

Meeting of Council

Monday 17 December 2018

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, OX15 4AA on Monday 17 December 2018 at 6.30 pm, and you are hereby summoned to attend.



Yvonne Rees
Chief Executive

Friday 7 December 2018

AGENDA

1 **Apologies for Absence**

2 **Declarations of Interest**

Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.

3 **Communications** (Pages 1 - 2)

To receive communications from the Chairman and/or the Leader of the Council.

4 **Petitions and Requests to Address the Meeting**

The Chairman to report on any requests to submit petitions or to address the meeting.

5 **Urgent Business**

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

6 **Minutes of Council** (Pages 3 - 14)

To confirm as a correct record the Minutes of Council held on 30 October 2018.

7 **Minutes**

- a) Minutes of Executive, Lead Member Decisions and Executive Decisions not included in the 28 day notice

The Leader of the Council to formally propose that the minutes of the meetings of the Executive and Lead Member Decisions as set out in the Minute Book (circulated separately) be received and to report that since the last meeting of Council held on 30 October 2018, one decision had been taken which was not included in the 28 day notice relating to: Property Acquisition in Banbury.

- b) Minutes of Committees

The Leader of the Council to formally propose that the minutes of committees as set out in the Minute Book (circulated separately) be received.

8 **Questions** (Pages 15 - 16)

- a) Written Questions

To receive any written questions and answers which have been submitted with advance notice in accordance with the Constitution. A written response to the question will be circulated at the meeting.

- b) Questions to the Leader of the Council

The Chairman to invite questions to the Leader of the Council (including any matters arising from the minutes).

Following a response to their question being provided Members will be entitled to a follow up or supplementary question.

- c) Questions to Committee Chairmen on the Minutes

The Chairman to invite questions to Chairmen of Committees on any matter arising from the minutes of their committee (if any).

9 **Motions**

To debate the following motion which has been submitted with advance notice, in accordance with the constitution.

Maternity and Paternity Leave for Parents to Premature Babies

This Council supports extending paternity and maternity leave for any of its staff whose babies have been born too soon.

Parents to premature babies are faced with financial, mental and physical stress and hardship, yet their maternity leave begins the day after the birth.

We believe that the added pressure of worrying about the length of maternity or paternity leave is not good for the wellbeing of employees.

This council therefore seeks to adopt a policy of providing one extra week of leave to employees for every week a premature baby spends in hospital before the due date.

Proposer: Councillor Sean Woodcock

Seconder: Councillor Hannah Banfield

Council Business Reports

10 Purchase of The Mill Arts Centre (Pages 17 - 24)

Report of Interim Executive Director: Finance and Governance

Purpose of report

To establish a budget in order to complete the transfer of The Mill Arts Centre from Oxfordshire County Council to Cherwell District Council following the Executive's decision in July 2018 to negotiate the purchase of The Mill Arts centre building in Banbury. It was also agreed that there would be an increase in revenue support to the Mill Arts Centre Trust in the short term to enable The Trust to meet its commitment following the cessation of the financial relationship with Oxfordshire County Council.

Following on from the purchase, there will be a need to carry out a full investment options appraisal on the site to report back to members on the scale and scope of potential investment in the Towns cultural facilities to create a sustainable venue for the Town.

This will be subject to further reports once we are able to work with the Trust on those options. An internal officer working group will be established to take this work forward.

Recommendations

The meeting is recommended:

- 1.1 To approve the expenditure of £1 to secure the transfer of The Mill Arts Centre from Oxfordshire County Council to Cherwell District Council in line with the Executive decision of July 2018.
- 1.2 To agree to the establishment of a revenue budget of £50,000 to cover costs of transition funding and arrangements in 2018/19 to be funded from general reserves. Future funding will be considered when setting the budget and medium term financial plan in February 2019.

- 1.3 To note that immediate remedial works (expected early in 2019/20) in the region of £250,000 may be required, with further phases of works due later in 2019/20 or the 2020/21 to ensure that the building is fit for purpose and will be subject to detailed capital proposals as part of the budget setting process and medium term financial plan for 2019/20 to 2023/24
- 1.4 To note that an officer working group will be established to establish the options and Business case for any further investment into the site to ensure that the Trust is financially more sustainable in the medium to long term
- 1.5 To note that the offer to acquire the asset is subject to a restrictive covenant from Oxfordshire County Council to ensure that at least 80% of the site is used for cultural purposes otherwise state aid applies.
- 1.6 To delegate the final agreement for the legal agreement to transfer the asset to the Monitoring officer for Cherwell District Council in consultation with the Interim Executive Director of Finance and Governance.

11 Gambling Act 2005 - Review of Statement of Licensing Principles (Pages 25 - 52)

Report of Assistant Director Environmental Health and Licensing

Purpose of report

To consider a revised Statement of Licensing Principles as part of the Gambling Act 2005.

Recommendations

The meeting is recommended:

- 1.1 To approve and adopt the revised Cherwell District Council Statement of Licensing Principles.

12 Council Tax Reduction Scheme 2019-2020 and Council Tax Discounts 2019-2020 (Pages 53 - 58)

Report of Interim Executive Director: Finance and Governance

Purpose of report

To seek approval for a Council Tax Reduction Scheme for the year 2019-2020 on the recommendation of the Executive and Budget Planning Committee.

To provide members with an update of Council Tax discounts and seek approval for the Council Tax discounts for the year 2019-20.

Recommendations

The meeting is recommended:

- 1.1 To approve a Council Tax Reduction Scheme (CTRS) for the year 1 April 2019 to 31 March 2020 as set out in the report and implement the scheme with effect from 1 April 2019.
- 1.2 To grant delegated authority to the Section 151 Officer to make further amendments to the CTRS Regulations up to and including 31 January 2019 in consultation with the Lead Member for Financial Management and Governance.
- 1.3 To review the proposed level of Council Tax discounts for 2019-2020 and to approve the following:
 - Retain the discount for second homes at zero
 - Retain the discount for empty homes (unoccupied and substantially unfurnished) at 25% for 6 months and thereafter at zero.
 - Retain the discount for empty homes undergoing major repair at 25% for 12 months and thereafter at zero.
 - Retain the empty homes premium of an additional 50% for properties that have remained empty for more than 2 years.

13 Calendar of Meetings 2019/2020 (Pages 59 - 66)

Report of Director: Law and Governance

Purpose of report

Council is asked to consider the calendars of meetings for the municipal year 2019/20.

Recommendations

The meeting is recommended:

- 1.1 To approve the calendar of meetings for Cherwell District Council (CDC) for the municipal year 2019/20 (Appendix 1).

14 Exclusion of the Press and Public

The following item contains exempt information as defined in the following paragraph of Part 1, Schedule 12A of Local Government Act 1972.

3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Members are reminded that whilst the following item has been marked as exempt, it is for the meeting to decide whether or not to consider it in private or in public. In making the decision, members should balance the interests of individuals or the Council itself in having access to the information. In considering their discretion members should also be mindful of the advice of Council Officers.

Should Members decide not to make a decision in public, they are recommended to pass the following recommendation:

“That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the ground that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part 1, Paragraph 3 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

15 Land in Banbury - Proposed Acquisition (Pages 67 - 94)

** Please note exempt appendices 4, 5 and 6 will follow **

Exempt report of Interim Executive Director Finance and Governance

16 Questions on Exempt Minutes

Members of Council will ask questions on exempt minutes, if any.

Councillors are requested to collect any post from their pigeon hole in the Members Room at the end of the meeting.

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to

democracy@cherwellandsouthnorthants.gov.uk or 01295 221589 prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item.

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Evacuation Procedure

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the car park as directed by Democratic Services staff and await further instructions.

