Council

A meeting of Council will be held at The Forum, Moat Lane, Towcester, Northants NN12 6AD on Wednesday 16 December 2015 at 6.00 pm
Councillors are hereby summoned to attend

Agenda

<p>| | |</p>
<table>
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<tbody>
<tr>
<td>1</td>
<td>Apologies for Absence</td>
</tr>
</tbody>
</table>
| 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 | Minutes of Council (Pages 1 - 8)  
To confirm the Minutes of the meeting of the Council held on 21 October 2015. |
| 4 | Chairman’s Announcements  
To receive communications from the Chairman of the Council. |
| 5 | Public Participation  
(i) Receipt of Petitions (if any) from Local Government Electors for the District  
(ii) Questions (if any) from the Public |
| 6 | Written Questions  
To receive any written questions and answers which have been submitted with advance notice in accordance with Council Procedure Rule 11.2. |
| 7 | Motions  
To debate any motions which have been submitted with advance notice, in accordance with Council Procedure Rule 12. |
### Council Business Reports

<table>
<thead>
<tr>
<th>10</th>
<th><strong>Gambling Act 2005: Review of Statement of Licensing Principles</strong> (Pages 9 - 58)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Report of Shared Interim Public Protection and Environmental Health Manager</td>
</tr>
<tr>
<td></td>
<td><strong>Purpose of report</strong></td>
</tr>
<tr>
<td></td>
<td>To consider a revised Statement of Licensing Principles as part of the Gambling Act 2005.</td>
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<td></td>
<td><strong>Recommendations</strong></td>
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<td>The meeting is recommended:</td>
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<tr>
<td></td>
<td>1.1 To approve and adopt the revised South Northamptonshire Council Statement of Licensing Principles.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>11</th>
<th><strong>Council Tax Reduction Scheme 2016-17</strong> (Pages 59 - 74)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Report of Head of Finance and Procurement</td>
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<td></td>
<td><strong>Purpose of report</strong></td>
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<tr>
<td></td>
<td>To provide members with an update on the Council Tax Reduction Scheme for 2015-2016 and to seek approval for a Council Tax Reduction Scheme for the year 2016-2017.</td>
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<td></td>
<td><strong>Recommendations</strong></td>
</tr>
<tr>
<td></td>
<td>The meeting is recommended:</td>
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<tr>
<td></td>
<td>1.1 To approve a Council Tax Reduction Scheme (CTRS) for the year 1 April 2016 to 31 March 2017 as set out in the report and implement the scheme with effect from 1 April 2016.</td>
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<tr>
<td></td>
<td>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 2016 in consultation with the Portfolio Holder for Finance and Procurement.</td>
</tr>
</tbody>
</table>
| 12 | Proposed Designation Of Ashton Parish as a Neighbourhood Area  
(Pages 75 - 88)  
Report of Head of Strategic Planning and the Economy |
<table>
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<tbody>
<tr>
<td><strong>Purpose of report</strong></td>
<td>For Council to consider the representations received during the Council’s consultation on the designation of Ashton Parish as a Neighbourhood Area and agree the designation of Ashton Parish as a Neighbourhood Area.</td>
</tr>
<tr>
<td><strong>Recommendation</strong></td>
<td>The meeting is recommended:</td>
</tr>
<tr>
<td>1.1</td>
<td>To agree the designation of Ashton Parish as a Neighbourhood Area.</td>
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</table>

| 13 | Strategic Planning in West Northamptonshire  
(Pages 89 - 98)  
Report of Director of Development |
<table>
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<tbody>
<tr>
<td><strong>Purpose of report</strong></td>
<td>For Members to consider making a request to the Secretary of State to revoke the Order which established the West Northamptonshire Joint Strategic Planning Committee (&quot;WNJSPC&quot;), as recommended by the WNJSPC at its meeting on 20 October 2015, and to consider proposals for new partnership working arrangements to replace the current Committee.</td>
</tr>
<tr>
<td><strong>Recommendations</strong></td>
<td></td>
</tr>
<tr>
<td>1.1</td>
<td>That the Council writes formally to the Secretary of State to request the revocation of the order which established the WNJSPC pursuant to section 31(2) of the Planning and Compulsory Purchase Act 2004.</td>
</tr>
<tr>
<td>1.2</td>
<td>That, in the event that the Secretary of State revokes the order, the Council:</td>
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<tr>
<td>1.2.1</td>
<td>Supports the establishment of a Joint Planning and Infrastructure Board supported by a Memorandum of Cooperation generally as set out in draft form at Appendix 1.</td>
</tr>
<tr>
<td>1.2.2</td>
<td>Withdraws from or agrees to modify or terminate existing agreements that complement the Joint Committee arrangements so as to give effect to the new arrangements.</td>
</tr>
</tbody>
</table>

| 14 | Calendar of Meetings 2016/17 and Draft Calendar of Meetings 2017/18  
(Pages 99 - 112)  
Report of Head of Law and Governance |
**Purpose of report**

Council is asked to consider the calendar of meetings for the municipal year 2016/17 and the municipal year 2017/18.

**Recommendations**

The meeting is recommended:

1.1 To approve the calendar of meetings for South Northamptonshire Council (SNC) for the municipal years 2016/17 (Appendix 1) and 2017/18 (Appendix 2).

1.2 To approve the joint calendar of meetings 2016/17(Appendix 3) and 2017/18 (Appendix 4), subject to similar agreement by Cherwell District Council.

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<td>15</td>
<td><strong>Urgent Business (previously agreed with the Chairman)</strong></td>
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| 16 | **Exclusion of Press and Public**

The following report 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 each of them 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 resolve as follows:

“That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part I, 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.”

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| 17 | **Brackley Pool and New Leisure Management Contract** (Pages 113 - 140)

Exempt Report of Director of Community and Environment
Sue Smith
Chief Executive
8 December 2015

**Council Members:**

Councillor Roger W.A.S. Clarke (Chairman)          Councillor Caryl Billingham (Vice-Chairman)

Councillor Ann Addison                              Councillor Robert G. Atkinson
Councillor Anthony S. Bagot-Webb                    Councillor Fiona Baker
Councillor Dermot Bambridge                         Councillor Sandra Barnes MBE
Councillor Judith Baxter                             Councillor Phil Bignell
Councillor Lizzy Bowen                              Councillor Rebecca Breese
Councillor John Budden J.P.                         Councillor Carole Clarke
Councillor Stephen Clarke                           Councillor Simon Clifford
Councillor Karen Cooper                              Councillor Richard Dallyn
Councillor Hywel Davies                             Councillor Peter Davies
Councillor Valerie Furniss                           Councillor David Harries
Councillor Rosie Herring                             Councillor Steven Hollowell
Councillor Martin Johns                              Councillor Chris Lofts
Councillor Dennis Loveland                          Councillor Charles Manners
Councillor Simon Marinker                            Councillor Ian McCord
Councillor Stephen Mold                              Councillor Ian Morris
Councillor Alice Kim Ord                             Councillor Peter Rawlinson
Councillor Adil Sadygov                              Councillor Lisa Samiotis
Councillor Mary-Anne Sergison-Brooke                 Councillor Sandi Smallman
Councillor Catharine Tarbun                          Councillor John Townsend
Councillor Allen Walker                              Councillor Elaine Wiltshire
Queries Regarding this Agenda
If you have any queries about this agenda please contact Natasha Clark, Democratic and Elections, natasha.clark@cherwellandsouthnorthants.gov.uk 01295 221589

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 above, giving as much notice as possible before the meeting.

In Case of Fire
Please read the Fire Instructions before the meeting starts. If the fire alarm sounds the Democratic Services Officer will ensure that attendees leave the building immediately and proceed to the assembly point.
South Northamptonshire Council

Council

Minutes of a meeting of the Council held at The Forum, Moat Lane, Towcester, Northants NN12 6AD on Wednesday 21 October 2015 at 6.00 pm.

