Wright – Finance, People & Performance Portfolio Holder and Deputy Leader.

DECISIONS

1. That the report be accepted.
2. That the latest Capital Programme for 2024/25, totalling £8,582,759, be accepted.

Reasons:

1. To ensure that the Council has adequate resources in place to meet its Capital expenditure commitments.
2. To reflect additions or other changes to the Capital Programme that have occurred in the 2nd quarter of the year.

142. FOOD WASTE NEW BURDENS CAPITAL ALLOCATION - CAPITAL PROGRAMME ADDITION TO 2024/25

Considered – Report of the Neighbourhood Services Group Manager, presented by Cllr. Nigel Grundy – Neighbourhood Services & Assets Portfolio Holder.

DECISION

That an additional £970,000 be added to the capital programme to allow 7 vehicles and food waste receptacles to be procured.

Reasons:

1. To ensure that the Council has adequate capital resources in place to meet its new legal obligations to implement separate weekly food waste collections from March 2026.
2. To reflect additions or other changes to the Capital Programme that have occurred in the 2nd quarter of the year.

143. TRANSFER OF PUBLIC OPEN SPACE

Considered – Report of the Neighbourhood Services Group Manager, presented by Cllr. Nigel Grundy – Neighbourhood Services & Assets Portfolio Holder.

DECISIONS

1. That the disposal of land at Southey Close recreation ground, Jubilee Park to Enderby Parish Council and disposal of Holt Crescent allotments to Thurlaston Parish Council be approved.
2. That delegated authority is given to the Executive Director (S151) in consultation with the Neighbourhood Services and Assets Portfolio holder and Finance, People and Performance Portfolio holder to agree terms and finalise the disposals of the listed land assets.

Reasons:

1. Transfer of land listed is a recommendation within the Parks & Open Spaces Strategy 2024-2034.
2. The recommendations seek to transfer open space to Parishes where there is no potential for development of the land and in so doing reduce maintenance costs and liability to the Council.

THE MEETING CONCLUDED AT 7.40 P.M.

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Blaby District Council Council

Date of Meeting	28 January 2025
Title of Report	Constitutional Amendment- Standards Committee terms of reference This is not a Key Decision and is not on the Forward Plan
Lead Member	Cllr. Terry Richardson - Leader of the Council
Report Author	Elections and Governance Manager
Strategic Themes	Ambitious and well managed Council, valuing our people

1. What is this report about?

- 1.1 The report seeks approval for the proposed amendment to the Constitution outlined below.

2. Recommendation(s) to Council

- 2.1 That the Terms of Reference for the Standards Committee be amended as detailed in the report.
- 2.2 That the amendments to the Terms of Reference for the Standards Committee become effective from Annual Council to be held in May 2025.

3. Reason for Decisions Recommended

- 3.1 To create and maintain public confidence in the committee and to ensure that the membership of the Standards Committee models the behaviour required by the Code of Conduct supported by the Nolan Principles.
- 3.2 To provide clarification for Group Leaders prior to consideration of their nominations for the committee for the municipal year 2025/26.

4. Matters to consider

4.1 Background

The Member Code of Conduct requires that Councillors uphold the Seven Principles of Public Life, also known as the Nolan Principles. It sets out general principles of conduct expected of all members and their specific obligations in relation to standards of conduct. The fundamental aim of the Code is to create and maintain public confidence in the role of members and local government.

One of the key roles of the Standards Committee is promoting and maintaining high standards of conduct by Members and co-opted members of the authority.

If a member who is found to have breached the code of conduct recently is appointed to the Standards Committee, it could undermine public confidence in the ability of the Standards Committee to fulfil their role.

4.2 Proposal(s)

That the Terms of Reference for the Standards Committee in Part 3 of the Constitution - Responsibility for Functions, Section 6, Sub-section 7 (Eligibility/Non-Eligibility for Membership) shown in Appendix A be amended to include the following wording:

‘A member is not eligible for appointment to this Committee if they have been found to be in breach of the Code of Conduct within the last 12 months, nor may they continue to sit on this Committee if they are found to be in breach of the Code of Conduct during their term of appointment. The Standards Committee may as part of its recommendations following finding of a breach of The Code choose to extend this by recommending to the Group Leader for that member that they are not put forward for nomination to the Standards Committee for the remainder of their term.’

It is proposed that this amendment will be incorporated into the Terms of Reference from the next Annual Council meeting, scheduled to be held in May 2025.

This proposal disqualifies a member for the 12 months following a breach of the code of conduct being found. If after 12 months there are no further breaches of the code of conduct, and assuming that no additional recommendation was made for an extended disqualification by the Committee, the member may be elected to the Committee. This would typically be as part of the normal appointment process at Annual Council. As with all committee appointments, this would require the approval of Council.

4.3 Relevant Consultations

- Monitoring Officer (Corporate Services Group Manager)
- Chair of the Standards Committee (Cllr Maggie Wright)

4.4 Significant Issues

- 4.5 In preparing this report, the author has considered issues related to Human Rights, Legal Matters, Human Resources, Equalities, Public Health Inequalities, and Climate Local and there are no areas of concern.

5. Environmental impact

- 5.1 No Net Zero and Climate Impact Assessment (NZCIA) is required for this report.

6. What will it cost and are there opportunities for savings?

- 6.1 There are no cost implications as a result of this report.

7. What are the risks and how can they be reduced?

- 7.1 None.

8. Other options considered

- 8.1 No other options are considered.

9. Appendix

- 9.1 Appendix A- Constitution Part 3 Section 6 Sub-Section 7

10. Background paper(s)

- 10.1 None.

11. Report author's contact details

Katie Brooman Elections & Governance Manager
Katie.brooman@blaby.gov.uk 0116 2727693

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GRIEVANCE & STANDARDS COMMITTEE (A Quasi-Judicial Body)

GENERAL

This Committee will meet to cover 2 main functions:

Grievance (Head of Paid Service, Chief Finance Officer and Monitoring Officer)

Meetings for the purposes of determining an investigation of Grievance as may be recommended by the Investigating Officer. A decision making body with full delegated powers.

Standards

Meetings for the purposes of the Standards function will be called and arranged by the Monitoring Officer, in consultation with the Chairman as required.

MEMBERSHIP, CHAIRMANSHIP AND QUORUM

- Number of Members: **5**
- Substitute Members permitted: YES
- Whether Proportionality applies: YES
- Appointments/Removal from Office: As expressed through the wishes of the Political Groups and given effect to by the Council by way of resolution.
- Eligibility/Non-Eligibility for Membership:
 - Members of the Chief Executive, Directors and Chief Officers Disciplinary Committee and the Appeals Committee are not eligible.
- Quorum: **3**
- Eligibility/Non Eligibility for Chairmanship/Vice-

Chairmanship:

- All Members of the Committee are eligible

PROCEDURES**Compilation of Agenda**

The Democratic Services, Scrutiny and Governance Manager shall be responsible for the compilation of the Agenda in consultation with the Investigating Officer.

FUNCTIONS OF THE GRIEVANCE COMMITTEE

- 1 To consider and determine Grievance cases where:
 - An employee raises a grievance against the Chief Executive, S.151 Officer or the Monitoring Officer.
 - Where the Chief Executive raises a grievance, by definition this will be against an individual elected member(s) or the Council.
- 2 In the event of a Grievance case involving the Chief Executive, the relevant national Conditions of Service (as set out by the JNC for Chief Executives and the Chief Officers) should be consulted.
- 3 Where disciplinary action may result in dismissal of a Statutory Officer, the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 must be followed.
- 4 For the purposes of this Constitution, 'disciplinary action' shall mean:-

Any action occasioned by alleged misconduct which, if proved, would according to the usual practice of the authority, be recorded in the Officer's personal file, and includes any proposal for dismissal of an Officer for any reason other than redundancy or permanent ill-health or infirmity of mind or body, but does not include failure to renew a contract of employment for a fixed term unless the authority has undertaken to renew such a contract.

STANDARDS COMMITTEE

CRITERIA FOR APPOINTMENT OF INDEPENDENT PERSONS

- 1 Appointment to be approved by at least 20 Members (i.e. a majority of the Council) at a Council Meeting.
- 2 Any proposed appointment is advertised in the local area, and must indicate a closing date for an application.
- 3 Only persons who have submitted an application within timescales published in 2 above can be considered.
- 4 No application will be eligible when the applicant has been a Member or Officer of this Authority within 5 years of the date of appointment or is currently a Member or Officer of any other relevant local authority.
- 5 No application will be eligible when the applicant is a relative or close friend of an Officer or Member of the District Council, or any Local Council within the area.

THE MONITORING OFFICER ROLE IN RELATION TO THIS COMMITTEE

The Monitoring Officer has the right to make reports to and receive reports from the Standards Committee, subject to consultation with the Head of Paid Service and the S151 Officer.

PROTOCOL FOR PRESENTATION OF REPORTS OF THE STANDARDS COMMITTEE TO COUNCIL

Reports of Standards Committee to Council shall be presented by the Chairman of the Standards Committee.

PROCEDURES

Compilation of Agenda

The Monitoring Officer is responsible for the compilation of the Agenda in consultation with the Chairman of the Committee and the Chief Executive.

Rights to see, requisition and call to appear

This Committee has the right:-

- to see Cabinet Executive papers (which must be treated with the necessary confidentiality given to them by the Council's procedures).
- to requisition all relevant documents held by the Council (which must be treated with the necessary confidentiality given to them by the Council's procedures).
- to call Members and Officers to appear before it.

FUNCTIONS

Responsibility pursuant to Article 9 of the Constitution:-

- 1 To discharge the functions conferred by Part III of the Local Government Act 2000, as amended by the Localism Act 2011.
- 2 To promote and maintain high standards of conduct by Councillors.
- 3 To advise the Council on the adoption of a local code of conduct for Members.
- 4 To advise the Council on the adoption of a local code of conduct for employees including arrangements for monitoring and updating as required.
- 5 To advise the Council on ethical governance, including the adoption of local codes and/or protocols and/or policies in relation to ethical standards (including 'whistle blowing').
- 6 To adopt relevant policies and procedures.
- 7 To consider reports from the Monitoring Officer on material breaches of local codes and/or protocols in relation to member conduct not falling within the Code of Conduct.
- 8 To consider and report to the Council on breaches of Council Codes and Protocols by Members, as the Committee considers appropriate.
- 9 To advise, train or arrange to train Members and co-opted Members of the authority on matters relating to the authority's code of conduct.

- 10 To monitor the operation of the Members' Code of Conduct and assisting Members and co-opted Members to observe it.
- 11 To review significant changes to the Constitution, as determined by the Proper Officer;

N.B. The Standards Committee has no powers to intervene in any employee issues falling within the Council's Disciplinary Procedure and/or the Grievance Procedure.