Access to Meetings

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

Queries Regarding this Agenda

Please contact Natasha Clark, Democratic and Elections
natasha.clark@cherwellandsouthnorthants.gov.uk, 01295 221589

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CHAIRMAN/VICE CHAIRMAN'S ENGAGEMENTS

31 October 2018 – 17 December 2018

Date	Event
4 November	The Chairman and his Consort attended a Civic Lunch at Whittlebury Hall at the invitation of the Chairman of South Northamptonshire Council. The lunch was held to commemorate the 100 th Anniversary of the end of WW1 and proceeds were in aid of Willen Hospice, Cynthia House Hospice and Katharine House Hospice.
6 November	The Chairman and his Consort attended one of the 17 th Annual "Children Singing for Children" Concerts which were held at St. Mary's Church in Banbury and organised by the Rotary Club of Banbury. Each of the primary schools taking part on each evening were invited to sing two songs of their own choice and then to join with the other schools for three finale songs. The main causes being supported this year were the Sunshine Centre, Banbury, school projects in Sierra Leone and The Gambia and 10% going to other local children's charities. Over the past years more than £75,000 has been shared amongst the chosen charities.
7 November	The Vice Chairman chaired the Parish Liaison Meeting held at Bodicote House which was well attended by representatives from many Parish Councils within the district.
10 November	The Chairman and his Consort attended a Murder Mystery Ball at Didcot Civic Hall at the invitation of the Mayor of Didcot. The Ball was in celebration of the Cessation of WW1 Hostilities.
11 November	On Remembrance Sunday the District was represented at four events: The Chairman attended and laid a wreath at the event organised by Kidlington Royal British Legion. The Vice Chairman attended and laid a wreath at the event in Bicester organised by Bicester Town Council. Cllr McHugh represented CDC at the Banbury Town Council parade and service at St. Mary's Church, Banbury and laid the wreath in People's Park and in the afternoon the Chairman and his Consort attended the service organised by the Bodicote Royal British Legion at Bodicote Church.
23 November	The Chairman and his Consort attended the Chairman of Oxfordshire County Council's Charity Civic Dinner which was held at County Hall in Oxford. The event was raising money for The Porch and Rose Hill Junior Youth Club.
6 December	The Chairman and Consort attended the Katharine House Hospice Lights of Love Service. The event commenced at the Christmas tree in Horsefair where the Chairman, together with the Mayor of Banbury, switched on the lights on the tree. This was followed by a service in St. Mary's church which was attended by around 500 people from the local community who gathered to remember their loved ones.
7 December	The Chairman held another Cash Bingo and Supper Night in Kidlington. The event was well attended and money raised will be donated to the

Chairman's chosen charities.

- 13 December The Chairman accompanied Graeme Kane, Executive Director Environment, on a Christmas visit to the Thorpe Lane Depot in Banbury where they met with staff and delivered mince pies.
- 14 December The Chairman and his Consort attended the Mayor of Witney's Carol Service at St Mary's Church in Witney. The Witney Town Band led the carols and the congregation was joined by West Oxfordshire Academy of Performing Arts.
- 17 December The Chairman made a festive tour of Bodicote House to meet staff and view the 'deck the desks' entries before announcing the winning department.
- The Chairman attended the Staff Choir performance which took place before full council.

- **Details correct at time of submission.**

Date for your diary:

Saturday 13 April 2019 – Chairman's Charity Dinner at Exeter Hall, Kidlington

Cherwell District Council

Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 30 October 2018 at 6.30 pm

Present: Councillor Maurice Billington (Chairman)
Councillor David Hughes (Vice-Chairman)

Councillor Hannah Banfield
Councillor Andrew Beere
Councillor Mike Bishop
Councillor John Broad
Councillor Hugo Brown
Councillor Phil Chapman
Councillor Mark Cherry
Councillor Ian Corkin
Councillor Surinder Dhesi
Councillor John Donaldson
Councillor Carmen Griffiths
Councillor Shaida Hussain
Councillor Tony Ilott
Councillor Mike Kerford-Byrnes
Councillor Alan MacKenzie-Wintle
Councillor James Macnamara
Councillor Kieron Mallon
Councillor Nicholas Mawer
Councillor Andrew McHugh
Councillor Richard Mould
Councillor Cassi Perry
Councillor D M Pickford
Councillor Lynn Pratt
Councillor Neil Prestidge
Councillor G A Reynolds
Councillor Barry Richards
Councillor Alaric Rose
Councillor Dan Sames
Councillor Les Sibley
Councillor Jason Slaymaker
Councillor Tom Wallis
Councillor Douglas Webb
Councillor Lucinda Wing
Councillor Barry Wood
Councillor Sean Woodcock

Also Present: Nick Graham, Director: Law and Governance (Oxfordshire County Council)

Apologies for absence: Councillor David Anderson
Councillor Claire Bell
Councillor Colin Clarke
Councillor Sean Gaul
Councillor Timothy Hallchurch MBE
Councillor Chris Heath
Councillor Simon Holland
Councillor Tony Mepham
Councillor Sandra Rhodes
Councillor Nicholas Turner
Councillor Bryn Williams

Officers: Yvonne Rees, Chief Executive
Adele Taylor, Interim Executive Director: Finance and Governance
Claire Taylor, Director: Customers and Service Development
James Doble, Assistant Director: Law and Governance / Monitoring Officer
Natasha Clark, Governance and Elections Manager

50 **Welcome**

The Chairman welcomed the Deputy Police and Crime Commissioner, Matthew Barber, the Chief Constable, Frances Habgood, and Superintendent Mark Johns, LPA Commander for Cherwell to the meeting advising they would be giving a presentation to Council.

The Chairman welcomed members of the Heyford and Bicester Veterans Group to the meeting.

The Chairman also welcomed Nick Graham, Director of Law and Governance, to his second Council meeting.

51 **Declarations of Interest**

10. Motions.

Councillor James Macnamara, Declaration, as a Magistrate and would leave the meeting for the duration of the item.

Councillor Surinder Dhesi, Declaration, as she was in independent custody visitor at Banbury Police Station.

13. Appointment of Monitoring Officer and Deputy Electoral Registration Officer.

Natasha Clark, Declaration, as she was to be proposed to be appointed Deputy Electoral Registration for Cherwell District Council and would leave the meeting for the duration of the item.

Nick Graham, Declaration, as he was to be proposed to be appointed Monitoring Officer for Cherwell District Council and would leave the meeting for the duration of the item.

52

Communications

The Chairman and Chief Executive made the following announcements.

Chairman's Engagements

The Chairman advised that a copy of the events attended by himself or the Vice-Chairman was included in the published agenda pack. The Chairman advised Council that he was hosting a Bingo night on 7 December and encouraged Members to attend as all proceeds from the event would go towards the Chairman's charities for the year, Kidlington Youth Football, Garden City Football Club, Evans Lane FC and the St John's Hall Children's Centre in Kidlington

Heyford & Bicester Veterans Association

The Chief Executive referred to the remembrance memorial the Association had put in in the chamber and invited Martin Brimacombe from the Heyford & Bicester Veterans Association to say a few words.

Martin Brimacombe introduced Ian Ridley and Tracey Ridley, who had started the Group with him in 2016. Martin gave an overview of the group, which meets in Upper Heyford community centre, on the First Friday of each month. The meeting is a chance for local veterans to meet and a catch up with friends. While at the meeting veterans can also get help filling out forms and applications, get advice and confidential support from relevant service charities and organisations.

Kidlington Girl Guides

The Chairman reported that he was pleased to let Council know that the Kidlington Girl Guides' new building was nearly finished. This wouldn't have been possible without the loan from Cherwell District Council and he and the Guides were extremely grateful to the council.

James Doble, Assistant Director: Law and Governance / Monitoring Officer

The Chairman explained that whilst James wasn't leaving his employment with Cherwell District Council until December, this was the last Full Council meeting he would be attending so the Chairman was taking the opportunity to thank James for his hard work for CDC since he joined in March 2008, and also SNC since the shared working arrangements from 2010. The Chairman also paid particular thanks to James for the help and support he had provided to him personally.

The Leader of the Labour Group, Councillor Woodcock, and the Leader of the Council, Councillor Wood, extended their gratitude and best wishes to James

On behalf of Council, the Chairman wished James all the best in his new role at Stoke-on-Trent Council.

Member Allowance Survey

The Chief Executive reminded councillors of the Members' Allowance Survey requesting that if they hadn't already done so, to complete the survey via Survey Monkey or a paper copy. The responses received were valued by the Independent Remuneration Panel who use the information when forming their recommendations on member allowances for the next financial year.

Staff Choir Performance

The Chief Executive advised Council that before the next meeting of Full Council on Monday 17 December, from 5.45pm, the staff choir will be putting on a performance of Christmas carols for Members. Members will be able to join in the singing as the words will be on the screens and the Leader has also agreed to provide mince pies.

Post

The Chairman reminded members to collect any post from pigeon holes.

53 **Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

54 **Urgent Business**

There were no items of urgent business.

55 **Minutes of Council**

The minutes of the meeting held on 3 September 2018 were agreed as a correct record and signed by the Chairman.

56 **Minutes**

a) **Minutes of the Executive, Lead Member Decisions and Executive Decisions made under Special Urgency**

Resolved

That the minutes of the meeting of the Executive and Lead Member decisions as set out in the Minute Book be received and that it be noted that since the last meeting of Council on 3 September 2018 no decisions had been taken by the Executive which were not included in the 28 day notice.

b) **Minutes of Committees**

Resolved

That the minutes of Committees as set out in the Minute Book be received.

57 **Thames Valley Police - Address by Deputy Police and Crime Commissioner and Chief Constable**

The Chairman invited the Deputy Police and Crime Commissioner for Thames Valley, Matthew Barber, and the Chief Constable of Thames Valley Police, Francis Habgood, to address the meeting regarding policing in Thames Valley.

Following the presentation, a number of Members asked questions and answers were duly provided by the Deputy Police and Crime Commissioner, the Chief Constable and the LPA Commander for Cherwell, Superintendent Mark Johns.

The Chairman thanked the Deputy Police and Crime Commissioner, the Chief Constable and Superintendent Johns for their attendance.