Present

Councillor Roger W.A.S. Clarke (Chairman)
Councillor Caryl Billingham (Vice-Chairman)
Councillor Ann Addison
Councillor Robert G. Atkinson
Councillor Anthony S. Bagot-Webb
Councillor Fiona Baker
Councillor Dermot Bambridge
Councillor Phil Bignell
Councillor John Budden J.P.
Councillor Carole Clarke
Councillor Stephen Clarke
Councillor Simon Clifford
Councillor Karen Cooper
Councillor Richard Dallyn
Councillor Hywel Davies
Councillor Valerie Furniss
Councillor David Harries
Councillor Steven Hollowell
Councillor Martin Johns
Councillor Chris Lofts
Councillor Dennis Loveland
Councillor Charles Manners
Councillor Simon Marinker
Councillor Ian McCord
Councillor Stephen Mold
Councillor Ian Morris
Councillor Alice Kim Ord
Councillor Peter Rawlinson
Councillor Adil Sadygov
Councillor Mary-Anne Sergison-Brooke
Councillor Sandi Smallman
Councillor Catharine Tarbun
Councillor John Townsend
Councillor Allen Walker
Councillor Elaine Wiltshire

Apologies for Absence:

Councillor Sandra Barnes MBE
Councillor Judith Baxter
Councillor Lizzy Bowen
Councillor Rebecca Breese
Councillor Peter Davies
Councillor Rosie Herring
Councillor Lisa Samiotis

Officers:  Sue Smith, Chief Executive  
Calvin Bell, Director of Development  
Ian Davies, Director of Community and Environment  
Martin Henry, Director of Resources / Section 151 Officer  
Kevin Lane, Head of Law and Governance / Monitoring Officer  
Adrian Colwell, Head of Strategic Planning and the Economy (for agenda item 10)  
Michael Warren, Principal Planning Officer (for agenda item 10)  
Natasha Clark, Team Leader, Democratic and Elections

40 Declarations of Interest

There were no declarations of interest.

41 Minutes of Council

The Minutes of the meeting of the Council held on 22 July 2015 were agreed as a correct record and signed by the Chairman.

42 Chairman’s Announcements

The Chairman made the following announcements:

Former Councillor Paul Titchener
The Chairman referred to the recent sad passing of former Councillor Paul Titchener on Thursday 10 September, who had represented Brackley South ward from 2011 to 2015.

Council extended their condolences to former Councillor Titchener’s family.

Former Councillor John Kilmister
The Chairman advised Council that he had written a get well letter on behalf of the council to former Councillor John Kilmister.

Recording of meetings
The Chairman advised that members of the public were permitted to film, broadcast and report on the meeting, subject to the efficient running of the meeting not being affected.

Chairman’s Engagements
The Chairman advised Council that a list of engagements that he, or the Vice-Chairman, had attended since the last meeting of Council was published as a supplement to the agenda.
Chairman’s Carol Service
The Chairman advised Members that the Chairman’s Carol Service would take place at 4.30pm on Sunday 6 December in the Council Chamber at The Forum.

Personal Announcement
The Chairman advised Members that he had recently been diagnosed with multiple sclerosis and whilst he was using a stick, he was generally in good health.

Member Post
The Chairman reminded Members to collect any post from their pigeon holes after the meeting.

Public Participation
There was no public participation.

Written Questions
There were no written questions.

Motions
There were no motions.

Announcements by the Leader of the Council and Chief Executive
There were no announcements by the Leader of the Council or the Chief Executive.

Questions to the Leader of the Council and the Chief Executive
There having been no announcements by the Leader of the Council or the Chief Executive, there were no questions to the Leader or the Chief Executive.

Community Infrastructure Levy (CIL) - Consideration Of The Adoption Of A CIL Charging Schedule For South Northamptonshire

The Head of Strategic Planning and the Economy submitted a report to update the Council in respect of the Community Infrastructure Levy (CIL), following receipt of the Examiner’s Report on the Examination in Public (EiP) of the Council’s proposed CIL Charging Schedule.

South Northamptonshire Council had not yet determined whether or not it would be adopting the use of the Community Infrastructure Levy, and this was a decision that the Council now needed to make, following receipt of the Examiner’s Report.
In the absence of the Portfolio Holder for Planning and Environment, the Portfolio Holder for Economic Development, Regeneration and Housing presented the report.

In response to Members’ comments regarding the potential impact of delaying the implementation date to 1 April 2016, the Leader of the Council explained Cabinet had debated this and taken into consideration officer advice, 1 April 2016 was a realistic and achievable implementation date. One of the reasons for this proposed implementation date was to allow for adequate publicity and forms and guidance to be updated. It would be clear on planning application forms that applicants needed to complete a CIL form as it would be part of the planning application.

In response to Members’ questions, the Head of Strategic Planning and the Economy advised Council that primary schools and GP surgeries would continue to be funded with S106 monies.

Regarding whether the provision of public car parking should be included in the CIL Regulation 123 List, the Head of Strategic Planning and the Economy explained that the Reg 123 List was a list of projects the Council intended would be wholly or fully funded by CIL. Once a CIL was in place, items on the Reg 123 List could no longer be sought via planning obligations (S.106). The Reg 123 List would be reviewed at least annually, as part of monitoring of CIL collection and spend. However, the Council could review the Reg 123 List at any time, although any changes must be justified and subject to local consultation for 4 weeks.

Council thanked the Planning Policy Team and the Principal Planning Officer for their hard work and regular briefings to Members on CIL.

**Resolved**

(1) That having considered the report, and the recommendations made by Cabinet, at their Meeting on 12 October 2015, the Council adopts the CIL Charging Schedule (as amended by the Examiner), in accordance with Regulation 25 of the Community Infrastructure Levy Regulations 2010 (as amended).(the CIL Regulations).

(2) That the South Northamptonshire CIL Charging Schedule (annex to the Minutes as set out in the Minute Book) be approved to take effect from 1 April 2016.

(3) That the proposed amendments to the draft Regulation 123 List be accepted, and that the CIL Regulation 123 list (annex to the Minutes as set out in the Minute Book) be approved.

(4) That the Instalment Policy (annex to the Minutes as set out in the Minute Book) be approved.

(5) That the Interpretative Note to the CIL Charging Schedule (annex to the Minutes as set out in the Minute Book) be approved.
(6) That it be agreed that exceptional circumstances relief not be applied in South Northamptonshire. However, if Council were to decide that the Council should offer exceptional circumstances relief, this should be in accordance with the Guidance Note (annex to the Minutes as set out in the Minute Book).

(7) That CIL be reported on and reviewed annually.

(8) That sufficient additional resource be made available for the implementation of CIL so as not to impact on the development management team.

49 Transformation Governance

The Chief Executive submitted a report which requested Council to discontinue the Joint Arrangements Steering Group and amend the membership of the Joint Commissioning Committee on the recommendation of the Joint Commissioning Committee. The report made recommendations to ensure governance arrangements remained effective and transparent.

Resolved

(1) That the Joint Arrangements Steering Group (JASG) be discontinued and that the Head of Transformation be delegated to update HR policies and procedures as necessary.

(2) That the membership of the Joint Commissioning Committee be increased from 4 to 6 members from each council and that the frequency of meetings be increased to bi-monthly diarised meetings to ensure effective Member oversight of the transformation programme.

(3) That, in accordance with the revised proportionality calculation, it be noted that the Conservative Group Leader has advised that Councillor Alice Ord is removed from the Licensing Committee.