DELEGATED POWERS

As detailed in Functions.

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Blaby District Council Council

Date of Meeting	28 January 2025
Title of Report	Asset Disposals and Affordable Housing Site Update This is not a Key Decision and is on the Forward Plan
Lead Member	Cllr. Nigel Grundy - Neighbourhood Services & Assets
Report Author	Neighbourhood Services Group Manager
Strategic Themes	All Themes: Enabling communities and supporting vulnerable residents; Enhancing and maintaining our natural and built environment; Growing and supporting our economy; Keeping you safe and healthy; Ambitious and well managed Council, valuing our people

1. What is this report about?

- 1.1 To provide an update to Council on progress of disposal decisions made previously and to seek authority to dispose of assets surplus to the Council's requirements.

2. Recommendation(s) to Council

- 2.1 That delegated Authority is given to the Neighbourhood Services Group Manager in consultation with the Neighbourhood Services and Assets Portfolio Holder to dispose of the underutilised land at College Road, Whetstone to East Midlands Housing Group for a nominal fee.
- 2.2 That delegated Authority is given to the Executive Director (S151 Officer) in consultation with the Housing, Community Safety and Environmental Services Portfolio Holder to agree an affordable housing contribution to be made towards the College Road Site.
- 2.3 That delegated Authority is given to the Neighbourhood Services Group Manager in consultation with the Neighbourhood Services and Assets Portfolio Holder to dispose of:
 - the underutilised land at High Street, Whetstone to Whetstone Parish Council for a disposal value of £137,500 and
 - Trinity Park Open Space, Whetstone for a nominal fee.
- 2.4 That delegated Authority is given to the Neighbourhood Services Group Manager in consultation with the Neighbourhood Services and Assets Portfolio Holder to dispose of Glen Hills Nature Area, Glen Parva to Glen Parva Parish Council for a nominal fee.

3. Reason for Decisions Recommended

- 3.1 The recommendations seek to ensure that the Council utilises assets appropriately, assessing the future use to meet the Council's priority around affordable housing; to generate a monetary return or to pass open space to Parishes where it might be appropriate to do so and reducing maintenance costs and liability to the Council.
- 3.2 The recommendation at 2.2 will allow the level of affordable housing contributions to be agreed without further delay and assist the development of the two dementia friendly bungalows on the College Road site to be progressed.

4. Matters to consider

4.1 Background

Update of Asset Disposal and Affordable Housing Decision

At the Council meeting of the 27th July 2021 Council considered the disposal of four pieces of land in its ownership. This followed an exercise that the Council had been carrying out to consider if any pieces of land may be developed to generate income or to provide affordable housing. Council considered the report and proposed that:

- Underutilised land off High Street, Whetstone, land at Station Road Glenfield and land at College Road Whetstone (Detailed at Appendix A) be disposed of to East Midlands Housing Group (EMH) for a sum of £205,002. This was contingent upon the sites being purchased together and subject to planning permission being given.
- That Open Space Land at Trinity Park, Whetstone (detailed at Appendix B) be disposed of to Whetstone Parish Council for a nominal fee. This transaction was on condition that the site be retained as open space in perpetuity and that the transaction should occur once the transfer of all three sites to EMH had been concluded.

Since the Council decision, EMH have progressed plans attempting to gain planning permission for the three sites. The College Road Site at Whetstone has been granted planning permission to build two dementia friendly bungalows however, at the Planning Committee of the 3rd October planning permission was refused for the Station Road, Glenfield site. The conditions of the original disposal decision can not now be met and an alternative recommendation is needed to address this.

Further Asset Disposal

The District Council have recently developed a Parks and Open Strategy 2024- 2034 with a strategic vision to ensure that Blaby District Council owned parks and open spaces are sustainable, high quality, accessible and continue to provide value to people, place, and nature.

A key objective of the strategy is to review all strategic parks and open spaces owned by Blaby District Council and recommend the best ownership and management for their respective communities.

As part of this continuous review the Council have identified Glen Hills Nature Area to recommend for transfer to the respective local parish council. Further to an offer in principle to transfer land, Glen Parva Parish Council has expressed an interest in taking ownership.

Parish Councils have an in depth understanding of local needs, and the availability to access funding opportunities which has the potential to provide a vast range of benefits to its residents, visitors, and park users. In addition, it allows for the Parish Council to take control of the site offering opportunities for consistency in maintenance regimes, community events, activities, and much more.

4.2 Proposal(s)

Update of Asset Disposal and Affordable Housing Decision

College Road Site

With the refusal of the planning application for Station Road in Glenfield and the land off High Street in Whetstone also proving difficult to address planning considerations, it is recommended that the transfer of the College Road, Whetstone site to EMH be made for a nominal fee without the transaction being conditional on the transfer of the Station Road and High Street Sites.

EMH are currently considering whether it is still viable to develop the College Road site without the inclusion of the land at High Street and Station Road however, it is proposed that Council approve the disposal of the College Road site to EMH for a nominal fee for the development of the dementia bungalows on the basis that EMH are able to progress the site at a point in the future. Delegated authority is requested to be given to the Executive Director in consultation with the Portfolio Holder to agree to an affordable housing contribution from funds already held by the Council from developer contributions. This contribution will be kept within usual contribution levels and will enable the development to progress without delay if EMH are able to make the site viable.

Land off High Street in Whetstone

Correspondence was received in August 2024 from solicitors acting on behalf of Whetstone Parish Council making an offer of £137,500 for the land off High Street. The offer is made to acquire the land freehold, without any planning permission and free from restrictions, given that market value is offered. It is the Parish Council's intention that the land be used as open space.

It is proposed that this land (detailed at appendix C) be disposed of to Whetstone Parish Council free from restrictions for the disposal value of £137,500.

Open Space at Trinity Park

It is proposed, as per the original report, that the Open Space Land at Trinity Park, Whetstone be disposed of to Whetstone Parish Council for a nominal fee. This transaction was on condition that the site be retained as open space in perpetuity and Whetstone Parish Council have confirmed that they are happy to proceed on that basis.

Station Road Glenfield

Following the refusal by the planning application for this site further options are currently being considered and will be brought back to Council for consideration at a later date.

Glen Hills Nature Area

Glen Parva Parish Council has expressed an interest to take ownership of Glen Hills Nature Area LT251274, LT143642 and LT387622, (Plan Appendix C) which will remain as open space in perpetuity.

The land has received a valuation of £1,250 based on it being retained as open space. The site has been deemed not to have any development potential and it is unlikely that the land would obtain the valuation figure if advertised for sale. It is therefore proposed that the site be transferred to the parish to be retained as open space in perpetuity for a nominal value of £1.00.

The Council will be required to advertise the open space transferring to Parish Council's for sale by way of a Public Notice in a local newspaper in accordance with the Local Government Act 1972 s123 prior to transfer should Council accept the recommendations.

4.3 Relevant Consultations

Consultation was undertaken during the development of the Parks & Open Strategy that subsequently identified the transfers of Glen Hills Nature Area as a Strategic Objective.

Internal consultants: Working group, Tourism, Planning, Environmental Services, SLT, Informal Cabinet, Scrutiny, Full Council.

External consultants: Leicestershire County Council, The Environmental Partnership (TEP) Parish/Town Councils.

4.4 Significant Issues
None

4.5 In preparing this report, the author has considered issues related to Human Rights, Legal Matters, Human Resources, Equalities, Public Health Inequalities and there are no areas of concern. From an equalities point of view it is anticipated that there will be positive equality impacts as a result of the recommendations.

5. Environmental impact

- 5.1
- No Net Zero and Climate Impact Assessment (NZCIA) is required for this report. No adverse environmental impacts are anticipated given there is to be no change to the current utilisation of the land remaining as open space.
 - With regard to the proposal to construct new affordable homes by EMH at College Road, it is expected that measures will be taken to enhance thermal efficiency of buildings through improved insulation techniques, include solar panels and rain water harvesting and ecology measures for birds and insects.

6. What will it cost and are there opportunities for savings?

- 6.1 The transfer will have the potential to reduce operational costs to the Parks and Open Spaces Team at a de minimis level and free up time from the cessation of grounds maintenance obligations. The potential time saved would be absorbed within the service and directed towards undertaking more hard landscaping activities to reduce expenditure on external contractors.

Note that parts of Trinity Park are currently leased to Whetstone Parish Council and as such are maintained by Whetstone Parish.

	Current year	2025/26
Revenue	N/A	0
Capital receipt	N/A	£137,500
Nominal receipts		£2

7. What are the risks and how can they be reduced?

7.1

Current Risk	Actions to reduce the risks
Councils' liability for the sites	Transferring the asset to the Parish Council's will transfer the liability.
Risk that the Parish is unable to maintain the assets after transfer.	The Council will carry out due diligence to ensure the Parish Council's have the ability and funding to maintain the parks into the future.
Limited funding for improvements to the open spaces.	Transferring the asset will provide further funding avenues for future improvements to the sites.
Risk that development of College Road has now become unviable for EMH to develop given build costs escalating since initial decision	Officers are continuing to work with EMH to understand how this site could be brought forward for development.

8. Other options considered

- 8.1 The option of continuing to maintain the Glen Hills Nature Area by the Council's in house team was considered and discounted based on the ongoing revenue costs of maintaining the site and lack of capital funding for any investment into the site. The option to undertake minimal maintenance on all sites was considered and discounted in favour of transferring to the parish council.

Opportunities to retain Glen Hills Nature Area for potential biodiversity net gain units has been explored and discounted as an early assessment has suggested it may be unviable.

For the open space recreation ground at Trinity Road (Whetstone) – the option to retain the land was considered. However, the disposal of the open space to the Parish would remove an ongoing liability. To note; in recent times the Parish have been maintaining this land informally.

For College Rd (Whetstone) – as per previous Council report in February 2020 the option to retain the land was considered. However, the proposed disposal will maximise the Council's priority to provide affordable housing and remove an ongoing maintenance liability.