58 **Questions**

a) Written Questions

There were no written questions.

b) Questions to the Leader of the Council

Questions were asked and answers received on the following issues:

Councillor Rose: Advertising of properties in Bicester

Councillor Rose: Local Plan review

Councillor Sibley: Bicester Gateway 1

Councillor Woodcock: Oxfordshire County Council savings and staff cuts

Councillor Dhesi: Rubbish bins in Castle Quay

Councillor Richards: Complaints against private landlords

c) Questions to Committee Chairmen on the Minutes

Councillor Beere asked a question to Councillor Prestidge, Chairman of the Overview and Scrutiny Committee in relation to minutes of the Overview and Scrutiny Committee minutes and the addition of Emergency Planning to the work programme. Councillor Prestidge confirmed that the item would be considered by the Committee in the spring.

59 **Motions**

a) Banbury Magistrates Court

It was moved by Councillor Mallon, and seconded by Councillor Wood, that the following motion be adopted:

“This council deplores the Ministry of Justice decision to close the Banbury Magistrate’s and County Court.

This council notes that “The Banbury Court” is an integral part of the fabric of the Town, and is already a combined justice centre for hearing both civil and criminal cases. The Council therefore rejects any suggestion that it is underused and further observes that the Banbury Magistrates’ and County Court provides an important alternative venue for criminal and civil justice, both in Oxfordshire and the surrounding counties, given the high volume of cases now heard out of Oxford.

This council places the highest importance upon access to justice for all defendants, plaintiffs and for the families of those accused. The present proposals will hit the poorest especially hard, as the current rules will prevent local Solicitors in Banbury from representing legally aided clients, due to the archaic rules which require such firms to be located in close proximity to the court where the hearing is to take place.

This council further notes the additional pressure that the closure would place on the Oxford Combined Court Centre and considers that further centralisation of services to Oxford will put additional strain on Oxford City congestion. This proposed closure would also adversely impact on those people within the Banbury catchment area without independent means of transport or access to public transport.

Accordingly, this Council instructs the Leader to write to the Ministry of Justice to engage with local councils, particularly in light of the emerging partnership arrangements between Oxfordshire County Council and Cherwell District Council, with a view to exploring the options of utilizing public buildings to continue supporting locally administered justice and the needs of the people of North Oxfordshire, and the Neighbouring counties.”

The motion was debated and subsequently agreed.

b) Banbury Police Station

It was moved by Councillor Cherry, and seconded by Councillor Beere that the following motion be adopted:

“This council condemns the retrograde decision to close the Magistrates’ and County Court in Banbury. This council calls on the Leader of Cherwell District Council Barry Wood to write to the Minister for Policing, the Lord Chancellor & Secretary of State for Justice and the Home Secretary seeking assurance that Banbury police station will remain open for the foreseeable future.”

The motion was debated and on being put to the vote was lost and subsequently fell.

Resolved

(1) That the following motion be adopted:

Banbury Magistrates Court

“This council deplores the Ministry of Justice decision to close the Banbury Magistrate’s and County Court.

This council notes that “The Banbury Court” is an integral part of the fabric of the Town, and is already a combined justice centre for hearing both civil and criminal cases. The Council therefore rejects any suggestion that it is underused and further observes that the Banbury Magistrates’ and County Court provides an important alternative venue for criminal and civil justice, both in Oxfordshire and the surrounding counties, given the high volume of cases now heard out of Oxford.

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Accordingly, this Council instructs the Leader to write to the Ministry of Justice to engage with local councils, particularly in light of the emerging partnership arrangements between Oxfordshire County Council and Cherwell District Council, with a view to exploring the options of utilizing public buildings to continue supporting locally administered justice and the needs of the people of North Oxfordshire, and the Neighbouring counties.”

60

Community Governance Review - Graven Hill - Results of Second Consultation and Final Recommendations

The Chief Executive submitted a report to consider the final recommendations from the Community Governance Review (CGR) Working group, following the second consultation phase.

Resolved

- (1) That the boundary between Bicester Town Council and Ambrosden being moved to incorporate Graven Hill into Bicester Town Council – Bicester South Ward (annex to the Minutes as set out in the Minute book) be approved.
- (2) That the boundary between Ambrosden and Chesterton being moved to include the orphan area into Chesterton (annex to the Minutes as set out in the Minute book) be approved.
- (3) That it be agreed that the number of councillors on Bicester Town Council (BTC) remain at 15 with the allocation of councillors amended

to increase BTC – Bicester South Ward by one councillor and decrease BTC – Bicester East Ward by one councillor.

61 **Constitutional Update Report: Scheme of Delegation**

The Assistant Director Law and Governance submitted a report to request Council to approve minor amendments to the officer scheme of delegation.

Resolved

- (1) That the proposed amendments to the officer scheme of delegation (annex to the Minutes as set out in the Minute Book) be approved and the Monitoring Officer be requested to update the constitution accordingly.

62 **Appointment of Monitoring Officer and Deputy Electoral Registration Officer**

The Chief Executive submitted a report to appoint a Monitoring Officer and a Deputy Electoral Registration officer in place of James Doble, Assistant Director Law and Governance, who would be leaving his employment with Cherwell District Council in December 2018.

Resolved

- (1) That Nick Graham be appointed as the Council's Monitoring Officer with effect from 7 November 2018 and that he be requested to appoint a suitably qualified and experienced Deputy Monitoring Officer with effect from the same date.
- (2) That Natasha Clark be appointed as Deputy Electoral Registration Officer with immediate effect.

63 **Exclusion of the Press and Public**

Resolved

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the ground that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part 1, Paragraph 3 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

64 **Castle Quay 2**

The Interim Executive Director Finance and Governance submitted an exempt report relating to Castle Quay 2.

Resolved

- (1) As set out in the exempt minutes.
- (2) As set out in the exempt minutes.

65

Questions on Exempt Minutes

There were no questions on exempt minutes.

The meeting ended at 9.30pm

Chairman:

Date:

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Council

Monday 17 December 2018

Agenda Item 8 (a), Written Questions

Question From: Councillor Sean Woodcock

Question To: Leader of the Council, Councillor Barry Wood

Topic: Modern Slavery – Update on Motion to July Council

Question

In July this council passed a motion on Modern Slavery which contained 12 commitments. Can we be updated on where the Council is in terms of meeting them?

Beyond procurement; our council has a role to play in disrupting and detecting incidents of Modern Slavery taking place in our district. And services like housing, community safety, environmental health as well as licensing, benefits and council tax, are in a position to do just that.

What work has been or is being done to ensure that the whole council is fulfilling its duty in tackling this scourge?

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Cherwell District Council

Council

17 December 2018

Purchase of The Mill Arts Centre

Report of Interim Executive Director: Finance and Governance

This report is public

Purpose of report

To establish a budget in order to complete the transfer of The Mill Arts Centre from Oxfordshire County Council to Cherwell District Council following the Executive's decision in July 2018 to negotiate the purchase of The Mill Arts centre building in Banbury. It was also agreed that there would be an increase in revenue support to the Mill Arts Centre Trust in the short term to enable The Trust to meet its commitment following the cessation of the financial relationship with Oxfordshire County Council.

Following on from the purchase, there will be a need to carry out a full investment options appraisal on the site to report back to members on the scale and scope of potential investment in the Towns cultural facilities to create a sustainable venue for the Town.

This will be subject to further reports once we are able to work with the Trust on those options. An internal officer working group will be established to take this work forward.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the expenditure of £1 to secure the transfer of The Mill Arts Centre from Oxfordshire County Council to Cherwell District Council in line with the Executive decision of July 2018.
- 1.2 To agree to the establishment of a revenue budget of £50,000 to cover costs of transition funding and arrangements in 2018/19 to be funded from general reserves. Future funding will be considered when setting the budget and medium term financial plan in February 2019.
- 1.3 To note that immediate remedial works (expected early in 2019/20) in the region of £250,000 may be required, with further phases of works due later in 2019/20 or the 2020/21 to ensure that the building is fit for purpose and will be subject to detailed capital proposals as part of the budget setting process and medium term financial plan for 2019/20 to 2023/24

- 1.4 To note that an officer working group will be established to establish the options and Business case for any further investment into the site to ensure that the Trust is financially more sustainable in the medium to long term
- 1.5 To note that the offer to acquire the asset is subject to a restrictive covenant from Oxfordshire County Council to ensure that at least 80% of the site is used for cultural purposes otherwise state aid applies
- 1.6 To delegate the final agreement for the legal agreement to transfer the asset to the Monitoring officer for Cherwell District Council in consultation with the Interim Executive Director of Finance and Governance.