(4) That, in accordance with the revised proportionality calculation, Councillors Phil Bignell and Roger Clarke be appointed to the Joint Commissioning Committee.

(5) That, in accordance with the revised proportionality calculation, the Liberal Democrat Group is required to give two seats to the Independent Group.

(6) That authority be delegated to the Head of Law and Governance to confirm the amendments to the membership of Committees in accordance with the revised proportionality requirements detailed in resolution (5) above on the direction of the Liberal Democrat Group Leader and Independent Group Spokesman.
50 Review of Community Grants - Proposed Changes to the Officer Scheme of Delegation

The Head of Law and Governance submitted a report which sought the agreement of Council, on the recommendation of Cabinet, to proposed revisions to the current scheme of delegation to the Head of Finance and Procurement as set out in the council’s Constitution.

Resolved

(1) That an amendment to the officer scheme of delegation to enable the Head of Finance and Procurement to determine applications for the council’s Community Development and New Homes Bonus Grants (excluding those in respect of which other Heads of Service have specific delegated authority) in accordance with the objectives of the relevant grant policy up to a value of £20,000 subject (in the case of grants exceeding £1,000) to consultation with the Community Funding Panel be agreed.

(2) That authority be delegated to the Head of Law and Governance to amend the Constitution to reflect resolution (1).

51 Urgent Business (previously agreed with the Chairman)

There were no items of urgent business.

52 Exclusion of 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 item of business on the grounds that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part I, Paragraphs 3 and 5 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.

53 Notification of Urgent Action - Disposal of Victoria House

The Director of Development submitted an exempt report which notified Council Members of urgent action he had taken in relation to the disposal of Victoria House.

Resolved

(1) That the urgent action taken by the Director of Development be noted.
Council - 21 October 2015

The meeting closed at 6.30 pm

Chairman:

Date:
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South Northamptonshire Council

Council

16 December 2015

Gambling Act 2005
Review of Statement of Licensing Principles

Report of Shared Interim Public Protection and Environmental Health Manager

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 South Northamptonshire 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 by Full Council on 19 December 2012 and came into effect on 31 January 2013. A new statement must be prepared and published with a view to it coming into effect on 31 January 2016.
3.3 In Northamptonshire the policy is prepared jointly across the county. The draft policy is attached at Appendix 1.

3.4 The Licensing Committee was included in the consultation exercise and also considered the policy on 3 November 2015. It was recommended that the policy be submitted to Council for approval.

3.5 The deadline for publication of this policy is 6 January 2016.

3.6 The Act requires a consultation to be carried out with the persons/groups detailed below. This was carried out between 21 September and 2 November 2015.

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. 4 representations were received and these are detailed in Annex 2. Comments were taken on board and the changes made to the statement are detailed in Annex 3.

- The Council’s Licensing Committee
- 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: The policy must be reviewed so rejection is not a realistic option.
7.0 Implications

Financial and Resource Implications

7.1 There are no financial implications

Comments checked by: Brian Wallace, Interim Principal Accountant for Community and Environment, 01295 221737

Legal Implications

7.2 The decision must comply with relevant legislation and Council Policy.

There is a risk that if policy and legislation has not been correctly followed any resulting appeal could be successful.

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

To deliver regulatory services that are efficient, and well regarded by business customers

Portfolio Holder

Councillor Dermot Bambridge, Portfolio Holder for Environmental Services

Document Information

<table>
<thead>
<tr>
<th>Appendix No</th>
<th>Title</th>
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<tbody>
<tr>
<td>1</td>
<td>Gambling Act 2005 Statement of Licensing Principles</td>
</tr>
<tr>
<td>2</td>
<td>Details of representations received</td>
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<tr>
<td>3</td>
<td>Summary of changes post consultation</td>
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</tbody>
</table>

Background Papers

None

Report Author

Nicholas Sutcliffe, Interim Licensing Manager

Contact Information

Jackie Fitzsimons, Interim Public Protection and Environmental Health Manager
Jackie.fitzsimons@southnorthants.gov.uk
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South Northants Council
Gambling Act 2005
Policy Statement

This Statement of Principles was adopted by South Northants Council at its Council meeting on [Insert date]
## Revisions

<table>
<thead>
<tr>
<th>Version</th>
<th>Date</th>
<th>Author</th>
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<tbody>
<tr>
<td>Dv01</td>
<td>13 July 2015</td>
<td>EC Draft</td>
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<tr>
<td>Dv02</td>
<td>20 August 2015</td>
<td>EC/RH Draft</td>
</tr>
<tr>
<td>Dv03</td>
<td>3 September 2015</td>
<td>EC</td>
</tr>
<tr>
<td>Dv04</td>
<td>16 November 2015</td>
<td>EC</td>
</tr>
</tbody>
</table>
Table of Contents

Revisions .............................................................................................................. 2

PART A
1. The Licensing Objectives ............................................................................. 4
2. Introduction .................................................................................................. 4
3. Declaration .................................................................................................. 5
4. Responsible Authorities ............................................................................... 5
5. Interested Parties ......................................................................................... 5
6. Exchange of Information ........................................................................... 6
7. Enforcement ................................................................................................ 6
8. Licensing authority functions ..................................................................... 7

PART B: PREMISES LICENCES: CONSIDERATION OF APPLICATIONS .......... 8
1. General Principles ....................................................................................... 8
2. Adult Gaming Centres ............................................................................... 12
3. (Licensed) Family Entertainment Centres ............................................... 13
4. Casinos ....................................................................................................... 13
5. Bingo premises ........................................................................................... 13
6. Betting premises ......................................................................................... 14
7. Tracks .......................................................................................................... 14
8. Travelling fairs ........................................................................................... 15
9. Provisional statements ............................................................................... 15
10. Reviews .................................................................................................... 16

PART C: PERMITS / TEMPORARY & OCCASIONAL USE NOTICES .......... 18
1. Unlicensed family entertainment centre gaming machine permits (Statement of Principles on Permits - Schedule 10 paragraph 7) .................................................................................................................. 18
2. (Alcohol) Licensed premises gaming machine permits - (Schedule 13 paragraph 4(1)) .................................................................................................................. 18
3. Prize gaming permits .................................................................................. 19
4. Club gaming and Club Machines Permits ............................................... 19
5. Temporary use notices ............................................................................... 20
6. Occasional use notices (OUNs) ................................................................. 21
7. Small society lotteries ................................................................................ 21

PART D: ANNEXES ....................................................................................... 22
Annex 1: List of Local Authorities and other Partners ................................ 22
Annex 2: List of Consultees on the Statement of Principles ....................... 23
Annex 3: Casinos ............................................................................................. 25
Annex 4: District Details ................................................................................ 26
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 Northamptonshire local authorities and their 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 23rd of September and the 2nd of November 2015 and we followed the HM Government Code of Practice on Consultation (published July 2008), which is available at [www.bis.gov.uk/files/file47158.pdf](http://www.bis.gov.uk/files/file47158.pdf)

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 licensing@southnorthants.gov.uk

2.7 This statement was produced in conjunction with all Northamptonshire licensing authorities. The area for which South Northamptonshire Council is responsible is detailed in Annex 4.

2.8 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 Northamptonshire 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 relevant licensing team as specified in Annex 1.

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 the 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 Innovation & Skills 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 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 insofar 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:
  o a casino
  o an adult gaming centre

Bingo Premises

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

Family Entertainment Centre

• No customer must be able to access the premises directly from:
  o a casino
  o an adult gaming centre
  o 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 building consent. 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 Only one local authority has casinos in its area. As the others have varying resolutions regarding the provision of casinos, the details pertaining to this Council are specified in Annex 3.