9. Appendix

- 9.1 Appendix A – Appendix A – Red line drawings for Station Rd (Glenfield), High Street (Whetstone), College Road (Whetstone)
- 9.2 Appendix B – Appendix B – Red line drawing for open space Trinity Road (Whetstone)
- 9.3 Appendix C – Appendix C – Red line drawing for Glen Hills Nature Area

10. Background paper(s)

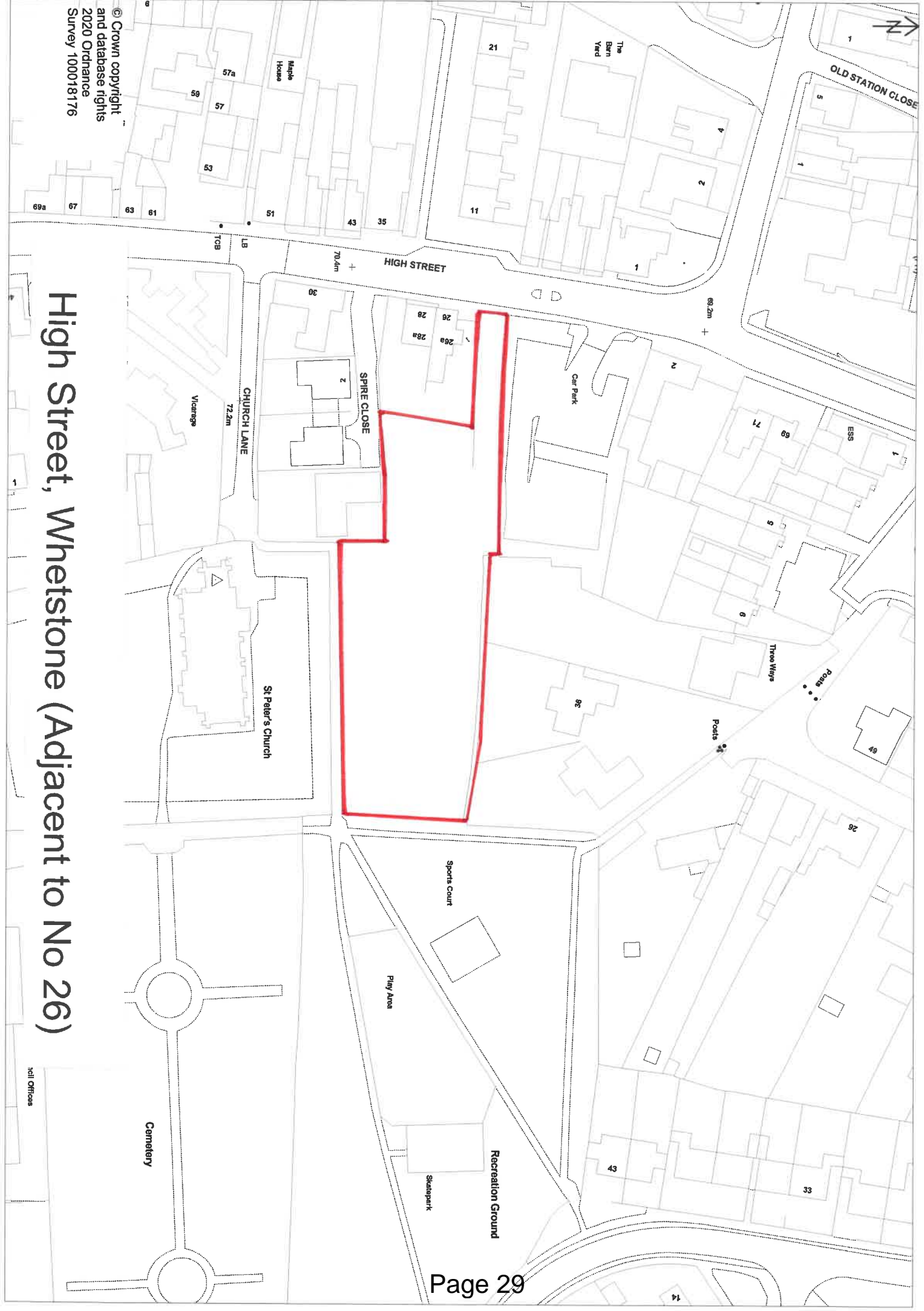
- 10.1 None

11. Report author's contact details

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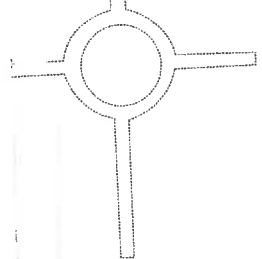
High Street, Whetstone (Adjacent to No 26)





Cemetery

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Survey 100018176



Skatepark

Recreation Ground

THE CRESTWAY

College House

BLABY BY-PASS

College Road, Whetstone (Between Nos 86 -88)



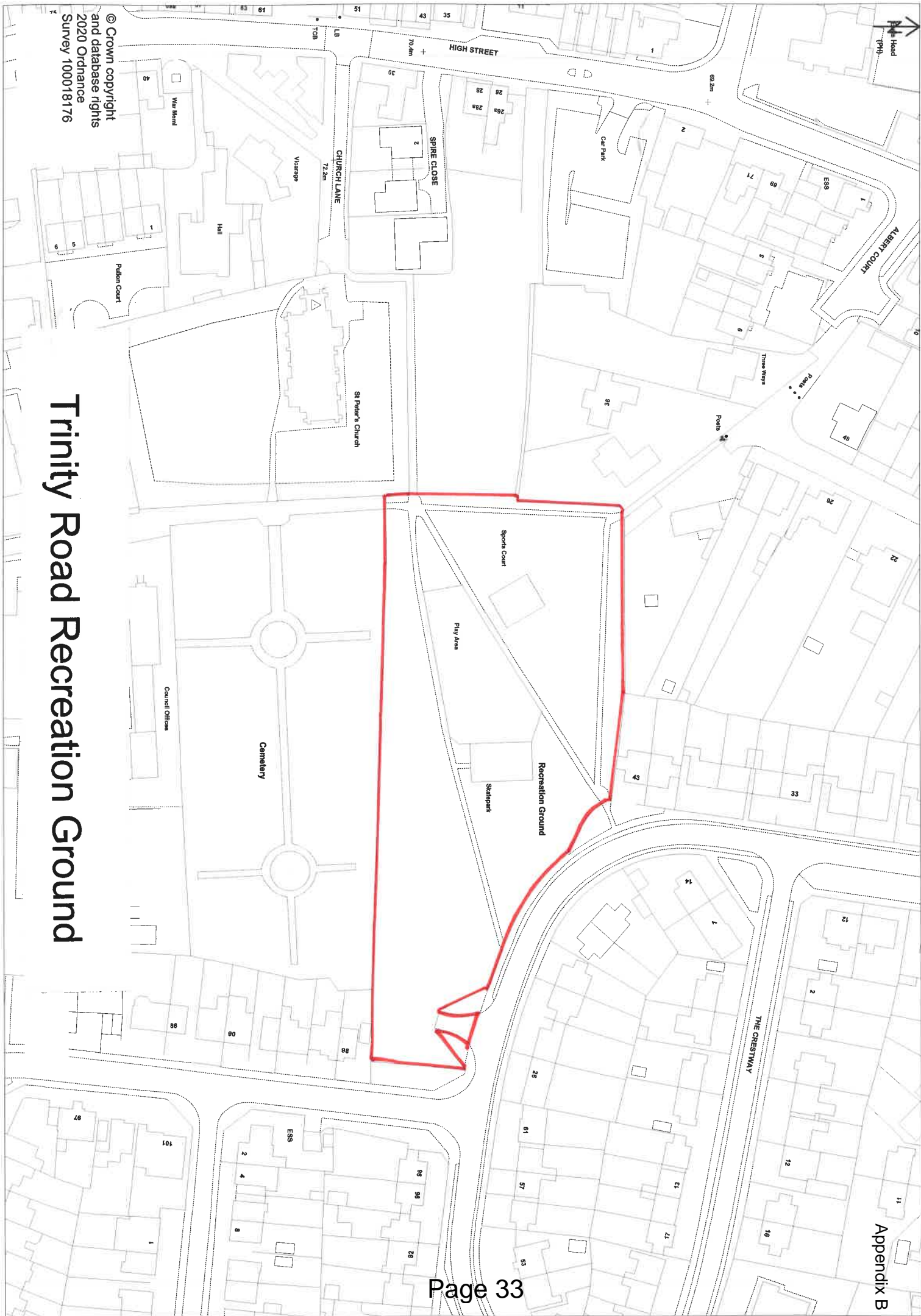


Station Road Car Park, Glenfield (Adjacent to The Balk)

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Trinity Road Recreation Ground

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Blaby District Council Council

Date of Meeting	28 January 2025
Title of Report	3 Year Review of Gambling Act 2005 Statement of Principles This is a Key Decision and is on the Forward Plan.
Lead Member	Cllr. Les Phillimore - Housing, Community Safety and Environmental Services
Report Author	Environmental Health Manager
Strategic Themes	Growing and supporting our economy

1. What is this report about?

- 1.1 A review of the Council's Statement of Principles is required under the Gambling Act 2005 every 3 years. The current Statement of Principles expires on 31st March 2025.
- 1.2 The purpose of the report is to inform Council that only minor amendments to the current Statement of Principles has been made.

2. Recommendation(s) to Council

- 2.1 That the draft Statement of Principles 2025 - 2028 as attached at Appendix A to this report be agreed and adopted.

3. Reason for Decisions Recommended

- 3.1 It is appropriate that members of the Council review the Statement of Principles 2025-2028 prior to its adoption by Council.
- 3.2 This is to ensure that any last-minute amendments can be incorporated into the final Statement, prior to it being published, with the aim that it takes effect from 1st April 2025.

4. Matters to consider

4.1 Background.

Under the Gambling Act 2005 the Licensing Authority is required to publish a Statement of Principles every three years, outlining the procedures it intends to follow in discharging its statutory responsibilities under the Act. The Council approved its existing Statement of Principles in 2022.

The Gambling Commission gives guidance on the preparation of Statements of Principles together with details on the consultation process, which must be followed. The current guidance has been taken into consideration when reviewing this statement of principles.

The reviewed Statement of Principles outlines how the Licensing Authority will exercise its functions under the Act in the grant, issue, administration and enforcement of licences, permits and registrations.

Given that there have been no significant changes to the legislation or relevant guidance, only minor changes in the draft Statement of Principles 2025-2028 have been made from the current Statement of Principles.

4.2 Proposal(s)

That the draft Statement of Principles 2022-2025 as attached at Appendix A to this report be agreed and adopted.

4.3 Relevant Consultations

A consultation exercise was commenced on 12th October 2024 and ran for 4 weeks finishing on 15th November 2024. The Authority issued correspondence detailing the consultation process to interested parties/bodies and agencies. A list of those consulted can be referred to in Appendix B.

Two comments were received from consultees during the consultation period. The first being from The County Fire Brigade, who offered no issues and the second from The Betting and Gaming Council with recommendations to delete paragraphs 1.3 and 1.4 in Part B due to being obsolete. These recommendations have been implemented.

4.4 Significant Issues

Legal Implications:

The Authority is required to review its Statement of Principles every 3 years as a statutory requirement under the Gambling Act 2005.