2.0 Introduction

- 2.1 The Mill Arts Centre is the only dedicated, multi-arts, space in Banbury and the surrounding area. Managed by the Mill Arts Centre Trust (MACT), it has an ambition to 'inspire, educate and engage the community by providing a high quality artistic and learning and participation programme that raises aspirations for audiences and elevates the profile of Banbury as a whole'.
- 2.2 The arts centre is accommodated within a 4 storey converted Mill building, opposite Castle Quay shopping centre and close to The Museum and Sports Centre; which are all owned by Cherwell District Council. The Mill is used as offices, meeting rooms, artists' studios, gallery and bar facilities and has been extended to the rear to create an auditorium space seating around 230. Until 2013, The Mill was directly run by Oxfordshire County Council.
- 2.3 The Mill building is currently owned by the county council and leased to the MACT on a peppercorn rent. The terms of the lease result in indirect financial support through property and ICT costs of circa £110,000 per annum. The county council also funds the building insurance costs. Cherwell District Council currently provide grant support in region of £42,000 per annum.
- 2.4 This was the only arts centre venue owned by the County Council, others within Oxfordshire are held by district councils. It is a not a statutory function for the county council and arts funding was ceased as part of savings linked to service and resource planning in 2013 but it was recognised that this was important provision for Cherwell and the wider area so current arrangements remained in place until the expiry of the lease in March 2017.
- 2.5 Since then the Mill management and governance has strengthened and it is now a Charitable Incorporated Organisation (Trust). It is increasingly improving its' financial position but will take time to further grow in capacity and revenue. Covering all current operating costs continues to be challenging for the Trust and is the reason why the county council has not withdrawn its financial subsidies sooner.
- 2.6 Upon expiry of the initial lease at the end of March 2017 the County Council agreed a further 12-month lease to enable the Trust to produce a business case to demonstrate how it would become self-financing.

- 2.7 The county council and district council encouraged the Trust to come forward with a business plan in order that both councils could consider how the long-term sustainability of the centre could be secured.
- 2.8 A report was presented in February 2018 which illustrated the extent of further subsidy which would be necessary to support the Mill achieving a secure financial footing. The business plan did not anticipate operating with a surplus until 2027/28 and assumed overall transitional funding across the 10-year period would be in region of £685,000 if the Trust was unable to secure significant external funding. To attract external funding the Trust needs to be in a position to negotiate a longer lease as many grant giving bodies minimum requirements are that an organisation needs to have a stable tenancy in place.
- 2.9 Cherwell District Council recognises the importance of maintaining good quality arts and community space in Banbury for the benefit of those in the immediate area and across a broader area. By acquiring the site we would be able to put in the necessary arrangements to support the Trust in moving forwards with plans to consider how to sustain their service on a longer term basis. Given its strategic placement within an area that we have already invested regeneration resources into (Spiceball Leisure centre, Castle Quay and investment properties in the Canalside area), this also makes sense for us to ensure that the benefits of this centre can be realised for Banbury and wider Cherwell area.
- 2.10 Upon expiry of the lease at the end of March 2018 the county council agreed a further lease of 6 months – the short term was deliberate to ensure that the Trust continued to work with county and district councils to achieve a long-term solution to the situation. A further six-month lease was put in place from 1 October 2018 whilst the final negotiations on transfer of the asset were resolved. The three parties (District and County Councils and the Trust) have remained in contact throughout this period whilst we finalised details.

3.0 Report Details

- 3.1 The County and District councils agreed to jointly procure an independent valuation of the property from Savills to inform discussions about transfer from the county council. An accompanying condition survey of the property outlined necessary remedial works and an approach that would need to be undertaken to bring the building back into good repair. The phasing of these works will need to be considered as part of the 2019/20 budget setting process and a comprehensive programme of works put in place. This condition survey was also considered when calculating the value of the asset to be transferred.
- 3.2 Savills opinion of market value of the freehold interest, in its current condition, with a restriction on use for the building to be only used for Community & Cultural Purposes is £275,000.
- 3.3 Following evaluation of the condition report for the Mill, understanding of the County Council's current levels of subsidy and aspirations for future development that the Trust have proposed, it is proposed that we purchase the Mill from the county council for £1.

- 3.4 The acquisition costs of the property for £1 reflects the fact that there will be further investment involved in Cherwell District Council taking on the property. In 2018/19 there will be transition costs in the region of £50,000 for costs incurred both directly to the council and some that we will needed to be paid towards the Trusts costs. It is proposed that these are funded through general reserves.
- 3.5 It should also be noted, that the remedial works that will be required will begin in 2019/20 and will be included as part of the capital programme and bids during the budget setting process. It should be noted that these will be additional costs to those already within the medium term financial plan that was agreed in February 2018.
- 3.6 Whilst the ongoing asset management arrangements will be managed by our Property and Investment team, to ensure that we work in partnership with the Trust to develop options around longer-term financial sustainability and minimise any ongoing subsidy of MACT, it is proposed that a small working group of officers are formed to oversee this work. This would comprise of the Assistant Director of Wellbeing, the Assistant Director of Property, Investments and Contract Management alongside colleagues from areas such as finance and legal as and when required.
- 3.7 By taking on this asset and working in partnership with MACT, the council has an exciting opportunity to secure a longer-term future for arts and culture within Banbury, in a key location in our overall vision for Banbury and Cherwell. By working in partnership with Oxfordshire County Council and with MACT to get us to this point we have had a positive approach to securing these important services for our residents and visitors.

4.0 Conclusion and Reasons for Recommendations

- 4.1 In order to acquire The Mill Arts Centre and fulfil the Councils ambition to maintain and grow arts provision in Banbury, Cherwell District Council must agree an In year expenditure not identified in this year's budget of £1 for the asset and up to £50,000 for transition costs.
- 4.2 The market value of the asset is £900,000 if it were unencumbered and in good repair but by applying a restrictive covenant to ensure that cultural services remain in place and due to the condition of the building, the value reduces to £275,000. The District Council also needs to recognise that capital monies will need to be set aside in future years for remedial works.
- 4.3 The agreement represents a way for the cultural and arts services provided by MACT to be protected but also importantly, to put them in a better position to apply for external funding with a longer lease. These lease arrangements between MACT and Cherwell District Council will need to be agreed once this transition has taken place.

5.0 Consultation

- 5.1 Oxfordshire County Council and MACT have been working together in partnership to resolve and secure the longer-term future for the centre throughout this project. Continued engagement will be vital for the next step in the process which will be considering options of how to ensure the centre is able to be placed on a more secure financial footing for the longer-term.

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to take on the asset from Oxfordshire County Council. This was rejected on the basis this was highly likely to see the loss of the only arts and culture centre within the Banbury and surrounding area.

7.0 Implications

Financial and Resource Implications

- 7.1 The purchase of the asset for £1 can be funded through our current resources. It needs to be recognised that the asset value for this property reflects the restrictive covenant that will be placed on the asset and also reflects the fact that the property needs remedial works to be undertaken. The value of the asset is £275,000.
- 7.2 In 2018/19 additional costs for transition issues will need to be set aside of approximately £50,000 and these will be funded from general reserves.
- 7.3 It is recognised that there are remedial works that will be required to the building early in the new financial year of at least £250,000 with further works to follow. These will need to be included in the budget setting process for 2019/20 that concludes in February 2019.
- 7.4 To ensure the financial sustainability of the centre going forwards there may be a requirement to consider further investment in the site through the capital programme but this would have to be subject to a future business case. It is expected that once MACT have a longer term lease that they would be able to apply for grant funding which they would not have been able to do whilst their future tenancy arrangements remained unresolved.

Comments checked by:

Kelly Watson, Assistant Director Finance and Procurement
0300 003 0206, Kelly.watson@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.5 The county council has sought its own legal advice in terms of the disposal at an undervalue which would be the case if Cherwell were to acquire the asset for £1.

- 7.6 The county council is able to exercise its powers to dispose of property for less than best consideration (where the undervalue does not exceed £2m and the authority considers the disposal will help to secure the promotion or improvement of the economic, social or environmental wellbeing of its area) by virtue of a General Consent from the Secretary of State which came into force on 4 August 2003.
- 7.7 It is felt that the Mill Arts Centre would fall within the General Consent.
- 7.8 It should, however, be noted that a sale at an undervalue would be a public subsidy and could result in unlawful state aid, but there is scope to classify the aid as “permitted aid” in this instance. Article 53 permits “investment aid” to be given for cultural centres, spaces or theatres towards their conservation or improvement of the infrastructure, provided that at least 80% of the time or space capacity per year is used for cultural purposes.
- 7.9 This would enable the district council to pay the county council a figure they can justify, but as the sale would be at an undervalue from the county council’s perspective there would need to be a restrictive covenant to ensure 80% of the property is used for cultural purposes to avoid the state aid issue. There would also need to be additional safeguards to ensure the continuing enforceability of this covenant and to protect the county council’s interest on any disposal or if the restriction was modified or discharged (applying statutory procedures for this purpose).

Comments checked by:

Nick Graham, Director Law and Governance, 0300 003 0106

Nick.Graham@cherwell-dc.gov.uk

Risk Implications

- 7.10 There are risks associated with the purchase of any asset. In purchasing an asset of this nature, the risks are primarily financial and reputational and must be weighed against the impact the potential loss of the facility could have on the town and the wider district. Significant due diligence has been undertaken including the commissioning of a joint valuation report and condition survey of the property. This ensures that we have mitigated the risks of not fully understanding any ongoing liabilities related to maintenance of the building going forwards. The Council will need to ensure that sufficient resources are set aside to support the ongoing management of the asset which will be undertaken by the Property and Investment team who manage the Councils asset portfolio.