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 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 the relevant licensing authority using the contact details in Annex 1.
PART D: ANNEXES

Annex 1: List of Local Authorities and other Partners

**Corby Borough Council**
Deene House  
New Post Office Square  
Corby  
NN17 1GD  
TEL: 01536 464242

[website]

**Daventry District Council**
Council Offices  
Lodge Road  
Daventry  
NN11 4FP  
TEL: 01327 871100  
Email: licensing@daventrydc.gov.uk  
[website]

**East Northamptonshire Council**
East Northamptonshire House  
Cedar Drive  
Thrapston  
NN14 4LZ  
TEL: 01832 742050

[website]

**Kettering Borough Council**
Council Offices  
Bowling Green Road  
Kettering  
NN15 7QX  
TEL: 01536 410333  
FAX: 01536 410759

[website]

**Northampton Borough Council**
The Guildhall  
St Giles Square  
Northampton  
NN1 1DE  
TEL: 01604 838000  
FAX: 01604 838723

[website]

**South Northamptonshire Council**
The Forum  
Moat Lane  
Towcester  
NN12 6AD  
TEL: 01327 322278

[website]

**Borough Council of Wellingborough**
Swanspool House  
Doddington Road  
Wellingborough  
NN8 1BP  
TEL: 01933 231966  
Email: licensing@wellingborough.gov.uk  
[website]

**Northamptonshire Safeguarding**
John Dryden House  
8-10 The Lakes  
Northampton NN4 7YD  
TEL: 01604 364036

[website]

**H M Revenue & Customs**
St James House  
Mansfield Road  
Derby  
DE1 3TU  
[website]

**Northamptonshire Fire & Rescue Service**
The Inspection Team Manager  
Bolton House  
Wootton Hall Park  
Northampton NN4 9BN  
TEL: 01604 797000

**Northamptonshire Police**
**Northamptonshire West Area**
Western Area Commander  
Campbell Square  
The Mounts  
Northampton NN1 3EL  
TEL: 08453 700 700

**Northamptonshire North Area**
Northern Area Commander  
Corby Police Station  
Elizabeth Street  
Corby NN7 1SH  
TEL: 08453 700 700
## Annex 2: List of Consultees on the Statement of Principles

<table>
<thead>
<tr>
<th>Chief Constable of Northamptonshire Police</th>
<th>British Beer and Pub Association</th>
<th>Daventry and South Northants PCT</th>
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<tbody>
<tr>
<td>Wootton Hall</td>
<td>Market Towers</td>
<td>Nene House</td>
</tr>
<tr>
<td>Northampton</td>
<td>1 Nine Elms Lane</td>
<td>Drayton Way</td>
</tr>
<tr>
<td>NN4 0JQ</td>
<td>London SW8 5NQ</td>
<td>Drayton Fields Industrial Estate</td>
</tr>
<tr>
<td>The Chief Fire Officer</td>
<td>Bingo Association</td>
<td>Daventry NN11 8EA</td>
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<tr>
<td>Fire Service Headquarters</td>
<td>Lexham House</td>
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<td>Northampton</td>
<td>Dunstable</td>
<td></td>
</tr>
<tr>
<td>NN3 6XJ</td>
<td>Bedfordshire LU6 1JF</td>
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<tr>
<td>Trading Standards Service</td>
<td>Casino Operators Association</td>
<td>Northampton PCT</td>
</tr>
<tr>
<td>Wootton Hall Park</td>
<td>P O Box 55</td>
<td>Highfield</td>
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<td>Northampton</td>
<td>Thorncombe</td>
<td>Cliftonville Road</td>
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<tr>
<td>NN4 0GB</td>
<td>Chard</td>
<td>Northampton</td>
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<tr>
<td>Her Majesty’s Revenue &amp; Customs</td>
<td>Somerset TA20 4YT</td>
<td>NN1 5DN</td>
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<tr>
<td>Boundary House</td>
<td>Internet Gambling Gaming and</td>
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<td>Betting Association</td>
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<td>Cheshire SK8 2JZ</td>
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<tr>
<td>Responsibility in Gambling Trust</td>
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<tr>
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<tr>
<td>London SE1 9BG</td>
<td>British Casino Association</td>
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<td>38 Grosvenor Gardens</td>
<td>The Gordon House Association</td>
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<tr>
<td>London SW1W 0EB</td>
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<td>British Casino Association</td>
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<td>Gamblers Anonymous</td>
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<td>BACTA</td>
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<td>King’s Cross House</td>
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</table>
Whizz-Kidz
Elliott House
10-12 Allington Street
London
SW1E 5EH

NSPCC
Weston House
42 Curtain Road
London
EC2A 3NH

NCH Eastern
1 Carisbrooke Court
Buckingham Business Park
Swavesey
Cambridge
CB4 5UG

Brackley Citizens Advice Centre
2 Bridge Street
Brackley
NN13

Corby Citizens Advice Centre
Civic Centre Annex
George Street
Corby
NN17 1QG

Daventry Citizens Advice Centre
The Abbey Centre
Abbey Street
Daventry
NN11 4BH

Kettering Citizens Advice Centre
The Oasis Centre
10 Market Street
Kettering
NN16 0AH

Market Harborough Citizens Advice Centre
11 St. Mary's Road
Markey Harbourhouse
LE16 7DS

National Casino Industry Forum (NCiF)
Carlyle House
235 – 237 Vauxhall Bridge Road
London, SW1V 1EJ

All Parish Councils in Northamptonshire

Vincent Sykes & Higham
Montague House
Chancery Lane
Thrapston

Wilson Browne Commercial Law
Kettering Parkway
Kettering Venture Park
Kettering
NN15 8WN

Park Woodfine Solicitors
16 High Street
Rushden
NN10 0PR

Borneo Hughes Martell
9 Notre Dame Mews
Northampton
NN1 2BG

EMW Law
Eleanor House
Queens Office Park
Northampton
NN4 7JJ

Frank Jones & Harley
87 St. Giles Street
Northampton
NN1 1UD

Hardman & Co Solicitors
3 Albion Place
Northampton
NN1 1UD

MJK Law
Plum Park Estate
Poulterstpy
Towcester
NN12 5LQ

licenza
2nd Floor
119b Midland Road
Bedford
MK40 1DE

All Town Councils in
Northamptonshire

All gambling premises in
Northamptonshire
Annex 3: Casinos

Only one local authority in Northamptonshire has casinos in its area. The others have varying resolutions regarding the provision of casinos.

South Northamptonshire 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.
South Northamptonshire Council is situated in the County of Northamptonshire, which contains seven District Councils in total. The Council area has a population of 85,200 (2011 Census). The district covers 244 square miles and is mainly rural with two historic market towns, Towcester and Brackley. The areas are shown in the map below:
## Appendix 2