- 4.5 In preparing this report, the author has considered issues related to Human Rights, Legal Matters, Human Resources, Equalities, Public Health Inequalities and there are no areas of concern.

5. Environmental impact

No Net Zero and Climate Impact Assessment (NZCIA) is required for this report.

6. What will it cost and are there opportunities for savings?

- 6.1 There are no costs or saving opportunities.

	Current year	2025/26
Revenue	N/a	N/a
Capital	N/a	N/a

7. What are the risks and how can they be reduced?

- 7.1 No risk attached.

Current Risk	Actions to reduce the risks
N/a	N/a

8. Other options considered

The Licensing Authority has no other option but to review its Statement of Principles every 3 years as it is a statutory requirement of the Gambling Act 2005.

9. Appendix

- 9.1 Appendix A – Draft Statement of Principles 2025-2028
- 9.2 Appendix B – Consultee List.

10. Background paper(s)

- ## 10.1 Gambling Commission Guidance to Licensing Authorities

<https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities>

- ## 10.2 Public Health Gambling Harms - Blaby

11. Report author's contact details

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Gambling Act 2005 Statement of Principles 2025-2028

**APPROVED: TBC
PUBLISHED: TBC
EFFECTIVE FROM: 31st March 2025**

*This Statement of Licensing Principles was approved by Blaby District Council on . **TBC***

All references to the Guidance refer to the Gambling Commission's Guidance to Licensing Authorities, published April 2021.

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Part A

The Licensing Objectives

1. In exercising most of their functions under the Gambling Act 2005 (“the Act”), Licensing Authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:
 - Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
 - Ensuring that gambling is conducted in a fair and open way
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling
- 1.1. It should be noted that the Gambling Commission has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”.
- 1.2. The Act requires that Blaby District Council should aim to permit the use of premises for gambling in so far as it thinks it:
 - in accordance with any relevant code of practice issued by the Gambling Commission
 - in accordance with any relevant guidance issued by the Gambling Commission
 - Reasonably consistent with the licensing objectives and
 - in accordance with the authority’s statement of licensing policy

Introduction

2. Blaby District Council is situated in the County of Leicestershire, which contains 7 District/Borough Councils in total. The Council area has an estimated population of 102,900 (Source: UK National Census 2021). The northern most part of the District is predominantly urban in character, whereas the south of the District is more rural in its activities and character. The District of Blaby covers an area of 50 square miles and although not served by one principal town, there are 24 Parishes. A map of the Council area is shown below:



- 2.1. The District Council is required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions. The 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, then published once more before taking effect.
- 2.2. In preparing the statement, the Act requires a consultation to take place. Specifically, 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 Gambling Act 2005.

2.3. A full list of those parties being consulted is provided in Part D. The Council has also enabled consultation via its website, notices displayed in public buildings including the Council Offices and sent out copies of the draft policy on request.

2.4. Consultation took place between: 12th October 2024 and 15th November 2024.

2.5. The policy was presented at a meeting of the Licensing and Regulatory Sub-Committee on 9th December 2024 and at a meeting of the Full Council on **TBC**. Following agreement, it was then published via the Council's website on **TBC** as well as being published in public buildings including the Council Offices.

2.6. It should be noted that this statement of licensing principles will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

Declaration

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

Responsible Authorities

4. The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- **the need for the body to be responsible for an area covering the whole of the Licensing Authority's area; and**
- **the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.**

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

4.2. The contact details of all the Responsible Authorities under the Gambling Act 2005 are available via the Council's website at: www.blaby.gov.uk.

Interested parties

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

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

5.1. The Licensing Authority is required to state the principles it will apply in

determining whether a person is an interested party. The principles are:

- Each case will be decided upon its merits.
- This authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance to Licensing Authorities at 8.12 to 8.17.
- It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

5.2. Interested parties can be persons who are democratically elected such as Councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the Councillor / MP represent the ward likely to be affected. Likewise, Parish Councils likely to be affected will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

5.3. If individuals wish to approach Councillors to ask them to represent their views then care should be taken that the Councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the Licensing Section:

- By telephone – 0116 272 7782
- By email – licensing@blaby.gov.uk
- By post – The Licensing Section, Blaby District Council, Council Offices, Desford Road, Narborough, Leicestershire, LE19 2EP.

Exchange of Information

6. Licensing Authorities are required to include in their statements the principles to be applied by the authority with respect to the exchange of information with the Gambling Commission, and with those bodies listed in Schedule 6 to the Act.

6.1. The principle that this Licensing Authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 2018 will not be contravened. The Licensing Authority will also have regard to any Guidance issued by the Gambling Commission to Licensing Authorities on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

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

6.3. Blaby District Council requires personal information to provide access to services and facilities and to allow the public to participate in activities which form part of the democratic process.

- 6.4. The Council will process the information you provide in accordance with the Data Protection Act 2018. The information you provide will only be used for the purposes for which it was collected, and the Council will only share information where we are permitted to do so by law.
- 6.5. Blaby District Council is subject to the obligations of the Freedom of Information Act 2000. This legislation requires public authorities to disclose certain types of information, subject to a number of exemptions, upon receipt of a written request.
- 6.6. Information provided to the Council as part of an application made under the Gambling Act 2005 may be subject to these access provisions. However, Blaby District Council will assess any request individually and consult with applicants, where necessary, on any requests made which may potentially disclose information given as part of the application process.
- 6.7. It should be noted that the provision of licences is a public function, and as such some of the information provided as part of the application process must be made available to the public to allow fair and proper consultation and objection.
- 6.8. We will only hold such information for as long as there is a statutory or legitimate business reason, and all information will then be securely destroyed.

Enforcement

7. Licensing Authorities are required to state the principles they will apply when exercising their 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.
- 7.1. This Licensing Authority's principles are that:
- 7.2. It will be guided by the Gambling Commission's Guidance to Licensing Authorities and will endeavour to be:
- **Proportionate:** Intervening only when necessary: Ensuring remedies are appropriate to the risk posed, and costs identified and minimised;
 - **Accountable:** Being able to justify decisions, and be subject to public scrutiny;
 - **Consistent:** To ensure rules and standards are joined up and implemented fairly;
 - **Transparent:** To be open, and keep regulations simple and user friendly; and
 - **Targeted:** To be focused on the problem, and minimise side effects.
- 7.3. As per the Gambling Commission's Guidance to Licensing Authorities, the Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 7.4. This Licensing Authority has adopted and implemented a risk-based inspection programme, based on;
- The licensing objectives
 - Relevant codes of practice

- Guidance issued by the Gambling Commission, in particular at Part 36
- The principles set out in this statement of licensing policy

7.5. This may include test purchasing activities to measure the compliance of licensed operators with aspects of the Act. When undertaking test purchasing activities, this Licensing Authority will undertake to liaise with the Gambling Commission and the operator to determine what other, if any, test purchasing schemes may already be in place. Irrespective of the actions of an operator on their overall estate, test purchasing may be deemed to be an appropriate course of action.

7.6. The main enforcement and compliance role for this Licensing Authority in terms of the Gambling Act 2005 is to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission is the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines are not dealt with by the Licensing Authority but should be notified to the Gambling Commission.

7.7. This Licensing Authority also keeps itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

7.8. Bearing in mind the principle of transparency, this Licensing Authority's enforcement/compliance protocols/written agreements are available upon request to the Licensing Section:

- By email – licensing@blaby.gov.uk
- By post – Licensing Section, Blaby District Council, Council Offices, Desford Road, Narborough, Leicestershire LE19 2EP

7.9. Our risk methodology is also available upon request.

Licensing Authority functions

8. Blaby District Council has a duty under the Act to licence premises where gambling is to take place and to licence certain other activities. "Gambling" is defined in the Act as either gaming, betting or taking part in a lottery. Blaby District Council will be responsible for:

8.1. Licensing Authorities are required under the Act to be responsible for:

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

- Issue *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
- Register *small society lotteries* below prescribed thresholds
- Issue *Prize Gaming Permits*
- Receive and Endorse *Temporary Use Notices*
- Receive *Occasional Use Notices*
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')
- Maintain registers of the permits and licences that are issued under these functions

8.2. It should be noted that Licensing Authorities are not involved in licensing remote gambling. This is regulated by the Gambling Commission via operating licences.

Part B

Premises Licences: Consideration of Applications

General Principles

1. Premises licences are subject to the requirements set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing Authorities can exclude default conditions and attach others, where this is considered appropriate.

Decision-making

- 1.1. This Licensing Authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:
 - in accordance with any relevant code of practice issued by the Gambling Commission;
 - in accordance with any relevant guidance issued by the Gambling Commission;
 - reasonably consistent with the licensing objectives; and
 - in accordance with the authority's statement of licensing policy
- 1.2. It is appreciated that as per the Gambling Commission's Guidance to Licensing Authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" (except as regards any 'no casino resolution' - see section on Casinos) and also that unmet demand is not a criterion for a Licensing Authority.
- 1.3. The Gambling Commission states in the fifth edition of its Guidance to Licensing Authorities that: "In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. But that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration, and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises."
- 1.4. This Licensing Authority takes note of the Gambling Commission's Guidance to Licensing Authorities which states that: Licensing Authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. They should be aware of the following:
 - The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to

gambling. Therefore, premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.

- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised, and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity names on the premises licence.

1.5. The Guidance also gives a list of factors which the Licensing Authority should be aware of, which may include:

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

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

1.7. The Gambling Commission’s relevant access provisions for each premises type are reproduced below:

1. Type of premises	2. Access provisions
3. Casinos	4. • the principal entrance to the premises must be from a 'street' 5. • no entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons 6. • no customer must be able to enter a casino directly from any other premises which holds a gambling premises licence.
7. AGCs	8. • no customer must be able to access the premises directly from any other licensed gambling premises.
9. Betting shops	10. • access must be from a 'street' or from other premises with a betting premises licence 11. • no direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind unless that shop is itself a licensed betting premises.
12. Tracks	13. • no customer must be able to access the premises directly from a casino or AGC
14. Bingo premises	15. • no customer must be able to access the premises directly from a casino, an AGC or a betting premises, other than a track
16. FECs	17. • no customer must be able to access the premises directly from a casino, an AGC or a betting premises, other than a track.

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

Premises "ready for gambling"

1.9. The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the Licensing Authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

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

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

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

before gambling takes place.

- 1.12. Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.
- 1.13. More detailed examples of the circumstances in which such a licence may be granted can be found at paragraphs 7.58-7.65 of the Guidance.