Comments checked by:

Hedd Vaughan-Evans, Assistant Director: Performance and Transformation

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8.0 Decision Information

Wards Affected

All Banbury Wards

Links to Corporate Plan and Policy Framework

Match with corporate objectives of Thriving Communities and Wellbeing and a District of Opportunity and Growth

Lead Councillor

Councillor Barry Wood, Leader of the Council

Document Information

Appendix No	Title
N/A	None
Reference Papers	
Executive report July 2018 – exempt report	
Background Papers	
None	
Report Author	Adele Taylor, Interim Executive Director of Finance and Governance
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Cherwell District Council

Council

17 December 2018

<p>Gambling Act 2005 Review of Statement of Licensing Principles</p>
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Report of Assistant Director Environmental Health and Licensing

This report is public

Purpose of report

To consider a revised Statement of Licensing Principles as part of the Gambling Act 2005.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve and adopt the revised Cherwell District Council Statement of Licensing Principles.

2.0 Introduction

- 2.1 This report refers to the Statement of Licensing Principles following the review required by the Gambling Act 2005.

3.0 Report Details

- 3.1 Section 349 of The Gambling Act 2005 requires all licensing authorities to prepare and publish a statement of principles that they propose to apply in exercising their functions under the Act and in particular the following 3 licensing objectives:
 - Keeping gambling crime free
 - Making sure that gambling is fair and open
 - Protecting children and vulnerable adults
- 3.2 The statutory period for the statement is three years. The last statement was approved on 14 December 2015 and came into effect on 31 January 2016. A new statement must be prepared and published with a view to it coming into effect on 31 January 2019.

- 3.3 The statement itself is unchanged but there has been the addition of a Local Area Profile at Annex 3 of the statement. Since 6 April 2016 gambling operators have been required to undertake risk assessments for their premises which should take into account the nature and characteristics of the locality in which they are situated, e.g. proximity of schools or churches. Such risk assessments should give due consideration to this Local Area Profile which is compiled with respect to any reported gambling-related problems in the area. Although not a statutory requirement, a Local Area Profile will increase awareness of any identified risks in order to inform operators in order to provide sufficient detail when completing their risk assessments.
- 3.4 The draft statement is attached at Appendix 1.
- 3.5 The deadline for publication of this policy is 3 January 2019.
- 3.6 The Act requires a consultation to be carried out with the persons/groups detailed in section 5.0 below.

4.0 Conclusion and Reasons for Recommendations

- 4.1 It is recommended that the revised Statement of Licensing Principles be approved.

5.0 Consultation

- 5.1 The following were consulted with between the 1 October and 12 November 2018. No representations to the consultation were received.
- Chief Officer of Police
 - The Fire Authority
 - One or more persons who appear to the authority to represent the business interests of persons carrying on gambling business 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

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: It is a statutory requirement that the policy must be reviewed so rejection is not an option.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no direct financial implications arising from this report.

Comments checked by:

Kelly Wheeler, Principal Accountant for Wellbeing and Environment, 01327 322230,
kelly.wheeler@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 The Gambling Act 2005 requires the council to prepare and publish a 'statement of licensing principles' – a policy to be applied in the managing of local gambling provision. The policy must comply with the Gambling Act 2005 and secondary legislation, and have due regard to the statutory guidance and codes of practice issued by the Gambling Commission. The policy is required to be reviewed at least every three years.

Failure to comply with the legislation and give due consideration to the guidance and codes of practice may result in a successful.

Subsequent failure to comply with the policy when undertaking the management of local gambling provision may result in a successful challenge to the council's discharge of its statutory functions.

Comments checked by:

Matt Marsh, Solicitor, 01295 221691,
matt.marsh@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Wards Affected

All

Links to Corporate Plan and Policy Framework

District of Opportunity and Growth

Lead Member

Councillor Andrew McHugh, Lead Member for Health and Wellbeing

Document Information

Appendix No	Title
1	Gambling Act 2005 Statement of Licensing Principles
Background Papers	
None	
Report Author	Nicholas Sutcliffe, Licensing Manager
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**Cherwell District Council
Gambling Act 2005
Policy Statement**

This Statement of Principles was adopted by **Cherwell District Council** at its Council meeting on **[Insert date]**

Revisions

Version	Date	Author
Dv01	3 August 2018	EC Draft
Dv02	17 August 2018	NS Draft
Dv03	3 September 2018	NS Draft
Dv04	15 November 2018	NS Post Consultation
Dv05		

Cherwell District Council Statement of Principles Gambling Act 2005

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PART A

1. The Licensing Objectives

- 1.1 In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
 - Ensuring that gambling is conducted in a fair and open way
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling
- 1.2 It should be noted that the Gambling Commission has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”.
- 1.3 This licensing authority is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it is:
- In accordance with any relevant code of practice issued by the Gambling Commission
 - In accordance with any relevant guidance issued by the Gambling Commission
 - Reasonably consistent with the licensing objectives and
 - In accordance with the authority’s statement of licensing policy

2. Introduction

- 2.1 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from “time to time” and any amended parts re-consulted upon. The statement must be then re-published.
- 2.2 The Council consulted widely upon this statement before finalising and publishing it. A list of Cherwell’s partners is provided in Annex 1. A list of the persons/organisations that we consulted is provided in Annex 2.
- 2.3 The Gambling Act requires that the following parties are consulted by licensing authorities:
- The Chief Officer of Police;
 - One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority’s area; and
 - One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority’s functions under the Gambling Act 2005.
- 2.4 Our consultation took place between the 1st of October and 12th of November 2018 and we followed the HM Government Code of Practice on Consultation (published July 2008 and amended in 2018).
- The full list of comments made and consideration given is available by request from the relevant contacts detailed in Annex 1.
- 2.5 The policy was approved at a meeting of the Full Council on [Insert date] and was subsequently published on our website.
- 2.6 Should you have any comments about this policy statement, please send them by **email to the** relevant contacts specified in Annex 1.

- 2.7 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.

3. Declaration

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

4. Responsible Authorities

- 4.1 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:
- The need for the body to be responsible for an area covering the whole of the licensing authority's area; and
 - The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.
- 4.2 This authority designates the Oxfordshire Safeguarding Children Board for this purpose.
- 4.3 The contact details of all the Responsible Authorities under the Gambling Act 2005 are available via the Council's website, please see Annex 1.

5. Interested Parties

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

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

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

- 5.2 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are as follows.
- 5.3 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. 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.
- 5.4 Interested parties can be persons who are democratically elected such as councillors and MPs. No specific evidence of being asked to represent an interested person will be required as long as the councillor/MP represents the ward likely to be affected. Likewise, parish councils likely to be affected

will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate/relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

- 5.5 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 Cherwell District Council Licensing department.

6. Exchange of Information

- 6.1 Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.
- 6.2 The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The licensing authority will also have regard to any Guidance issued by the Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
- 6.3 Should any protocols be established as regards information exchange with other bodies then they will be made available.

7. Enforcement

- 7.1 Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.
- 7.2 This licensing authority's principles are that it will be guided by the Gambling Commission's Guidance to Licensing Authorities and will endeavour to be:
- **Proportionate:** regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
 - **Accountable:** regulators must be able to justify decisions, and be subject to public scrutiny;
 - **Consistent:** rules and standards must be joined up and implemented fairly;
 - **Transparent:** regulators should be open, and keep regulations simple and user friendly; and
 - **Targeted:** regulation should be focused on the problem, and minimise side effects.
- 7.3 This licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 7.4 This licensing authority has adopted and implemented a risk-based inspection programme, based on:
- the licensing objectives
 - relevant codes of practice
 - guidance issued by the Gambling Commission
 - the principles set out in this statement of principles.

- 7.5 This may include test purchasing activities to measure the compliance of licensed operators with aspects of the Gambling Act. When undertaking test purchasing activities, this licensing authority will undertake to liaise with the Gambling Commission, the Primary Authority (if applicable) 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 Department for Business, Energy & Industrial Strategy 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 team (see Annex 1 for relevant contact details).

8. Licensing authority functions

- 8.1 Licensing authorities are required under the Act to:
- be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*
 - issue Provisional Statements
 - regulate *members' clubs* and *miners' welfare institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
 - issue Club Machine Permits to Commercial Clubs
 - grant permits for the use of certain lower stake gaming machines at *unlicensed Family Entertainment Centres*
 - receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
 - issue *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
 - register *small society lotteries* below prescribed thresholds
 - issue Prize Gaming Permits
 - receive and Endorse *Temporary Use Notices*
 - receive Occasional Use Notices
 - provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')
 - maintain registers of the permits and licences that are issued under these functions
- 8.2 It should be noted that licensing authorities are not to be involved in licensing remote gambling as this is regulated by the Gambling Commission via operating licences.