### Gambling Act 2005 Statement of Licensing Policy

#### Table of Proposed Changes to the existing 2013 Policy

<table>
<thead>
<tr>
<th>Post consultation</th>
<th>Proposed Amendment</th>
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<tbody>
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<td>Page/Section</td>
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</table>
| Part B: Paragraphs 1.4 and 1.5 | Delete both paragraphs.  
   *Namely:*  
   1.4 This licensing authority also notes Gambling Commission guidance on ensuring that betting is the primary activity of a licensed premises. Gaming machines may be made available for use in licensed betting premises only at times when there are also sufficient facilities for betting available. Operators will need to demonstrate that betting will continue to be the primary activity of the premises when seeking variations to licenses.  
   1.5 In making this determination, this licensing authority will have regard to the six indicators of betting as a primary gambling activity:  
      • the offer of established core products (including live event pictures and bet range)  
      • the provision of information on products and events  
      • the promotion of gambling opportunities and products  
      • the actual use made of betting facilities  
      • the size of premises  
      • the delivery of betting facilities  
   The consultation process threw doubt on these paragraphs being lawful. Having taken advice from the Gambling Commission, they confirmed that they intend to consult on this issue (i.e. Primary Gambling Activity) shortly and that it is currently covered in their recently revised Guidance to Licensing Authorities (5th edition - September 2015) which will facilitate robust decision making by the Council. As such, it is proposed that Paragraphs 1.4 and 1.5 of Part B of the draft Policy Statement are removed and Officers will duly monitor the aforementioned consultation. |
| Part B: Paragraph 1.16 | Delete the last two sentences of Paragraph 1.16 of Part B of the draft Policy Statement  
   *Namely:*  
   (iv) Location  
   1.16 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. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.  
   The consultation process threw doubt on the last two sentences of this paragraph being lawful. Having taken advice from the Gambling Commission, they suggested that the two sentences in question could be removed and replaced with a sentence stating that the Licensing Authority has the option of adding conditions to a premises licence to address any such concerns. If is proposed that this is actioned as suggested by the Gambling Commission.  
   NB. *This can be seen as Paragraph 14 in the revised draft Policy Statement due to re-numbering of the paragraphs following the above paragraph deletions.* |
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## Coral Racing Limited

One Stratford Place
Montfichet Road
London E20 1EJ

Coral Racing Limited is most grateful to be given the opportunity to respond to this consultation exercise. Coral was one of the first national bookmakers to be licensed under the Betting and Gaming Act of 1960, and so has been operating the length and breadth of the UK for over 50 years. Its premises comprise locations in the inner city, on the high street, in suburbs and in rural areas, and in areas of both high and low deprivation. It now operates 1850 betting offices across Great Britain, which comprise about 20% of all licensed betting offices. It is, therefore, a highly experienced operator.

Coral Racing Limited are supportive of the document. It again notes that the Board when considering applications are still required to ‘aim to permit gambling’ where this is ‘reasonably consistent with the licensing objectives’, additionally noting that it should not take into account of any moral objections to gambling.

Coral Racing Limited recognise the requirement to supply risk assessments with future applications & variations following the consultation completion.

<table>
<thead>
<tr>
<th>Respondent Details</th>
<th>Comments made</th>
<th>Response</th>
</tr>
</thead>
</table>
| Coral Racing Limited | Consultation on Central Licensing Admin Unit Statement of Principles – Gambling Act 2005 – on behalf of:-  
- Corby Borough Council  
- Kettering Borough Council  
- Daventry District Council  
- Northampton Borough Council  
- East Northamptonshire Council  
- Borough Council of Wellingborough | Comments noted. |
|                     | Coral Racing Limited is most grateful to be given the opportunity to respond to this consultation exercise. Coral was one of the first national bookmakers to be licensed under the Betting and Gaming Act of 1960, and so has been operating the length and breadth of the UK for over 50 years. Its premises comprise locations in the inner city, on the high street, in suburbs and in rural areas, and in areas of both high and low deprivation. It now operates 1850 betting offices across Great Britain, which comprise about 20% of all licensed betting offices. It is, therefore, a highly experienced operator.  
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Coral Racing Limited recognise the requirement to supply risk assessments with future applications & variations following the consultation completion | Comments noted. |
<table>
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<th>Respondent Details</th>
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<td>(requirement is from 6th April 2016) and whilst this detail is not currently included within the Statement, we would be pleased to contribute to a consultation when it is. Coral's experience is that through all it does, it achieves an exemplary degree of compliance already, and attracts negligible evidence of regulatory harm. Through the additional local risk assessment to be introduced, Coral believe that these should be a) to assess specific risks to the licensing objectives in the local area, and b) to assess whether control measures going beyond standard control measures are needed. A number of Council's have created long lists of locations which by inclusion are required to be risk assessed &amp; strict templates to be completed. Coral are of the opinion that as there is no evidence that the proximity of such locations causes harm to the licensing objectives, it is best left to the operators to provide their own risk assessments. Naturally, if these do not meet the level desired by the Council, we would adjust to suit. If we can provide any further information, we would be pleased to do so.</td>
<td>Comments noted.</td>
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<td><strong>Gosschalks Solicitors</strong></td>
<td><strong>We act for the Association of British Bookmakers (ABB) and have received instructions to respond on behalf of our client to the current consultation on the Council's review of its gambling policy statement. The ABB represents over 80% of the high street betting market. Its members include large national operators such as William Hill, Ladbrokes, Coral and Paddy Power, as well as almost 100 smaller independent bookmakers. This response will explain the ABB approach to partnership working with local authorities, it will detail its</strong></td>
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<td><strong>Queens Gardens</strong></td>
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<td><strong>Hull HU1 3 DZ</strong></td>
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<td><strong>(Note: Two slightly differently worded responses were received from the above (28 October 2015 and 05 November 2015) - the 28 October 2015 submission is quoted)</strong></td>
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views on the implementation of the new LCCP requirements, from April 2016, relating to operators’ local area risk assessments and their impact on the licensing regime and will then make specific comment with regard to any statement(s) of concern/that are welcomed in your draft policy.

The ABB is concerned to ensure that any changes are not implemented in such a way as to fundamentally change the premises licence regime through undermining the “aim to permit” principle contained within s153 Gambling Act 2005.

The current regime already adequately offers key protections for communities and already provides a clear process (including putting the public on notice) for representations/objections to premises licence applications. The recent planning law changes effective since April 2015 have also already increased the ability of local authorities to consider applications for new premises, as all new betting shops must now apply for planning permission.

It is important that any consideration of the draft policy and its implementation at a local level is put into context. There has recently been press coverage suggesting that there has been a proliferation of betting offices and a rise in problem gambling rates. This is factually incorrect.

Over recent years betting shop numbers have been relatively stable at around 9,000 nationally, but more recently a trend of overall downwards decline can be seen. The latest Gambling Commission industry statistics show that numbers as at 31 Mar 2015 were 8,958 - a decline of 179 from the previous year, when there were 9,137 recorded as at 31 March 2014.

As far as problem gambling is concerned, successive
prevalence surveys and health surveys reveal that problem gambling rates in the UK are stable (0.6%) and possibly falling.

**Working in partnership with local authorities**

The ABB is fully committed to ensuring constructive working relationships exist between betting operators and licensing authorities, and that where problems may arise that they can be dealt with in partnership. The exchange of clear information between councils and betting operators is a key part of this and we welcome the opportunity to respond to this consultation.

There are a number of examples of the ABB working closely and successfully in partnership with local authorities.

**LGA – ABB Betting Partnership Framework**

In January 2015 the ABB signed a partnership agreement with the Local Government Association (LGA). This was developed over a period of months by a specially formed Betting Commission consisting of councillors and betting shop firms and established a framework designed to encourage more joint working between councils and the industry.

Launching the document Cllr Tony Page, LGA Licensing spokesman, said it demonstrated the “…desire on both sides to increase joint-working in order to try and use existing powers to tackle local concerns, whatever they might be.”

The framework built on earlier examples of joint working between councils and the industry, for example the Ealing Southall Betwatch scheme and Medway Responsible Gambling Partnership.

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In Ealing, the Southall Betwatch was set up to address concerns about crime and disorder linked to betting shops in the borough. As a result, crime within gambling premises reduced by 50 per cent alongside falls in public order and criminal damage offences.

In December last year, the Medway Responsible Gambling Partnership was launched by Medway Council and the ABB. The first of its kind in Britain, the voluntary agreement allows anyone who is concerned they are developing a problem with their gambling to exclude themselves from all betting shops in the area.

The initiative also saw the industry working together with representatives of Kent Police and with the Medway Community Safety Partnership to develop a Reporting of Crime Protocol that is helpful in informing both the industry, police and other interested parties about levels of crime and the best way to deal with any crime in a way that is proportionate and effective.