Location

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

Planning

- 1.15. The Gambling Commission Guidance to Licensing Authorities in Section 7.58 states:

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

- 1.16. This authority will not take into account irrelevant matters as per the above guidance. In addition, this authority notes the following excerpt from Section 7.65 of the Guidance:

"When dealing with a premises licence application for finished buildings, the Licensing Authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control and building regulation powers, and not form part of the consideration for the premises licence. Section 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."

Duplication with other regulatory regimes

- 1.17. This Licensing Authority seeks to avoid any duplication with other statutory /

regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

- 1.18. When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

Licensing objectives

- 1.19. Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this Licensing Authority has considered the Gambling Commission's Guidance to Licensing Authorities and some comments are made below.
- 1.20. **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime** - This Licensing Authority is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that Licensing Authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This Licensing Authority is aware of the distinction between disorder and nuisance and will consider factors (for example whether police assistance was required and how threatening the behaviour was to those who could see it) so as to make that distinction.
- 1.21. **Ensuring that gambling is conducted in a fair and open way** - This Licensing Authority has noted that the Gambling Commission states that it generally does not expect Licensing Authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. *For Local Authorities with tracks:* There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section—see page 14).
- 1.22. **Protecting children and other vulnerable persons from being harmed or exploited by gambling** - This Licensing Authority has noted the Gambling Commission's Guidance that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The Licensing Authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may

include supervision of entrances / machines, segregation of areas etc.

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

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

Conditions

1.25. The mandatory and default conditions referred to are intended to be, and usually are sufficient to ensure operation that is consistent with the licensing objectives and that additional conditions will only be imposed where there is evidence of a risk to the licensing objectives, which is not acknowledged or adequately addressed by the applicants licensing objective.

1.26. Any conditions attached to licences will be proportionate and will be:

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

1.27. Decisions upon individual conditions will be made on a case-by-case basis, although there will be a number of measures this Licensing Authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This Licensing Authority will also expect the licence applicant to offer his/her own suggestions as to way in which the licensing objectives can be met effectively.

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

1.29. This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;

- access to the area where the machines are located is supervised;
 - the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
 - at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.
- 1.30. These considerations will apply to premises including buildings where multiple premises licences are applicable.
- 1.31. This Licensing Authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this Licensing Authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
- 1.32. It is noted that there are conditions which the Licensing Authority cannot attach to premises licences which are:
- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
 - conditions relating to gaming machine categories, numbers, or method of operation;
 - conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
 - conditions in relation to stakes, fees, winning or prizes.

Door Supervisors

- 1.33. The Gambling Commission advises in its Guidance to Licensing Authorities that if a Licensing Authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor and is entitled to impose a premises licence to this effect.
- 1.34. Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different types of premises vary.

Sharing Local Risk Assessments

- 1.35. Under the Gambling Commissions revised Licence Condition Codes of Practice which came into force in April 2016, section 10.1.2 states:

“Licensees should share their risk assessment with Licensing Authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise on request.”

Adult Gaming Centres

2. This Licensing Authority will specifically have regard to the need to protect children

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

2.1. This Licensing Authority may consider measures to meet the licensing objectives such as:

- CCTV
- Proof of age schemes
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

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

(Licensed) Family Entertainment Centres

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

3.1. This Licensing Authority may consider measures to meet the licensing objectives such as:

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

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

3.3. This Licensing Authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This Licensing Authority will also make itself aware of any mandatory

or default conditions on these premises licences, when they have been published.

Casinos

4. No Casinos resolution - This Licensing Authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should this Licensing Authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the Full Council.
- 4.1. Licence considerations/conditions – This Licensing Authority will attach conditions to casino premises licences in line with and according to the principles set out in the Gambling Commissions Guidance, taking into account the conditions listed in the Guidance and the Licence Conditions and Code of Practice (LCCP) published by the Commission. The Licensing Authority will also comply with the Code of Practice issued by the Secretary of State which gives the procedures to be followed when making determinations at both stage one and two and the matters which the Licensing Authority are to take into account when making determinations.
- 4.2. Betting machines - This Licensing Authority will, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

Bingo premises

5. This Licensing Authority notes that the Gambling Commission's Guidance states: *"Licensing Authorities need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. An operator may choose to vary their licence to exclude a previously licensed area of that premises, and then apply for a new premises licence, or multiple new premises licences, with the aim of creating separate premises in that area. Essentially providing multiple licensed premises within a single building or site. Before issuing additional bingo premises licences, Licensing Authorities need to consider whether bingo can be played at each of those new premises."*
- 5.1. Section 172(7) of the Act provides that the holder of bingo premises licence may make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises.
- 5.2. Children and young people are allowed into bingo premises; however, they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed. Social Responsibility (SR) code 3.2.5(3) states that "licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises' in order to prevent underage gambling.

Betting Premises

6. Self-Service Betting Terminals - This Licensing Authority will, as per the Gambling

Commission's Guidance, consider whether to impose a condition to restrict the number of SSBTs at a particular premises and will take into account amongst other things the ability of employees to monitor the use of machines by children and young or vulnerable people.

Tracks

7. This Licensing Authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this Licensing Authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
- 7.1. This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.
- 7.2. This Licensing Authority may consider measures to meet the licensing objectives such as:
 - Proof of age schemes
 - CCTV
 - Supervision of entrances / machine areas
 - Physical separation of areas
 - Location of entry
 - Notices / signage
 - Specific opening hours
 - Self-exclusion schemes
 - Provision of information leaflets / helpline numbers for organisations such as GamCare
- 7.3. This list is not mandatory, nor exhaustive, and is merely indicative of example measures.
- 7.4. Gaming machines - Where the applicant holds a pool betting operating licence and is going to use the entitlement for four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.
- 7.5. Betting machines - This Licensing Authority will, as per Part 6 of the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.
- 7.6. Applications and plans – Section 51 of the Gambling Act requires applicants to

submit plans of the premises with their application, in order to ensure that the Licensing Authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the Licensing Authority to plan future premises inspection activity.

7.7. Plans for tracks do not need to be in a particular scale but should be drawn to scale and should be sufficiently detailed to include the information required by regulations.

7.8. This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place.

Travelling Fairs

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

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

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

Provisional Statements

9. Developers may wish to apply to this authority for provisional statements before entering a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

9.1. Section 204 of the Gambling Act provides for a person to make an application to the Licensing Authority for a provisional statement in respect of premises that he or she:

- expects to be constructed.
- expects to be altered; or
- expects to acquire a right to occupy.

9.2. The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible

authorities and interested parties may make representations and there are rights of appeal.

9.3. In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

9.4. When making its decision on an application for a provisional statement this Licensing Authority will take into account S.210 of the Act which applies to provisional statements and makes it clear that a Licensing Authority must not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with planning or building law.

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

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

9.6. In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the authority's opinion reflect a change in the operator's circumstances; or
- where the premises have not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this Licensing Authority notes that it can discuss any concerns it has with the applicant before making a decision.

Reviews

10. Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the Licensing Authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below;

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

10.1. The request for the review will also be subject to the consideration by the

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

- 10.2. The Licensing Authority can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason which it thinks is appropriate.
- 10.3. Once a valid application for a review has been received by the Licensing Authority, representations can be made by responsible authorities and interested parties during a 28-day period. This period begins 7 days after the application was received by the Licensing Authority, who will publish notice of the application within 7 days of receipt.
- 10.4. The Licensing Authority must carry out the review as soon as possible after the 28-day period for making representations has passed.
- 10.5. The purpose of the review will be to determine whether the Licensing Authority should take any action in relation to the licence. If action is justified, the options open to the Licensing Authority are:
 18. add, remove or amend a licence condition imposed by the Licensing Authority;
 19. exclude a default condition imposed by the Secretary of State or Scottish Ministers (e.g. opening hours) or remove or amend such an exclusion;
 20. suspend the premises licence for a period not exceeding three months; and
 21. revoke the premises licence.
- 10.6. In determining what action, if any, should be taken following a review, the Licensing Authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.
- 10.7. In particular, the Licensing Authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.
- 10.8. Once the review has been completed, the Licensing Authority must, as soon as possible, notify its decision to:
 - the licence holder
 - the applicant for review (if any)
 - the Commission
 - any person who made representations
 - the chief officer of police or chief constable; and
 - HM Revenue and Customs

Part C

Permits / Temporary & Occasional Use Notice

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

1. Where a premises is not licensed, but the applicant wishes to provide gaming machines, they 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).
- 1.1. The Gambling Act 2005 states that a Licensing Authority may prepare a *statement of principles* that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission.
- 1.2. Section 25 of the Guidance 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 FEC, and if the chief officer of police has been consulted on the application. Licensing Authorities might wish to consider asking applications to demonstrate:
 - a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
 - that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and
 - that employees are trained to have a full understanding of the maximum stakes and prizes. (24.9)
- 1.3. It should be noted that a Licensing Authority cannot attach conditions to this type of permit.

Statement of Principles

- 1.4. The principles that Blaby District Council has adopted requires the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include:
 - DBS checks for Staff
 - A policy on the suitability of staff, taking into account convictions for, violence, dishonesty, sexual offences
 - appropriate training for staff and measures in place with regards to suspected truant school children on the premises
 - training of staff to ensure full understanding of the maximum stakes and prizes.
 - measures and training covering how staff would deal with unsupervised very

young children on the premises and children causing perceived problems on or around the premises.

1.5. In addition to the above, the Council will also expect that:

- applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs
- the applicant has no relevant convictions (these are set out in Schedule 7 of the Act).

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

2. Automatic Entitlement: 2 machines

2.1. There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to automatically have 2 gaming machines of categories C and/or D. The premises merely need to notify the Licensing Authority and pay the prescribed fee.

2.2. The Licensing Authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act for example the gaming machines have been made available in a way that does not comply with requirements on the location and operation of gaming machines
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

2.3. The Licensing Authority can remove the automatic authorisation in respect of any particular premises if:

2.4. Permit: 3 or more machines

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

2.6. This Licensing Authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff, who will monitor that the machines are not being used by those under 18. Notices and signage

may also be of help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

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

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

2.9. It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

Prize Gaming Permits

3. The Gambling Act 2005 states that a Licensing Authority may “prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Gambling Commission.

3.1. The principles that Blaby District Council has adopted require the applicant to show that:

- the applicant should set out the types of gaming that he or she is intending to offer
- the applicant should be able to demonstrate that they:
 - they understand the limits to stakes and prizes that are set out in Regulations; and
 - the gaming offered is within the law
- clear policies that outline the steps to be taken to protect children & vulnerable people
- the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act)

3.2. It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the Licensing Authority cannot attach conditions. The conditions in the Act are:

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

- participation in the gaming must not entitle the player to take part in any other gambling.