PART B: PREMISES LICENCES: CONSIDERATION OF APPLICATIONS

1. General Principles

1.1 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 are able to exclude default conditions and also attach others, where it is believed to be appropriate.

(i) Decision-making

1.2 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.

1.3 It is appreciated that as per the Gambling Commission's Guidance to Licensing Authorities "moral or ethical objections to gambling are not a valid reason to reject applications for premises licences" (with the exception of the casino resolution powers).

(ii) Definition of "premises"

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

1.5 This licensing authority takes particular note of the Gambling Commission's Guidance to Licensing Authorities which states that: licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

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

1.6 The Guidance also gives a list of factors which the licensing authority should be aware of, which may include whether:

- the premises have a separate registration for business rates;
- the premises' neighbouring premises are owned by the same person or someone else?
- the premises can be accessed from the street or a public passageway?
- the premises can only be accessed from any other gambling premises?

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

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

Casinos

- The principal access entrance to the premises must be from a street;
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons;
- No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence.

Adult Gaming Centre

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

Betting Shops

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

Tracks

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

Bingo Premises

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

Family Entertainment Centre

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

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

(iii) Premises "ready for gambling"

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 are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:

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

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 in the Guidance.

(iv) 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. 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. This authority has the option of adding conditions to a premises licence to address any such concerns.

(v) Planning:

1.15 This authority will not take into account irrelevant matters as per the Gambling Commission guidance.

(vi) Duplication with other regulatory regimes

1.16 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.

1.17 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.

1.18 Licensing Objectives

Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission's Guidance to Licensing Authorities and some comments are made below.

1.19 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.

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

1.21 **Protecting children and other vulnerable persons from being harmed or exploited by gambling** - This licensing authority has noted the Gambling Commission's Guidance that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

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

1.23 Conditions

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.

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

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

These matters are in accordance with the Gambling Commission's Guidance.

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

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

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

1.27 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.

1.28 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.

1.29 Door Supervisors

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

1.30 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.

2. Adult Gaming Centres

2.1 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.

2.2 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.

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

3. (Licensed) Family Entertainment Centres

3.1 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.

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

- CCTV
- supervision of entrances / machine areas
- physical separation of areas
- location of entry
- notices / signage
- specific opening hours
- self-exclusion schemes
- provision of information leaflets / helpline numbers for organisations such as GamCare.
- measures / training for staff on how to deal with suspected truant school children on the premises

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

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.

4. Casinos

4.1 Cherwell District Council has not adopted 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

5. Bingo premises

- 5.1 This licensing authority will satisfy itself that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.
- 5.2 This authority also notes the Guidance regarding the unusual circumstances in which the splitting of pre-existing premises into two adjacent premises might be permitted.

6. Betting premises

- 6.1 *Betting machines* - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

7. Tracks

- 7.1 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.
- 7.2 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.
- 7.3 This licensing authority may consider measures to meet the licensing objectives such as:
- Proof of age schemes
 - CCTV
 - Supervision of entrances / machine areas
 - Physical separation of areas
 - Location of entry
 - Notices / signage
 - Specific opening hours
 - Self-exclusion schemes
 - Provision of information leaflets / helpline numbers for organisations such as GamCare

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

- 7.4 *Gaming machines* - Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.
- 7.5 *Betting machines* - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.

Applications and plans

- 7.6 The Gambling Act (s51) requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the 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 Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises.
- 7.9 In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined.
- 7.10 This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the “five times rule” (commonly known as betting rings) must be indicated on the plan.

8. Travelling fairs

- 8.1 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.
- 8.2 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.
- 8.3 It is noted that the 27-day statutory maximum for the land being used as a fair applies on a per calendar year basis, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

9. Provisional statements

- 9.1 Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.
- 9.2 S204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

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

9.3 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.

9.4 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.

9.5 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 has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

10. Reviews

10.1 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.

10.2 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.

10.3 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.

10.4 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.

- 10.5 The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.
- 10.6 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 to:
- (a) add, remove or amend a licence condition imposed by the licensing authority;
 - (b) exclude a default condition imposed by the Secretary of State or Scottish Ministers (e.g. opening hours) or remove or amend such an exclusion;
 - (c) suspend the premises licence for a period not exceeding three months; and
 - (d) revoke the premises licence.
- 10.7 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.
- 10.8 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.
- 10.9 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:
- the licence holder
 - the applicant for review (if any)
 - the Commission
 - any person who made representations
 - the chief officer of police or chief constable; and
 - Her Majesty's Commissioners for Revenue and Customs

PART C: PERMITS / TEMPORARY & OCCASIONAL USE NOTICES

1. Unlicensed family entertainment centre gaming machine permits (Statement of Principles on Permits - Schedule 10 paragraph 7)

- 1.1 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).
- 1.2 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.

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

Statement of Principles This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises. This licensing authority will also expect, as per Gambling Commission Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

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

Automatic entitlement: 2 machines

- 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 (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
 - the premises are mainly used for gaming; or
 - an offence under the Gambling Act has been committed on the premises.

Permit: 3 or more machines

- 2.3 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.*”

- 2.4 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 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.
- 2.5 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.
- 2.6 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.
- 2.7 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

3. Prize gaming permits

- 3.1 The Gambling Act 2005 states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority proposes to consider in determining the suitability of the applicant for a permit”.
- 3.2 This Licensing Authority has not prepared a statement of principles. Should it decide to do so it will include details in a revised version of the policy statement.
- 3.3 In making its decision on an application for this permit the licensing authority does not need to (but may) have regard to the licensing objectives but must have regard to any Gambling Commission guidance (Gambling Act 2005, Schedule 14 paragraph 8(3)).
- 3.4 It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:
- the limits on participation fees, as set out in regulations, must be complied with;
 - all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
 - the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
 - participation in the gaming must not entitle the player to take part in any other gambling.

4. Club gaming and Club Machines Permits

- 4.1 Members clubs and miners' welfare institutes (but not commercial clubs) may apply for a club gaming permit. The 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.

- 4.2 Members clubs and miners' welfare institutes – and also commercial clubs – may apply for a Club Machine Permit. A Club Machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). NB commercial clubs may not site category B3A gaming machines offering lottery games in their club.
- 4.3 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.
- 4.4 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.
- 4.5 There is also a 'fast-track' procedure available under the Act for premises which hold a club premises certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). Commercial clubs cannot hold club premises certificates under the Licensing Act 2003 and so cannot use the fast-track procedure.
- 4.6 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

5. Temporary use notices

- 5.1 Temporary use notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a temporary use notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.
- 5.2 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.
- 5.3 The Secretary of State has the power to determine what form of gambling can be authorised by temporary use notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that temporary use notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.
- 5.4 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 the Gambling Commission Guidance to Licensing Authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place".
- In considering whether a place falls within the definition of "a set of premises", the licensing authority needs to look at, amongst other things, the ownership/occupation and control of the premises.
- 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.

6. Occasional use notices (OUNs)

- 6.1 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though, consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice. This licensing authority will also ensure that no more than 8 OUNs are issued in one calendar year in respect of any venue.

7. Small society lotteries

- 7.1 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.
- 7.2 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.
- 7.3 Charities and community groups should contact Cherwell District Councils licensing department.

PART D: ANNEXES

Annex 1: List of Local Authorities and other Partners

Cherwell District Council

Bodicote House
Bodicote
Banbury
OX15 4AA
TEL: 01295 753738

licensing@cherwell-dc.gov.uk

Oxfordshire Safeguarding

Oxfordshire Safeguarding Board
Officer
3rd Floor County Hall
New Road
Oxford OX5 2NX

<http://www.oscb.org.uk/>

H M Revenue & Customs

Holland House
20 Oxford Road
Bournemouth
BH8 8DZ

www.hmrc.gov.uk

Oxfordshire Fire and Rescue Service

Oxfordshire Fire and Rescue Service
Headquarters
Sterling Road
Kidlington
Oxfordshire OX2 2DU
TEL: 01865 891189

<https://www.oxfordshire.gov.uk/cms/public-site/fire-and-rescue-service>

Thames Valley Police

Licensing Department
Thames Valley Police
E Block HQ South
165 Oxford Road
Kidlington
Oxfordshire OX5 2NX
TEL: 0845 8505505