Lessons learnt from the initial self-exclusion trial in Medway have been incorporated into a second trial in Glasgow city centre, launched in July this year with the support of Glasgow City Council, which it is hoped will form the basis of a national scheme to be rolled out in time for the LCCP deadline for such a scheme by April 2016.

Jane Chitty, Medway Council’s Portfolio Holder for Planning, Economic Growth & Regulation, said: “The Council has implemented measures that work at a local level but I am pleased to note that the joint work we are doing here in Medway is going to help the development of a national scheme.”

Describing the project, Glasgow’s City Treasurer and...
Chairman of a cross-party Sounding Board on gambling, Cllr Paul Rooney said: “This project breaks new ground in terms of the industry sharing information, both between operators and, crucially, with their regulator.”

**Primary Authority Partnerships in place between the ABB and local authorities**

All major operators, and the ABB on behalf of independent members, have also established Primary Authority Partnerships with local authorities.

These Partnerships help provide a consistent approach to regulation by local authorities, within the areas covered by the Partnership; such as age-verification or health and safety. We believe this level of consistency is beneficial both for local authorities and for operators.

For instance, Primary Authority Partnerships between Milton Keynes Council and Reading Council and their respective partners, Ladbrokes and Paddy Power, led to the first Primary Authority inspection plans for gambling coming into effect in January 2015.

By creating largely uniform plans, and requiring enforcing officers to inform the relevant Primary Authority before conducting a proactive test-purchase, and provide feedback afterwards, the plans have been able to bring consistency to proactive test-purchasing whilst allowing the Primary Authorities to help the businesses prevent underage gambling on their premises.

**Local area risk assessments**

With effect from 6th April 2016, under new Gambling Commission LCCP provisions, operators are required to complete local area risk assessments identifying any
Licensees must take into account relevant matters identified in the licensing authority’s statement of licensing policy and local area profile in their risk assessment, and these must be reviewed where there are significant local changes or changes to the premises, or when applying for a variation to or a new premises licence.

The ABB is concerned that overly onerous requirements on operators to review their local risk assessments with unnecessary frequency could be damaging. As set out in the LCCP a review should only be required in response to significant local or premises change. In the ABB’s view this should be where evidence can be provided to demonstrate that the change could impact the premises’ ability to uphold the three licensing objectives.

Although ABB members will be implementing risk assessment at a local premises level, we do not believe that it is for the licensing authority to prescribe the form of that risk assessment. We believe that to do so would be against better regulation principles. Instead operators should be allowed to gear their risk assessments to their own operational processes informed by Statements of Principles and the local area profile.

The ABB supports the requirement as set out in the LCCP, as this will help sustain a transparent and open dialogue between operators and councils. The ABB is also committed to working pro-actively with local authorities to help drive the development of best practice in this area.

**Local Area Profiles – Need for an evidence based approach**

Comments noted.
It is important that any risks identified in the local area profile are supported by substantive evidence. Where risks are unsubstantiated there is a danger that the regulatory burden will be disproportionate. This may be the case where local authorities include perceived rather than evidenced risks in their local area profiles.

This would distort the “aim to permit” principle set out in the Gambling Act 2005 by moving the burden of proof onto operators. Under the Act, it is incumbent on licensing authorities to provide evidence as to any risks to the licensing objectives, and not on the operator to provide evidence as to how they may mitigate any potential risk.

A reversal of this would represent a significant increase in the resource required for operators to be compliant whilst failing to offer a clear route by which improvements in protections against gambling related harm can be made.

We would also request that where a local area profile is produced by the licensing authority that this be made clearly available within the body of the licensing policy statement, where it will be easily accessible by the operator and also available for consultation whenever the policy statement is reviewed.

**Concerns around increases in the regulatory burden on operators**

Any increase in the regulatory burden would severely impact on our members at a time when overall shop numbers are in decline, and operators are continuing to respond to and absorb significant recent regulatory change. This includes the increase to 25% of MGD, changes to staking over £50 on gaming machines, and

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<td>planning use class changes which require all new betting shops in England to apply for planning permission.</td>
<td>Comments noted.</td>
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<td>Moving away from an evidence based approach would lead to substantial variation between licensing authorities and increase regulatory compliance costs for our members. This is of particular concern for smaller operators, who do not have the same resources to be able to put into monitoring differences across all licensing authorities and whose businesses are less able to absorb increases in costs, putting them at risk of closure.</td>
<td>Comments noted.</td>
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<td>Such variation would in our opinion also weaken the overall standard of regulation at a local level by preventing the easy development of standard or best practice across different local authorities.</td>
<td>Comments noted.</td>
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<td><strong>Employing additional licence conditions</strong></td>
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<td>The ABB believes that additional conditions should only be imposed in exceptional circumstances where there are clear reasons for doing so - in light of the fact that there are already mandatory and default conditions attached to any premises licence. The ABB is concerned that the imposition of additional licensing conditions could become commonplace if there are no clear requirements in the revised licensing policy statements as to the need for evidence.</td>
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<td>This would further increase variation across licensing authorities and create uncertainty amongst operators as to licensing requirements, over complicating the licensing process both for operators and local authorities.</td>
<td>Comments noted.</td>
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**Specific Policy Comments**
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<td>In Part B Under the ‘General Principles’ heading at paragraph 1.1, there is a statement that ‘licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate’. The statement of policy should be clear throughout that conditions in addition to the mandatory and default conditions will only be imposed where there is evidence of a risk to the licencing objectives in the circumstances of a particular case.</td>
<td>The Gambling Commission Guidance to Licensing Authorities (5th edition - September 2015) guides licensing authorities on the use of conditions. Paragraph 1.2 of Part B of the draft Policy Statement makes it explicit that relevant decisions will be taken in accordance with, inter alia, that guidance document. As such, no alterations are considered necessary.</td>
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<td>Paragraph 1.3 of the draft statement of principles indicates that moral objections and unmet demand are not criteria for a licencing authority when considering an application for a premises licence. It is respectfully submitted that this paragraph be expanded to state that issues of nuisance and the likelihood of the grant of planning permission or building regulation approval are not issues that can be taken into account when considering an application for a premises licence.</td>
<td>The wording of Paragraph 1.3 of Part B of the draft Policy Statement reflects Paragraph 5.34 of the Gambling Commission Guidance to Licensing Authorities (5th edition - September 2015). As such, no alterations are considered necessary.</td>
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<td>Paragraph 1.4 refers to the concept of primary gambling activity and indicates, in the final sentence, &quot;Operators will need to demonstrate that betting will continue to be the primary activity of the premises when seeking variations to licences.&quot; The statement of principles introduces in Paragraph 1.5 indicators of primary gambling activity as outlined by the Gambling</td>
<td>kö</td>
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Commission in its October 2013 Advice Note but ignores, however, subsequent case law. The case of Luxury Leisure v The Gambling Commission – May 2014 held that condition 16 (primary gambling activity) does not require a contest between over the counter betting and the use of machines. There must be sufficient facilities for betting (as described in paragraph 1.5) if gaming machines are to be utilised. The requirement, however, is simply that these facilities are available. The actual use of those facilities is not an issue. For that reason, the final sentence of paragraph 1.4 should be removed from the statement of principles as this appears to require evidence of actual use.

Paragraph 1.16 deals with location. The final two sentences of this paragraph cause the ABB significant concern. Any policy that a specific area is an area where gambling premises should not be located may be unlawful. This paragraph appears to implement a cumulative impact type policy as exists within the licensing regime under Licencing Act 2003. Such a policy is contrary to the overriding principles of ‘aim to permit’ contained within s153 of the Gambling Act 2005. Similarly, the reversal of the burden of proof in the final sentence that requires the applicant to demonstrate why an application should be granted is contrary to that principle. These two sentences should be removed and replaced with a simple statement that each case will be determined on its own merits.