Club Gaming and Club Machines Permits

4. Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations.
- 4.1. Members Clubs, Miner's welfare institutes, and Commercial Clubs, may apply for a Club Machine Permit. A Club Machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). NB Commercial Clubs may only site category B4 - D gaming machines in their club.
- 4.2. This Licensing Authority notes that the Gambling Commission's Guidance states:
- 4.3. 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 a number of matters as outlined in sections 25.45-25.47 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.
- 4.4. 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.
- 4.5. The Commission Guidance also notes that Licensing Authorities may only refuse an application on the grounds that:
 - (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
 - (b) the applicant's premises are used wholly or mainly by children and/or young persons;
 - (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
 - (d) a permit held by the applicant has been cancelled in the previous ten years; or
 - (e) an objection has been lodged by the Commission or the police.
- 4.6. There is also a 'fast-track' procedure available under the Act for premises that hold a Club Premises Certificate under the Licensing Act 2003. Commercial clubs cannot hold club premises certificates under the Licensing Act 2003 and so cannot use the fast-track procedure. As the Gambling Commission's Guidance to Licensing Authorities states that the Commission (and the police), may not object to the application and the Licensing Authority is, in fact, obliged to grant the application. However, care should be taken that the emphasis of the club is not being changed.
- 4.7. The grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed by regulations under s.266 of the Act
- (b) in addition to the prescribed gaming, the applicant provides facilities for other gaming;
- (c) a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

4.8. 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.

Temporary Use Notices

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

5.1. 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.

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

5.3. There are a number of statutory limits as regards Temporary Use Notices. The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to Licensing Authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place".

5.4. In considering whether a place falls within the definition of "a set of premises", the Licensing Authority needs to look at, amongst other things, the ownership/occupation and control of the premises.

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

Occasional Use Notices:

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

will also ensure that no more than 8 OUNs are issued in one calendar year in respect of any venue.

Small Society Lotteries

7. This Licensing Authority will adopt a risk-based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of the operator:
 - submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
 - submission of incomplete or incorrect returns
 - breaches of the limits for small society lotteries
- 7.1. Non-commercial gaming is permitted if it takes place at a non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:
 - by, or on behalf of, a charity or for charitable purposes
 - to enable participation in, or support of, sporting, athletic or cultural activities.
- 7.2. Charities and community groups should contact this Licensing Authority to seek further advice.
 - By email – licensing@blaby.gov.uk
 - By post – Licensing Section, Blaby District Council, Council Offices, Desford Road, Narborough, Leicestershire, LE19 2EP

Understanding Gambling Harms in your area: **Blaby**

This profile explores the estimated levels of gambling harm, and the use of treatment, support and advice in Blaby. These projections are based on the Annual GB Treatment and Support Survey 2022.

The PGSI measures levels of gambling behaviour which may cause harm to an individual, ranging from low-risk gambling (score of 1-2), moderate-risk gambling (3-7), and 'problem gambling' (8+).



PGSI 1+

We estimate that **1 in 8** people in Blaby have a PGSI score of 1 or more (12.7%), this compares to 13.4% across Great Britain (GB). **1 in 20** (5.0%) have a PGSI score of 3+, compared to 5.9% across GB. **1 in 44** (2.2%) have a score of PGSI 8+, compared to 2.9% across GB.*

£1.6 million is the estimated fiscal cost of 'problem gambling' in Blaby**

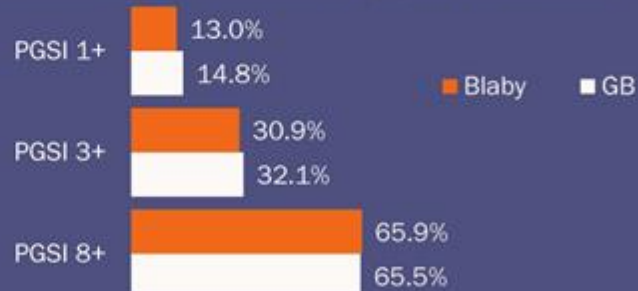


12.6% of those who have a score of PGSI 1+ would like treatment, support or advice to deal with their gambling

This rises to 65.2% among PGSI 8+ in Blaby.



% of people PGSI 1+ accessing treatment, support or advice



Notes

*The PGSI is a standardised measure of at-risk behaviour in gambling. Estimates of PGSI and of access to services in your area have been modelled on a nationally representative survey of 18,000 adults in GB. Estimates vary due to various methodological and technical differences. Figures from our annual Treatment and Support survey are likely to be in the upper bound.

**This is based on the annual fiscal cost of 'problem gambling' (PGSI 8+) estimated by the National Institute of Economic and Social Research (NIESR) in 2023.

If you're worried about your own or someone else's gambling, you can call The National Gambling Helpline on [0808 8020 133](tel:08088020133). This service is totally free to access, 24 hours a day, 7 days a week.

GambleAware

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Appendix B

List of the Parties/Bodies Consulted.

- Association of British Bookmakers (ABB)
- Bingo Association
- Blaby District Parish Councils
- British Amusement Catering Trade Association (BACTA)
- British Beer & Pub Association
- British Casino Association
- British Greyhound Racing Board
- British Horse Racing Board
- Club and Institute Union
- GamCare Ltd
- Gamblers Anonymous
- Holders of Premises Licences under the Gambling Act 2005 in Blaby District.
- HM Revenue & Customs
- Leicestershire Police
- Leicestershire and Rutland Safeguarding Children Board
- Leicestershire County Council – Trading Standards Service
- Leicestershire County Council Public Health
- Leicestershire Fire & Rescue Service
- All Blaby District Council Councillors
- Lotteries Commission
- Small Society Lottery Registration holders
- The public – via the Councils Website
- The Gambling Commission

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Blaby District Council Council

Date of Meeting	28 January 2025
Title of Report	Polling Place Review- Croft and Huncote This is not a Key Decision and is not on the Forward Plan
Lead Member	Cllr. Terry Richardson - Leader of the Council
Report Author	Elections and Governance Manager
Strategic Themes	Enabling our communities and supporting our vulnerable residents

1. What is this report about?

- 1.1 The purpose of this report is to seek approval for revised polling places for voters in Croft and Huncote.

2. Recommendation(s) to Council

- 2.1 That the revised polling places for the polling districts set out in the report be approved.

3. Reason for Decisions Recommended

- 3.1 The local authority has a duty to review their polling districts, places and polling stations to ensure that electors have accessible facilities for voting when an existing venue becomes unavailable.

4. Matters to consider

4.1 Background

Both Huncote Primary School and Croft Primary School have indicated to the Returning Officer that they are no longer able to accommodate use as a polling station. Whilst schools are legally obligated to provide facilities for voting upon request, it is the view of the Returning Officer that where possible alternative locations to schools should be sought where use of the school would cause significant disruption. It is therefore necessary to locate alternative places for voting for electors in Croft and Huncote.

A 'polling district' is a geographical subdivision of an electoral area such as a county division or a district ward within which a polling place is designated.

A 'polling place' is an area or building in which a polling station is usually located, usually it is a street within the polling district.

It is the duty of the Council to approve any changes made to a polling districts' polling place, and the responsibility of the Returning Officer to allocate a polling station located within that polling place.

4.2 Proposal(s)

The Returning Officer has conducted a full review of the alternative venues within the relevant polling district and proposes the following changes:

Polling District	Existing polling place	Existing polling station	Proposed polling place	Proposed polling station
Q1, Q2 (Croft)	Brookes Avenue, Croft	Croft Community Centre, Croft Primary School, Brookes Avenue, LE9 3GJ	Winston Avenue, Croft	Mobile unit located at Croft Pavilion
Y (Huncote)	Denman Lane, Huncote	Huncote Community Centre, Huncote Primary School, Denman Lane, LE9 3BS	Narborough Road, Huncote	St James the Greater Church Hall

Croft:

Voters in Croft have historically voted at Croft Primary School, however following the recent General Election the school highlighted safety concerns and requested that an alternative venue be sought. No other venue within the area was identified as appropriate for voters, and it is therefore proposed that a mobile unit be sited at the Winston Avenue car park located at the Croft Pavilion. The Returning Officer is aware of Croft Parish Council's intention to build a new village hall near this site in the near future (subject to planning permission) and it is therefore intended that this could accommodate the polling station in future. A mobile unit can accommodate the number of voters within the area and meets accessibility requirements.

Huncote:

Huncote Community Centre at Huncote Primary School now houses a permanent nursery, and use of the venue in future would result in the nursery closing on polling day. An alternative venue was therefore sought, with St James The Greater Church Hall identified as a good alternative for voters. The venue has good disabled access, good transport links and is of a sufficient size for the number of electors. Being located on Narborough Road, the Church is a clearly identifiable building for voters running through the heart of the village.

4.3 Relevant Consultations

- Ward members for Croft and Huncote- no concerns were raised at the proposals
- Croft Parish Council- the Council confirmed that they were happy to accommodate a unit at Croft Pavilion
- The Deputy Returning Officers

4.4 Significant Issues

- 4.5 In preparing this report, the author has considered issues related to Human Rights, Legal Matters, Human Resources, Equalities, Public Health Inequalities and there are no areas of concern.

5. Environmental impact

- 5.1 No Net Zero and Climate Impact Assessment (NZCIA) is required for this report.

6. What will it cost and are there opportunities for savings?

- 6.1 Hire of a mobile unit is more costly than the hire of a permanent venue, and therefore polling station costs will increase as a result of the proposal.
- 6.2 Costs associated with the hire of venues are met by the Central Government Electoral Claims Unit for national polls, Leicestershire County Council at County elections and at Parish elections the cost is covered by the Parish Council. At District elections, the cost must be covered by Blaby District Council.

7. What are the risks and how can they be reduced?

7.1

Current Risk	Actions to reduce the risks
New polling station location – electors not knowing where they should go to vote	<ul style="list-style-type: none">- Poll Cards will include details of the new polling station and will include text to highlight the change.- Local publicity and the use of social media prior to election day.

8. Other options considered

- 8.1 Other potential polling station venues were considered, however none were deemed to meet the requirements for accessible voting and were therefore disregarded.

9. Appendix

9.1 None.

10. Background paper(s)

10.1 None.

11. Report author's contact details

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Blaby District Council Council

Date of Meeting	28 January 2025
Title of Report	Appointment to the Independent Remuneration Panel This is not a Key Decision and is on the Forward Plan
Lead Member	Cllr. Terry Richardson - Leader of the Council
Report Author	Elections and Governance Manager
Strategic Themes	Ambitious and well managed Council, valuing our people

1. What is this report about?

- 1.1 This report asks Council to consider the appointments of a member to the Independent Remuneration Panel (IRP).