<http://www.thamesvalley.police.uk/>

The Planning Authority

Bodicote House
Banbury
OX15 4AA
TEL: 01295 753738

planning@cherwell-dc.gov.uk

The Gambling Commission

Victoria Square House
Victoria Square
Birmingham
B2 4BP
TEL: 01212306666

info@gamblingcommission.gov.uk

Annex 2: List of Consultees on the Statement of Principles

- Association of British Bookmakers Warwick House, 25 Buckingham Palace Road, London, SW1W 0PP
- British Beer and Pub Association, Market Towers, 1 Nine Elms Lane, London, SW8 5NQ
- Gambling Commission, Victoria Square House, Victoria Square, Birmingham, B2 4BP
- HM Revenue and Customs, Holland House, 20 Oxford Road, Bournemouth, BH8 8DZ
- Thames Valley Police, Thames Valley Police Headquarters, Oxford Road, Kidlington, Oxon, OX5 2NX
- Oxon PCC, The Farmhouse, Thames Valley Police Headquarters, Oxford Road, Kidlington, Oxon, OX5 2NX
- Oxon Safeguarding Childrens Board, 3rd Floor, Oxfordshire County Council, County Hall, New Road, Oxford, OX1 1ND
- Oxon Safeguarding Adults Board, 3rd Floor, Oxfordshire County Council, County Hall, New Road, Oxford, OX1 1ND
- Bingo Association, 75 High Street North, Dunstable, LU6 1JF
- Gamcare, 1st Floor, CAN Mezzanine Old Street, London, N1 6AH
- BACTA, 134-136 Buckingham Palace Road, London, SW1W 9SA
- Public Health Oxfordshire, Public Health Team, OCC, County Hall, New Road, Oxford, OX1 1ND
- Parish Councils
- District Councillors
- Health Protection
- Environmental Protection
- Licensed premises

Annex 3: Local Area Profile

Gambling Act Local Area Profile – Cherwell District Council

Cherwell is predominantly a rural district with 3 main towns; Banbury, Bicester and Kidlington. At the last census the population was 146 635 with 63% of that number living in the 3 main towns.

The licensing authority does not have any information that there are specific issues around gambling at present.

The licensing authority would recommend that the following matters are considered by operators when preparing their local risk assessment:

- the location of the premises to services for children such as schools, playgrounds, leisure/community centres and other areas where children will gather;
- the vicinity of the premises to gambling or addiction support or treatment centres where children or vulnerable groups may be present;
- Range of facilities in proximity to the licensed premises such as other gambling outlets, banks, post offices, service tills, refreshment and entertainment type facilities;
- the demographics of the area in relation to vulnerable groups;
- whether the premises is in an area subject to high levels of crime and/or disorder;⁸
- local risk assessments should show how vulnerable people, including people with gambling dependencies are protected including the use of Information held by the licensee regarding self-exclusions and incidences of underage gambling.
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activities, etc.

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

The Licensing Authority expects a current copy of the Local Risk Assessment to be kept at the licensed premises.

Cherwell District Council

Council

17 December 2018

Council Tax Reduction Scheme 2019-2020 and Council Tax Discounts 2019-2020

Report of Interim Executive Director: Finance and Governance

This report is public

Purpose of report

To seek approval for a Council Tax Reduction Scheme for the year 2019-2020 on the recommendation of the Executive and Budget Planning Committee.

To provide members with an update of Council Tax discounts and seek approval for the Council Tax discounts for the year 2019-20.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve a Council Tax Reduction Scheme (CTRS) for the year 1 April 2019 to 31 March 2020 as set out in the report and implement the scheme with effect from 1 April 2019.
- 1.2 To grant delegated authority to the Section 151 Officer to make further amendments to the CTRS Regulations up to and including 31 January 2019 in consultation with the Lead Member for Financial Management and Governance.
- 1.3 To review the proposed level of Council Tax discounts for 2019-2020 and to approve the following:
 - Retain the discount for second homes at zero
 - Retain the discount for empty homes (unoccupied and substantially unfurnished) at 25% for 6 months and thereafter at zero.
 - Retain the discount for empty homes undergoing major repair at 25% for 12 months and thereafter at zero.
 - Retain the empty homes premium of an additional 50% for properties that have remained empty for more than 2 years.

2.0 Introduction

- 2.1 In December 2017 members approved a Council Tax Reduction Scheme (CTRS) for Cherwell District Council for the financial year 2018-2019. The scheme mirrored the previous Council Tax Benefit (CTB) scheme in that the maximum Council Tax liability to be included in any assessment for working age customers is 100%.
- 2.2 Funding for the new scheme is based on a fixed cash grant based on approximately 90% of the previous CTB subsidy giving a funding shortfall for Cherwell of £742,430. The funding shortfall is mostly offset by changes to locally set Council Tax discounts.

3.0 Report Details

Council Tax Reduction Scheme (CTRS) 2019-2020

- 3.1 The Government has not yet released indicative funding figures for 2019-2020. For the purposes of calculating the new Council Tax Reduction scheme for 2019-2020 an assumption has been made that funding will remain at the reduced rate. The 10% reduction in government funding for 2019-2020 of £742,430 has been offset by changes to locally set Council Tax discounts.
- 3.2 As the funding for the CTRS is a fixed grant the cost of any increase in the level of demand will be borne by the Council. The CTRS caseload is regularly monitored and there has been a small decrease in the number of live cases from 7,087 in July 2017 to 6,607 in June 2018.
- 3.4 There will continue to be a national scheme which the Council must adhere to for those people who have attained the qualifying age for State Pension Credit.
- 3.5 There are existing regulations for our local Council Tax Reduction Scheme for working age customers. If the recommendation for no change is agreed then the only change required would be the changes to the Regulations to reflect changes such as benefit uprating.

Council Tax Reduction Scheme Regulations

- 3.6 There will continue to be national regulations related to CTRS which the Council must adhere to including the national scheme for those people who have attained the qualifying age for State Pension Credit.
- 3.7 There are existing regulations for our local scheme for 2018-2019. If the recommendation for no change is agreed then the regulations will require some technical changes for uprating by DCLG and Department for Work and Pensions.

Council Tax Discounts

- 3.8 The Local Government Finance Act 2012 abolished certain exemptions with effect from 1 April 2013 and replaced them with discounts which can be determined locally. Council approved a number of small changes to discounts in order to meet the funding requirements of the Council Tax Reduction Scheme.
- 3.9 Council determined that furnished chargeable dwellings that are not the sole or main residence of an individual (second homes) should no longer receive a discount. If we continue to set the discount at zero it is estimated that this will result in additional income of £84,782.
- 3.10 Council also determined the discount in respect of unoccupied and substantially unfurnished properties should be reduced to 25% for a period of six months and thereafter to zero. Current estimations indicate that this will result in additional income of around £287,351.
- 3.11 Council further exercised its discretion to determine that chargeable dwellings which are vacant and undergoing major repair to render them habitable should attract a discount of 25% for a period of 12 months and thereafter to zero. This is expected to result in additional income of £10,617.
- 3.12 Prior to 1 April 2013 billing authorities could charge up to a maximum of 100% council tax on dwellings that have been empty for more than two years. From April 2013 local authorities were given the powers to charge a premium of up to 50% of the council tax payable. The projected income for 2019-2020 from charging an Empty Homes Premium is £100,163. In the Autumn statement of 2017 the Government announced plans to give local authorities the power to charge a 100% Council Tax premium on empty properties. The legislation has very recently been laid before Parliament. Officers are undertaking some financial modelling on the impact of this change and a report will be presented to members of Budget and Financial Strategy Committee at a future meeting.

Financial Implications of the recommendation for CTRS 2019-2020

- 3.13 The recommendation for no change to the current Council Tax Reduction Scheme or Council Tax Discounts would have the following financial impact:

	Based on 100%
Overall funding loss	742,430
Second homes income	-84,782
Empty homes income with discount of 25% for 6 months	-287,351
Uninhabitable homes discount of 25% for 12 months	-10,617
Long term empty premium income	-100,163
Total funding gap	259,517
Total funding gap for CDC	18,166

4.0 Conclusion and Reasons for Recommendations

- 4.1 The proposal is to keep the same Council Tax Reduction Scheme for 2019-2020 with changes to the Regulations to reflect the changes such as uprating.
- 4.2 Members are now required to agree a Council Tax Reduction Scheme for the 2019-2020 financial year and are asked to give delegated Authority to the Section 151 Officer to make amendments to the CTRS Regulations up to and including 31 January 2019 in consultation with the Lead Member for Financial Management.
- 4.3 Members are also asked to agree that Council Tax Discounts for 2019-2020 are set at the levels detailed in the report.

5.0 Consultation

There is a requirement to consult with the public, major preceptors and other parties who may have an interest in the Council Tax Reduction scheme on any material changes to the scheme. This is not considered to include changes for annual uprating in accordance with Government Regulations.

Members of Executive recommended a no change scheme for 2019-2020 without the need for a full consultation. The Regulations will be updated to include appropriate text to make it clear that the Council will apply the uprating.

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To not agree any of the options for a scheme for 2019-2020. This would have financial implications for the Council and those residents affected by wider Welfare Reform.

7.0 Implications

Financial and Resource Implications

- 7.1 These are contained in report.

Comments checked by:

Kelly Watson Assistant Director, Finance, Procurement and Property

kelly.watson@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 The Council is required to review its Council Tax Reduction Scheme on an annual basis and, if it determines to make changes then it must consult on the revised scheme. Failure to do so will affect the reputation of the Council and will

have a financial implication for residents as well as exposing the Council to potential challenge for failing to comply with the legislative requirements of the Local Government Finance Act 1992.