Having taken advice from the Gambling Commission, they have since confirmed that they intend to consult on this issue shortly and that it is currently covered in their Guidance to Licensing Authorities (5th edition - September 2015). As such, it is proposed that Paragraphs 1.4 and 1.5 of Part B of the draft Policy Statement are removed and Officers will duly monitor the aforementioned consultation.
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<td>Paragraph 1.21 explains the first licencing objective – preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime. This paragraph indicates that the licensing authority is aware of the distinction between nuisance and disorder but we suggest that it should be expanded to make it clear that issues of nuisance are not relevant considerations and that the Gambling Commission has defined disorder as intending to mean activity that is more serious and disruptive than mere nuisance.</td>
<td>Licensing Authority has the option of adding conditions to a premises licence to address any such concerns. If is proposed that this is actioned as suggested by the Gambling Commission.</td>
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<td>Paragraphs 1.25 to 1.32 outline the policy relating to conditions. The statement of principles would be assisted by an indication that the starting point for consideration of any application is that it will be granted subject only to the mandatory and default conditions as these are usually sufficient to ensure operation that is reasonably consistent with the licencing objectives. The draft statement of principles should make it clear that additional conditions will only be imposed where there is clear evidence of a risk to the licencing objectives that requires that the mandatory and default conditions be supplemented and not simply where there is ‘perceived need’ or where there are ‘concerns’.</td>
<td>The Gambling Commission Guidance to Licensing Authorities (5th edition - September 2015) includes guidance on this issue. As such, no alterations are considered necessary.</td>
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<td>Paragraph 6 of Part B would benefit from a clear</td>
<td>No alterations are considered necessary due to the existing clarity of the wording of paragraphs 1.25 to 1.32 of Part B of the draft Policy Statement and the guidance included in the Gambling Commission Guidance to Licensing Authorities (5th edition - September 2015).</td>
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<td>distinction between betting machines and gaming machines in order that applicants, potential representors and the licensing committee may be aware that whilst the number of betting machines may be limited by condition, there is no power to impose conditions relating to the number of gaming machines. A betting premises licence authorises the holder to make use of up to 4 machines of categories B, C, or D as long as sufficient facilities for over the counter betting are provided.</td>
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**Conclusion**

The industry fully supports the development of proportionate and evidenced based regulation, and is committed to minimising the harmful effects of gambling. The ABB is continuing to work closely with the Gambling Commission and the government to further evaluate and build on the measures put in place under the ABB Code for Responsible Gambling, which is mandatory for all our members.

ABB and its members are committed to working closely with both the Gambling Commission and local authorities to continually drive up standards in regulatory compliance in support of the three licensing objectives: to keep crime out of gambling, ensure that gambling is conducted in a fair and open way, and to protect the vulnerable.

Indeed, as set out, we already do this successfully in partnership with local authorities now. This includes through the ABB Code for Responsible Gambling, which is mandatory for all our members, and the Safe Bet Alliance (SBA), which sets voluntary standards across 

| 
| Comments noted. | No alterations are considered necessary due to the existing clarity of the wording of paragraph 6 of Part B of the draft Policy Statement and the guidance included in the Gambling Commission Guidance to Licensing Authorities (5th edition - September 2015). |
| Comments noted. | 

| Comments noted. | 
| Comments noted. | 


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<tr>
<td>The Farming Community Network</td>
<td>Thank you for providing the opportunity to contribute to the process of consultation. The Farming Community Network is registered under the Small Society Lotteries of the Act. As you appreciate, we use lotteries for the sole purpose of raising funds to enable us to continue with our charitable aims and not for any commercial purpose. Like many small charities, we rely on the efforts of volunteers and a small number of part-time employees and, as a consequence, we hope to spend as little time as possible on the necessary administration tasks which are required. The initial process of registration ran quickly and smoothly and the demands placed on us by the Act are fair and not unduly onerous. Ideally, we would like this to continue. It will be of considerable benefit to charities and to other associations if the procedural requirements and the demands of regulations are kept to a minimum; ideally, no more than at present. I hope these comments may be of use within the scope of the consultation.</td>
<td>Comments noted.</td>
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This consultation is highly unlikely to lead to the change of any existing small society lottery administrative procedures. Of course, the Licensing Authority does not have the gift to alter Regulations. | Comments noted. |
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<tr>
<td>Oundle Town Council</td>
<td>Further to your letter dated 22.09.2015 (copy attached), I can confirm that Oundle Town Council has reviewed the document and has no comment to submit.</td>
<td>Comments noted.</td>
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Council Tax Reduction Scheme 2016-2017

Report of Head of Finance and Procurement

This report is public

Purpose of report

To provide members with an update on the Council Tax Reduction Scheme for 2015-2016 and to seek approval for a Council Tax Reduction Scheme for the year 2016-2017.

1.0 Recommendations

The meeting is recommended:

1.1 To approve a Council Tax Reduction Scheme (CTRS) for the year 1 April 2016 to 31 March 2017 as set out in the report and implement the scheme with effect from 1 April 2016.

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 2016 in consultation with the Portfolio Holder for Finance and Procurement.

2.0 Introduction

2.1 In December 2014 members approved a Council Tax Reduction Scheme (CTRS) for South Northamptonshire for the financial year 2015-2016 only. The scheme included only minor changes to 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 91.5%. Pensioners have not seen any change in the level of support they receive.

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 South Northamptonshire of approximately £372,000. The funding shortfall is offset in part by the changes in the level of support for working age customers and the additional income generated from changes to Council Tax discounts.
3.0 Report Details


3.1 The Government has stated that the funding levels for Council Tax Reduction will remain the same in 2016-2017. The 10% reduction in funding for 2015-2016 of £372,000 has been offset in part by the change in the level of support for working age customers and the additional income generated from changes to 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 3495 in November 2014 to 3326 in November 2015.

3.3 It is likely that there will be a reduction in the formula grant received by the Council in 2016-2017. At the time of writing this report the amount of CTRS Administration Grant payable for 2016-2017 has not been confirmed by DCLG. The grant for 2015-2016 was £55,513 compared to £53,621 in 2014-2015.

3.4 In July 2015 members of Budget and Financial Strategy Committee and Cabinet were asked to consider a report outlining the various options for a Council Tax Reduction Scheme for 2016-2017 including financial modelling. Members agreed, for consultation purposes, option one which is no change to the current Council Tax Reduction Scheme or Council Tax Discounts including Long Term Empty Premium.

3.5 This means that the level of support received by those currently on CTRS will not change unless they have a change in their circumstances. The only change required would be the changes to the Regulations to reflect changes to Housing Benefit announced in the Budget including removal of the Family Premium for new claims, limiting backdates awards and disregard of increased annuities for holders of Victoria Cross and George Cross.

Consultation Process.

3.6 Members agreed a consultation process on the option of no change to the current CTRS. The consultation began on 15 September 2015 for a period of three weeks ending on 5 October 2015.

3.7 The consultation process included detailed information and a response form on the website. Targeted consultation also took place with 700 households across the district who were invited to take part in the survey.

3.8 Consultation has also taken place with the major preceptors and with the Parish Councils.

3.9 A total of 34 responses were received although not all questions were answered by the respondents. A summary report of the results can be found at Appendix A of this report. The majority of people who completed the survey are happy with the proposals for Council Tax Reduction Scheme for 2016-2017. The key findings are as follows:
  • 29 of the respondents felt that the Council should continue with the current scheme with working age people paying at least 8.5% of their Council Tax to help to bridge the funding gap.
21 of the respondents did not think that Council tax should be increased for all residents to help to fund the scheme.