2. Recommendation(s) to Council

- 2.1 That Louise Spiers be appointed to serve on the Independent Remuneration Panel.
- 2.2 That the term of office for all members of the Independent Remuneration Panel be until 28 January 2028.

3. Reason for Decisions Recommended

- 3.1 To comply with the requirements as set out in the Local Authorities (Members' Allowances) (England) Regulations 2003.
- 3.2 The terms of office of the Members of the Independent Remuneration Panel need to be reasonable to avoid revisiting of the recruitment process with undue frequency and to enable a level of expertise to be built.

4. Matters to consider

4.1 Background

The Independent Remuneration Panel was established under the Local Authorities (Members' Allowances) (England) Regulations 2003 to provide advice and recommendations to the Council on amounts to be paid under its Members' Allowances Scheme. Members of the IRP are required to be independent, and the IRP's recommendations must be publicised. The Council is required to have due regard to the recommendations of the panel.

The Panel

An Independent Member cannot be someone who at the time of appointment:

- Is a member of any political group; or
- Has a personal association with Blaby District Council; or
- Is a serving Councillor at County, District, London Borough or Parish Council.

The Constitution requires there to be three Members appointed to the Council's IRP. Following the resignation of longstanding member Stephen Knott from the panel, it has become necessary to appoint a new member to the IRP.

Appointment of New Member

Whilst the Regulations specify that an IRP must have at least three members, they do not prescribe how a local authority should appoint those members. Guidance stipulates that the Council must emphasise the importance of ensuring that the Panel is genuinely independent and well qualified to discharge its functions. Following the resignation of Stephen Knott, the vacancy was advertised using the Council's job vacancy procedure. It was also advertised on the Council's website and social media platforms as well as at the Blaby Business Breakfast.

The deadline for return of applications was Monday 4th November and 3 applicants were invited to interview by the Elections & Governance Manager and Senior Democratic Services & Scrutiny Officer. Louise Spiers was successful at interview and is therefore recommended for appointment.

4.2 Proposal(s)

That Council approve the appointment of Louise Spiers to the Independent Remuneration Panel.

4.3 Relevant Consultations

None.

4.4 Significant Issues

Legal Implications: The Council must appoint an Independent Remuneration Panel to review its scheme of allowances in accordance with the Regulations as referred to at 3.1 of this report.

4.5 In preparing this report, the author has considered issues related to Human Rights, Human Resources, Equalities, Public Health Inequalities and there are no areas of concern.

5. Environmental impact

- 5.1 No Net Zero and Climate Impact Assessment (NZCIA) is required for this report.

6. What will it cost and are there opportunities for savings?

- 6.1 Members of the Independent Remuneration Panel receive reasonable expenses incurred in attending meetings and in addition a small remuneration of £200.00 per annum. These costs are met from within existing budgets.

7. What are the risks and how can they be reduced?

- 7.1 None.

8. Other options considered

- 8.1 None. The Council must fulfil the requirements as set out in the Local Authorities (Members' Allowances) (England) Regulations 2003.

9. Appendix

- 9.1 None.

10. Background paper(s)

- 10.1 [Blaby District Council Constitution - Part 6 - Members Allowances Scheme](#)
[Local Authorities \(Members' Allowances\) \(England\) Regulations 2003](#)

11. Report author's contact details

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Blaby District Council Council

Date of Meeting	28 January 2025
Title of Report	Debate not Hate This is not a Key Decision and is on the Forward Plan
Lead Member	Cllr. Terry Richardson - Leader of the Council
Report Author	Elections and Governance Manager
Strategic Themes	Ambitious and well managed Council, valuing our people

1. What is this report about?

- 1.1 The purpose of this report is to present the 'Debate not Hate: Councillor Handbook for personal safety and healthy debate' and for Council to endorse the Local Government Association Debate not Hate campaign public statement.

2. Recommendation(s) to Council

- 2.1 That Council endorses and supports the Local Government Association (LGA) Debate not Hate campaign by signing the LGA Debate not Hate public statement and that each councillor is invited to demonstrate the pledge by signing the statement following this Council Meeting
- 2.2 That the 'Debate Not Hate: Councillor Handbook for personal safety and healthy debate' be accepted.

3. Reason for Decisions Recommended

- 3.1 The intimidation, personal attack and harassment of local politicians undermines democracy – preventing elected councillors from representing the communities they serve, deterring individuals from standing for election, and undermining public trust in democratic processes. Endorsing the Debate not Hate campaign demonstrates the Council's public commitment to tackling the abuse of elected councillors.
- 3.2 The 'Debate Not Hate: Councillor Handbook for personal safety and healthy debate' gives councillors vital information on how to report abuse, what support is available and how to prevent abuse from happening.

4. Matters to consider

- 4.1 Background

The LGA's Debate Not Hate campaign aims to raise public awareness of the role of councillors in their communities, encourage healthy debate and improve the responses and support for local politicians facing abuse and intimidation.

On 3rd July 2023 the LGA published the report "Debate Not Hate: Ending abuse in public life for councillors". The report outlined how Councils can better support councillors. On 30th May 2024 the LGA launched a self-assessment toolkit to assist officers in assessing the arrangements that their Council has in place in relation to the abuse and intimidation of councillors. Blaby District Council takes seriously the safety and wellbeing of its councillors and used this toolkit to assess our current provision, and to inform the drafting of the 'Debate Not Hate: Councillor Handbook' and review of the support available for councillors. This handbook aims to provide councillors with a single set of guidance on how to report abuse, what support is available and how to prevent abuse from happening.

Given that the types of abuse faced by councillors can change in nature, including as a result of changing local circumstances, this document is designed to adapt with the changing needs of councillors. The support provision and reporting mechanisms will be regularly reviewed by officers, in conjunction with Group Leaders to ensure they continue to meet the requirements of councillors.

4.2 Proposal

That the Council agrees to publicly commit to the message of the Debate Not Hate campaign by signing the LGA public statement and utilising the 'Debate Not Hate: Councillor Handbook for personal safety and healthy debate' to both prevent future abuse where possible, and to arm councillors with the knowledge of what to do should they experience abuse.

4.3 Relevant Consultations

None.

4.4 Significant Issues

In preparing this report, the author has considered issues related to Human Rights, Legal Matters, Human Resources, Equalities, Public Health Inequalities and there are no areas of concern.

5. **Environmental impact**

No Net Zero and Climate Impact Assessment (NZCIA) is required for this report.

6. What will it cost and are there opportunities for savings?

- 6.1 Any costs incurred will relate only to the support provided to Councillors as detailed in the Handbook. This support will be on an ad hoc basis upon request and therefore cannot be accurately predicted. Any costs incurred will be met from existing budgets.

7. What are the risks and how can they be reduced?

7.1

Current Risk	Actions to reduce the risks
Councillors experience abuse and do not know how to report this or access support.	The Handbook provides a clear procedure for reporting abuse and the support available which will be proactively offered.

8. Other options considered

- 8.1 Not producing the Handbook. However, this may result in councillors experiencing abuse and not knowing how to report it or access support. This option was therefore not appropriate.

9. Appendix

- 9.1 Appendix A- Debate Not Hate: Councillor Handbook for personal safety and healthy debate

10. Background paper(s)

- 10.1 <https://www.local.gov.uk/publications/debate-not-hate-ending-abuse-public-life-councillors>
- <https://www.local.gov.uk/publications/ending-abuse-public-life-council-self-assessment-toolkit>

11. Report author's contact details

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Blaby District Council

Debate not hate: Councillor Handbook for personal safety and healthy debate

DEBATE
NOT HATE

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Introduction

Blaby District Council is committed to robust, lively and respectful debate. It is a vital part of our democracy and should be encouraged. However, debate should never turn to hate. Abusive, intimidating and disrespectful behaviour towards elected Councillors is not acceptable. It stops members from being able to properly represent their communities and undermines our local democracy.

This handbook is a guide for Councillors on

- What abuse is
- Zero-tolerance approach
- Reporting abuse
- Support available
- Practical guidance on how to prevent abuse, and deal with it if it occurs

This guide also sets standards for healthy debate amongst councillors for members to lead by example.

We remain united in the belief that no one should face abuse for serving in public office and are committed to supporting our members to tackle this abuse.



Cllr Terry Richardson
Leader of the Council
(Conservative Group)



Cllr Nick Brown
Leader of the Labour
Group



Cllr Luke Cousin
Leader of the Liberal
Democrat Group



Cllr Tony Deakin
Leader of the Green
Group

What is abuse

The Local Government Association calls abuse to Councillors “public intimidation” and defines that as “words and/or behaviour intended or likely to block or deter participation in public debate, which could lead to an individual wanting to withdraw from public life”

This includes, but is not limited to, actions of abuse, harassment and intimidation such as:

- verbal abuse
- physical attacks
- being stalked, followed, or loitered around
- threats of harm
- distribution of misinformation
- character assassination
- inappropriate emails, letters, phone calls and communications on social media
- sexual harassment or sexual assault
- any other threatening behaviours, including malicious communications such as poison pen letters, indecent or grossly offensive emails or graphic pictures that aim to cause distress or anxiety.

Zero tolerance approach

Blaby District Council adopts a zero-tolerance approach to abuse and intimidation.

Councillors should be empowered to end interactions where they are experiencing abuse. Abuse should not be tolerated in any capacity.

Expectations for interactions:

- Parties should speak to each other with respect
- There should be no forms of intimidation or aggression- including insults, humiliation or bullying
- There should be no swearing or inappropriate language
- There should be no threats made

If interactions with residents or other councillors fail to meet these expectations, you should consider ending the interaction.

How to report incidents

How you report an incident may depend on the severity.

1. Report it to the Police

If the situation warrants it (for example, where a crime may have been committed, threats have been made or the Councillor feels unsafe or at risk of further abuse or violence) consideration should be given to reporting matters to the Police. Incidents should be reported via 101 or online at <https://www.leics.police.uk>

If there is an immediate threat to your safety, call 999

2. Report it to Democratic Services or the Chief Executive directly

It is important that the council is made aware of any incidents, **including those you don't consider serious enough for the police**, as it may be possible for action to be taken to prevent a similar incident from re-occurring and to take further steps to protect Councillors and staff from abusive individuals. Actions which may be taken as a result of a report if appropriate:

- Police may be informed if they have not been already
- The individual may be added to the Tread Carefully List, which alerts staff and members to potentially abusive individuals to prevent further contact
- The member may be offered personal protective equipment/surveillance equipment for their home
- Wellbeing support will be offered if deemed relevant
- Training requirement may be identified and actioned

3. Keep a record of the incident

Record or note down the encounter or communication. Emails or letters can be copied or saved. A telephone call or face-to-face discussion or social media incident could be written in a diary after the event, recorded, screenshot or saved. Photos can be taken of damage. It is also important that incidents relating to the same individual or individuals should be recorded as such evidence could be critical if the matter gives rise to a criminal prosecution.