Comments checked by:
Christopher Mace, Solicitor, 01327 322125
Christopher.mace@cherwellandsouthnorthants.gov.uk

Equality and Diversity

- 7.3 An equality impact assessment has been undertaken on the Council Tax Reduction Scheme for 2019-2020. It is proposed that the scheme remains unchanged in 2019-2020.

8.0 Decision Information

Wards Affected

All

Links to Corporate Plan and Policy Framework

This links to the Council's priority of sound budgets and a customer focused Council.

Lead Councillor

Councillor Tony Ilott, Lead Member for Financial Management

Document Information

Appendix No	Title
None	
Background Papers	
None	
Report Author	Belinda Green (Joint Revenues and Benefits Manager)
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Cherwell District Council

Council

17 December 2018

Calendar of Meetings 2019/20

Report of Director: Law and Governance

This report is public

Purpose of report

Council is asked to consider the calendars of meetings for the municipal year 2019/20.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the calendar of meetings for Cherwell District Council (CDC) for the municipal year 2019/20 (Appendix 1).

2.0 Introduction

- 2.1 It is necessary for the Council to agree a Calendar of Meetings to enable the business of the Council to be programmed appropriately in conjunction with its statutory requirements and the Executive's and Committee's work programmes and to enable senior managers and officers to programme key dates into their work plans.
- 2.2 The proposed Cherwell District Council (CDC) 2019/20 calendar of meetings is attached at Appendix 1.
- 2.3 Whilst the Section 113 Agreement between Cherwell District Council and South Northamptonshire (SNC) ends on 16 January 2019, the calendar of meetings has been prepared in conjunction with the calendar of meetings for South Northamptonshire Council (SNC) in anticipation of ongoing shared working arrangements between the two authorities to ensure that officers are able to attend relevant meetings at either authority.
- 2.4 In light of the shared working arrangements with Oxfordshire County Council (OCC), agreed by Council in July 2018 and the signing of a Section 113 Agreement between the two councils, the calendar of meetings has also been prepared in

conjunction with the calendar of meetings for OCC to ensure that officers are able to attend relevant meetings at either authority.

3.0 Report Details

Cherwell District Council Meeting Calendar

3.1 The Cherwell District Council calendars of meetings have been prepared on the basis of the considerations set out below:

- Meeting dates for Committees reflecting the dates in previous years as far as possible.
- Meeting dates are set to ensure linked committees follow in a timely manner for items that will be considered by more than one Committee.
- Council meetings being held on Mondays with the exception of the 2019/20 Annual Council meeting which will be held on Tuesday 14 May 2019. This is to allow for the inclusion of proportionality calculations following the local elections on Thursday 2 May 2020.
- Meetings of Executive being held on the first Monday of each month with the following exceptions: August and May when no meetings are scheduled.
- Planning Committee meetings scheduled every four weeks as far as practicable with exceptions during the festive season and elections period.
- Meetings of the Overview and Scrutiny Committee and the Budget Planning Committee are scheduled to tie in with key activities undertaken by each Committee. The scheduling ensures that meetings enable feedback between the Executive and the respective Committee.
- The Accounts, Audit and Risk Committee meeting six times plus an informal meeting prior to the May meeting in 2019/20 to review the accounts. In 2018/19 training for Accounts, Audit and Risk Committee members has been scheduled prior to or at the conclusion of scheduled meetings which has been received favourably by Committee members and will continue in 2019/20
- Licensing Committee, Licensing Sub-Committee, Personnel Committee, Standards Committee and Appeals Committee meetings will be arranged as business requires.
- Dates for all Member briefings have been included on the calendar of meetings. The briefings are scheduled bi-monthly and the day of the week varies in acknowledgement of other commitments Members have. Details of what each session will cover will be notified to members closer to the date.
- Two Parish Liaison meetings being held in the 2019/20 each municipal year:

Wednesday 5 June 2019

Wednesday 6 November 2019

These meetings are arranged by the Community Infrastructure Officer.

Joint Committees with South Northamptonshire Council (SNC) and Oxfordshire County Council (OCC)

- 3.2 There are currently three formal joint committees with SNC: the Joint Commissioning Committee; Joint Appeals Committee and the Joint Scrutiny Committee. Meetings of these committees will be arranged as business requires.
- 3.3 There are currently two formal committees with OCC: The Joint Shared Services and Personnel Committee, and the Joint Appeals Committee. Meetings of these committees will be arranged as business requires.
- 3.4 In addition to the above formal joint committees, there is one informal working group with SNC: the Joint Arrangements Steering Group, and one informal working group with OCC: the Cherwell District Council and Oxfordshire County Council Partnership Working Group. Meeting dates are notified to members of the respective groups.

Addition of Meeting Dates to Members' Outlook Calendars and Amendments to the Calendars of Meetings

- 3.5 Once agreed, all meeting dates listed on Appendix 1 will be added to the Council's website. All meeting and Member seminar dates will be added to Members' outlook calendars. For ad-hoc meetings and additional meetings, relevant Members will be notified via email and outlook meeting requests sent.
- 3.6 Members are reminded that the Council's Constitution sets out that no alterations to the dates and times of meetings shall take place unless Council, the Committee or Sub-Committee agrees an ad-hoc change or the Chairman of the relevant Committee or Sub-Committee, after consultation with the Director: Law and Governance, concurs with either a cancellation, or an alternative date or time. If there are any changes to meeting dates Members will be notified via email and the website updated accordingly.

4.0 Conclusion and Reasons for Recommendations

- 4.1 It is believed that the proposed calendars of meetings for the municipal year 2019/20 as set out in the appendices will provide a suitable decision making framework for Cherwell District Council.

5.0 Consultation

Leadership Team
Leader

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To amend dates in the proposed calendar. It should be noted that any changes to the calendar of meetings may have a knock-on effect to the meeting cycle or performance targets / statutory deadlines which may in turn require the whole calendar to be redrafted.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no financial implications arising directly from this report.

Comments checked by:

Adele Taylor, Interim Executive Director: Finance and Governance, 0300 003 0103
adele.taylor@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 There are no legal implications arising directly from this report.

Comments checked by:

Nick Graham, Director: Law and Governance, 01865 323910,
nick.graham@cherwell-dc.gov.uk

Risk Implications

- 7.3 The Council needs to have in place a programme of meetings to ensure effective and efficient decision making.

Comments checked by:

Nick Graham, Director: Law and Governance, 01865 323910,
nick.graham@cherwell-dc.gov.uk

8.0 Decision Information

Wards Affected

All

Links to Corporate Plan and Policy Framework

Agreement of a calendar of meetings has significant implications for the Council's business planning and the programming of work.

Lead Councillor

None

Document Information

Appendix No	Title
1	Proposed CDC calendar of meetings for the municipal year 2019/20
Background Papers	
None	
Report Author	Natasha Clark, Governance & Elections Manager
Contact Information	01295 221589 Natasha.clark@cherwellandsouthnorthants.gov.uk

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Appendix 1 - Cherwell District Council Calendar of Meetings 2019/20¹

Council	Executive	Accounts, Audit & Risk Committee	Budget Planning Committee	Overview & Scrutiny Committee	Planning Committee	All Member Briefing
Mon, 6.30pm	Mon, 6.30pm	Weds, 6.30pm	Tues, 6.30pm	Tues, 6.30pm	Thurs, 4pm	Bi-monthly, 6.30pm - 8.30pm
2019 Tuesday 14 May AGM 22 July 21 October 16 December 2020 24 February 2020/21 Tuesday 19 May 2020 AGM (2020 elections on 7 May)	2019 3 June 1 July 2 September 7 October 4 November 2 December 2020 6 January 3 February 2 March 6 April	2019 29 May 6.30pm - informal review of accounts 29 May (7.30pm) 31 July 18 September 20 November 2020 22 January 18 March	2019 4 June 23 July 24 September 29 October 10 December 2020 28 January 10 March	2019 28 May 9 July 3 September 15 October 3 December 2020 21 January 17 March	2019 23 May 20 June 18 July 22 August 19 September 17 October 14 November 12 December 2020 16 January 13 February 12 March 16 April	2019 Tuesday 21 May Wednesday 17 July Thursday 3 October Wednesday 11 December 2020 Thursday 23 January Wednesday 11 March

NOTES: Chairman and Vice-Chairman for all Committees for the municipal year 2019/20 will be appointed at the first meetings of Committees held at the conclusion of the Annual Council meeting on Tuesday 14 May 2019.

Licensing Committee, Licensing Sub-Committees, Personnel Committee, Appeals Panel and Standards Committee meetings will be arranged as required.

Parish Liaison Meeting: Wednesday 5 June 2019 and Wednesday 6 November 2019
 Parish Liaison Meeting Contact: Kevin Larner, Community Infrastructure Officer

¹ Dates are subject to change. The website will be updated and Members notified accordingly.

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