Support available

- **Access to free Counselling Services-** please speak to Democratic Services for more information on how to access free Counselling Services. This is also available for members of your family who have experienced abuse as a result of your position
- **Personal alarms** are available upon request from Democratic Services. These should be used whilst out in the community
- **Online training courses-** Available modules: Keeping safe online, Introduction to Health & Safety, Mental Health Awareness
- **Regular personal safety training** provided by the Local Government Association
- **My possible self app** to promote wellbeing
- **Access to mental health first aiders-** they act as a first point of contact if you are experiencing emotional distress. They can provide initial support and signpost you to appropriate support services
- **Access to the Tread Carefully list-** this list details residents who are recorded as being potentially abusive and should be consulted before one on one interactions with residents occur
- **Comms support-** should you wish to respond to a resident query, officers are able to provide the required information and suggested wording if requested

Leading by example - healthy debate between members

When addressing abusive behaviour, it is important that this is applied in all facets of public life.

Debate is an integral part of democracy and should be encouraged. However, debate should never turn to hate.

Below are standards of behaviour for interactions between councillors which should be adhered to, to ensure that each councillor is treated with respect.

The Code of Conduct for Members adopted in the Blaby District Council Constitution establishes that:

1. As a member I will treat others with respect
2. I will not bully any person
3. I will not harass any person

Members must therefore ensure that they:

1. Do not make personal attacks on another member or other elected representative (including those elected to other bodies such as a Parish Council or Parliament)- debate should refer only to matters related to their role as an elected official and should not become personal
2. Speak to other members with respect – treat others as you would wish to be treated
3. Do not use inappropriate or offensive language
4. Debate should remain within the Council Chamber. It is not always appropriate or welcome to continue a debate outside of the committee meeting

Looking out for each other:

Members are encouraged to look out for their fellow councillors, and where they can, offer support. Often a peer who has similar experiences can be a reassuring and welcome person to share with. Members will have best practice and advice on how to tackle abuse from their own experiences which are valuable. It is actively encouraged that Councillors share their advice and support one another alongside the formal support offered on page 5.

How can I respond to abuse?

To support councillors to handle abuse and intimidation, the LGA has developed the following SHIELD principles. These principles provide councillors with a basic framework on which to base their engagement with the public to reduce the risks and handle incidents if they do occur. These principles are:



LGA SHIELD PRINCIPLES

To support councillors to handle abuse and intimidation, the LGA has developed the following shield principles to reduce risks and handle incidents if they occur:



LGA SHIELD PRINCIPLES



SAFEGUARD
Protect yourself online and in person by proactively setting out a zero-tolerance policy of abuse, threats or intimidation. Seek advice on online and in-person safety.



HELP
Ensure you are safe before you take further action and get help if needed. If the threat is immediate, call 999.



INFORM
If it's safe to do so, say that you consider the communication or action to be intimidating, threatening or abusive and challenge poor behaviour.



EVIDENCE
Gather evidence of abuse, intimidatory or threatening communications; take photos, recordings or screenshots, keep letters, emails and details of witnesses.



LET PEOPLE KNOW
Report the incident to the appropriate person, such as council or political officers, social media companies, and the police if necessary.



DECIDE
Determine whether you want to continue interacting with the person. If not, use social media function to end engagement and consider options to inhibit them from approaching you in person.

FAQs:

Can I photograph or film to record an incident of abuse?

Yes. It is not illegal to take photographs or video footage in public places unless it is for criminal or terrorist purposes.

Practical guidance for councillor personal safety

Social media/online abuse

Social media is a useful tool in interacting with residents, communicating key information and listening to the issues going on in your area. However, social media can also be a forum for online abuse where users feel empowered to speak unkindly or act inappropriately. You should consider establishing an effective security routine.

Preventative measures against online abuse:

- **Set expectation-** Councillors can post on their profiles their own rules of engagement where they can establish expectations about the tone and content of online communications as well as consequences faced by those who break them. They are very helpful to set boundaries and manage expectations. This was be

The LGA has produced model expectations:

Rules of engagement

Welcome to my page, which aims to communicate my activities as a councillor.

If you wish to be a part of this online community, you must agree to abide by this code of digital engagement, which is designed to keep everyone safe.

RULE 1
Debate and disagreement are welcome on this page, but only if expressed with courtesy, respect and politeness.

RULE 2
Posts should not contain abuse, harassment, intimidation or threats of any form.

RULE 3
Posts should not contain any form of discrimination – including racism, sexism, ageism, ableism, homophobia, transphobia or religious intolerance.

RULE 4
Posts should not spread false or unverified information.

RULE 5
For transparency reasons, users should not post anonymously.

If any of these rules are broken, page admins reserve the right to delete posts, block users and report content to the police if necessary.

It may not be possible to respond to all queries on this page due to time constraints - if you have specific enquiries or casework, please send directly to my official email.

- **Consider holding two accounts on a platform-** one for personal use, and one for your use as a Councillor. On Facebook, we strongly recommend you use a Facebook 'Page' rather than a 'profile' for your councillor role
- **Lead by example** – do not post comments that could be considered abusive, and avoid posting false or unverified information.
- **Consider content** – some content will be more controversial than others. Consider before posting how you will manage engagement with this, for example only engaging in comments on the policy itself or directing people to consultation documents.
- **Defuse conflict** – waiting to respond can take the heat out of situations, as can reframing your own language.
- **Know when to step back** - Remember you do not have to engage with abusive or threatening behaviour. You can set the record straight with factual information if you wish, but you can step away when you want to.

- **Protect your privacy** – set different passwords for different accounts, and do not post information that can allow people to identify your whereabouts outside of official council business.
- **Understand privacy settings** – there is a range of settings to help you manage who can see or comment on your posts.
- **Get and give support** – where you feel able, provide support to fellow councillors online, and reach out to colleagues and your council for support where needed.

Tackling abuse on social media:

- **Keep a record-** (such as a screen shot) that includes the poster's details
- **Escalation-** If the post is a complaint about a council service, you can ask for contact details and pass the information to officers to follow-up and inform the individual that this is the course of action you are taking.
- **Block abusive users-** Consider “blocking” or “muting” a person or their posts. It is important to remember that, as a councillor, you do not have to accept abusive behaviour.
- **Reporting abuse-** Most social media platforms have ‘rules’ or ‘terms of use’ that prohibit abusive behaviour. If you feel someone has broken a social media platform’s ‘rules’, you can report the user to the platform in question. It will then be up to the platform to take further action. You can also report abuse to Democratic Services or the police if necessary as highlighted in the reporting procedure above.

Visit the platform's own safety advice pages:

Facebook: <https://www.facebook.com/help/safety>

Instagram: <https://help.instagram.com/>

X (was Twitter): <https://help.x.com/en/safety-and-security/account-security-tips>

YouTube: <https://www.youtube.com/intl/en-GB/about/policies/#community-guidelines>

Resources and further guidance:

The above guidance should be read in conjunction with the Blaby District Council Social Media Protocol for Members.

The LGA has developed a range of guidance and resources to support councillors with their online communications: [Improving digital citizenship: A practical guide for councillors | Local Government Association](#)

Lone working

If you are working alone, consider the following advice:

- Leave details of where you are going and how long you will be with a friend, relative or colleague
- Check that your mobile phone is charged and switched on
- Carry a personal attack alarm- Democratic Services can provide these on request
- Have a buddy system so you can ring in at an agreed time. Agree with your buddy what will happen if you do not contact at the agreed time.
- Team up with a Councillor from a neighbouring ward or from the corresponding county division to make visits

If there are a number of risks associated with a particular visit you may wish to carry out a risk assessment and discuss or ask another Councillor or an Officer for their view on whether a visit should be undertaken

Home visits

Before arranging a lone home visit, Councillors should always consider alternative options:

- Can contact be made by telephone or email?
- Can a meeting be arranged in a public place such as a Community Centre or a café?
- Can the resident attend a Ward Surgery?
- Can a colleague or another person accompany you?

We would strongly encourage Councillors to arrange meetings with residents in a public place. You can use the interview rooms fitted with panic buttons at Blaby District Council offices for this purpose. To book a room, please speak to Democratic Services.

If a home visit is undertaken, the following general personal safety issues should be considered and planned before the visit:

- Arrange the visit during normal working hours, if possible
- If appropriate, consult the Council's Tread Carefully list- please speak to Democratic Services to arrange this
- Let somebody know who you are visiting, providing details of address, date and time of visit and expected duration. You may also wish to establish a code word which will alert them that there may be a problem
- Keep a record of your whereabouts. This might include making a call on your mobile during the home visit, telling the resident that there is such a record or that you are expected elsewhere at a specific time

During a home visit, the following specific personal safety issues should be followed:

- Call the person before the meeting to confirm arrangements and establish their mood/state of mind
- Stay alert when approaching the property, and look around the garden for dangers, for example dogs
- After knocking, stand back and to the side of the door
- Ask for any dogs or other pets to be secured, where appropriate
- Assess the situation and mood of the resident.
- If in any doubt or you feel threatened, do not enter, make an excuse and leave
- Only sit down when the resident does

Car safety

You need to take the same precautions as most car owners do:

- Have your keys in your hand or easily accessible
- Park where possible, under street lighting and try not to park in dark streets or isolated car parks
- Lock the car doors after you get into the car and after leaving it
- Carry a torch with you
- Look around your vehicle as you approach in case someone is crouching down
- Look inside before entering your vehicle to ensure no one is hiding there (even if the doors were locked)
- Try to park on the left hand side of the road facing the way you want to drive off
- Ensure your vehicle has sufficient fuel for the journey

- If you are followed in your vehicle, do not get out. Ensure that it is locked, drive to a safe place such as police station, flash your lights and sound the horn to attract attention

Ward surgeries

- Avoid holding surgeries in otherwise empty buildings. Choose busy locations such as libraries, supermarkets and parish buildings
- Consider having someone else with you- this could be your fellow ward councillor or a family member. If you are in a single member ward, you could establish a buddy system with a fellow single member ward councillor to agree that you will each accompany the other to surgeries and long visits.
- Sit nearest the exit and consider the layout of your seating
- Keep your desk clear of items which could be used against you, including hot drinks

This guidance, used in conjunction with the support highlighted on page 5 should be used by councillors to keep them safe, and to stop debate turning into hate.

DEBATE
NOT HATE

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