19 respondents felt that our local Council Tax Reduction scheme regulations should reflect the changes to Housing Benefit proposed in the Budget.

3.10 Following the consultation process members of Budget and Financial Strategy Committee and Cabinet agreed to recommend to Council the option of no change to the Council Tax Reduction scheme for 2016-2017 with changes to the Regulations to reflect the changes to Housing Benefit announced in the Budget and for delegated authority to be given to the Section 151 Officer to make any changes to the CTRS Regulations up to and including 31st January 2016 in consultation with the Portfolio Holder for Resources and Change Management.

**Council Tax Reduction Scheme Regulations**

3.11 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.

3.12 There are existing regulations for our local scheme for 2015-2016. If the recommendation for no change is agreed then the regulations will require some technical changes which are currently being undertaken.

**Financial Implications of the recommendation for CTRS 2016-2017**

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

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<th>Description</th>
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<tr>
<td>Overall funding loss</td>
<td>371,837</td>
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<tr>
<td>Second homes income</td>
<td>-26,190</td>
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<tr>
<td>Empty homes income with discount of 50% for 3 months</td>
<td>-86,677</td>
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<tr>
<td>Major repair income</td>
<td>-11,055</td>
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<tr>
<td>Long term empty premium income</td>
<td>-88,914</td>
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<tr>
<td>Reduction in CTRS expenditure based on 8.5%</td>
<td>-128,935</td>
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<tr>
<td>Estimated increase in expenditure due to tax credit changes</td>
<td>75,486</td>
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<td>Total funding gap</td>
<td>105,552</td>
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<td>Total funding gap for SNC</td>
<td>12,666</td>
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3.14 The figures shown in the table above include an estimate of the impact on CTRS expenditure from the planned changes to the income thresholds in Tax Credits. In the recent autumn statement the Government announced that the plans to change the Tax Credit income threshold have been abandoned. This will have a positive impact on the overall funding gap which will now be £30,066 (£3,608 for SNC).
4.0 Conclusion and Reasons for Recommendations

4.1 The proposal is to keep the same Council Tax Reduction Scheme for 2016-2017 with changes to the Regulations to reflect the changes to Housing Benefit announced in the Budget. Consultation has taken place with residents, major preceptors and parish and town councils.

4.2 Members are now required to agree a Council Tax Reduction Scheme for the 2016-2017 financial year and are asked to allow delegated Authority to the Section 151 Officer to make amendments to the CTRS Regulations up to and including 31st January 2016 in consultation with the Portfolio Holder for Resources and Change Management.

5.0 Consultation

| Budget and Financial Strategy Committee | A report on the results of the consultation for a Council Tax Reduction Scheme for 2016-2017 has been considered by Budget and Financial Strategy Committee and Cabinet who recommended a no change scheme to Council. |
| Public, major preceptors and parish and town councils | Consultation with anyone affected by the proposed new scheme has taken place. |

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 new scheme. This would have financial implications for the Council and those residents affected by wider Welfare Reform.

7.0 Implications

7.1 Financial and Resource Implications

These are contained in report.

Comments checked by: Paul Sutton, Head of Finance and Procurement
paul.sutton@cherwellandsouthnorthants.gov.uk

7.2 Legal Implications

The Council is required to approve a Council Tax Reduction Scheme on an annual basis. Failure to do so will affect the reputation of the Council and will have a financial implication for residents. The Council must take due account of any responses to a consultation process before determining its position.
Comments checked by: Kevin Lane, Head of Law and Governance 0300 0030107 kevin.lane@cherwellandsouthnorthants.gov.uk

**Equality and Diversity**

7.3 An equality impact assessment has been undertaken on the Council Tax Reduction Scheme for 2016-2017. It is proposed that the scheme remains unchanged in 2016-2017 and no change has arisen from the consultation exercise.

Comments checked by: Kevin Lane, Head of Law and Governance 0300 0030107 kevin.lane@cherwellandsouthnorthants.gov.uk

**8.0 Decision Information**

**Wards Affected**

All

**Links to Corporate Plan and Policy Framework**

This links to the Council's priority of protecting our quality of life.

**Lead Councillor**

Councillor Peter Rawlinson, Portfolio Holder for Finance and Procurement

**Document Information**

<table>
<thead>
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**Report Author**

Belinda Green (Welfare and Debt Advice Manager)

**Contact Information**

Belinda Green: 01327 322182
Belinda.green@southnorthants.gov.uk
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Appendix A

Council Tax Reduction Scheme 2016-2017: Public Consultation

Friday, October 09, 2015
Q1: Are you responding on behalf of yourself or an organisation?

Answered: 34    Skipped: 0
Q1: Are you responding on behalf of yourself or an organisation?

<table>
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<tr>
<th>Answer Choices</th>
<th>Responses</th>
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<tr>
<td>Yourself</td>
<td>100.00%</td>
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<td>An organisation</td>
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</tr>
<tr>
<td><strong>Total</strong></td>
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Q2: CURRENT SCHEME: Do you agree that the Council should continue with the current scheme which provides the same level of financial support as the current scheme with working age people paying at least 8.5% of their Council Tax to help to bridge the funding gap?

Answered: 33    Skipped: 1
Q2: CURRENT SCHEME: Do you agree that the Council should continue with the current scheme which provides the same level of financial support as the current scheme with working age people paying at least 8.5% of their Council Tax to help to bridge the funding gap?

Answered: 33  Skipped: 1

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<td>Yes I agree</td>
<td>87.88%</td>
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<tr>
<td>No I don't agree</td>
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<tr>
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</tr>
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<td><strong>Total</strong></td>
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Q3: OTHER OPTIONS: Do you think the Council should choose any of the following options to help pay for the Council Tax Reduction scheme?

Answered: 33    Skipped: 1

- Increase Council Tax...
- Reduce funding for other...
- Use financial re...

Bar chart showing responses to the options.
Q3: OTHER OPTIONS: Do you think the Council should choose any of the following options to help pay for the Council Tax Reduction scheme?

Answered: 33    Skipped: 1

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<thead>
<tr>
<th>Option</th>
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<th>No</th>
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<th>Weighted Average</th>
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<tr>
<td>Increase Council Tax for all residents who are liable to pay Council Tax</td>
<td>10.71%</td>
<td>75.00%</td>
<td>14.29%</td>
<td>28</td>
<td>2.04</td>
</tr>
<tr>
<td>Reduce funding for other Council Services</td>
<td>29.63%</td>
<td>51.85%</td>
<td>18.52%</td>
<td>27</td>
<td>1.89</td>
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<td>Use financial reserves</td>
<td>59.38%</td>
<td>25.00%</td>
<td>15.63%</td>
<td>32</td>
<td>1.56</td>
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</table>
Q4: Under its Welfare Reform agenda the Government are proposing a number of changes to Housing Benefit from April 2016. Details are shown in the Consultation Guidance document. Do you agree that our Council Tax Reduction scheme should be amended to reflect the proposed changes?

Answered: 32    Skipped: 2
Q4: Under its Welfare Reform agenda the Government are proposing a number of changes to Housing Benefit from April 2016. Details are shown in the Consultation Guidance document. Do you agree that our Council Tax Reduction scheme should be amended to reflect the proposed changes?

Answered: 32  Skipped: 2

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<td>59.38%</td>
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<td></td>
<td>19</td>
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<td>Don't know</td>
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Total 32
Proposed Designation Of Ashton Parish as a Neighbourhood Area

Report of the Head of Strategic Planning and the Economy

This report is public

Purpose of report

For Council to consider the representations received during the Council’s consultation on the designation of Ashton Parish as a Neighbourhood Area and agree the designation of Ashton Parish as a Neighbourhood Area.

1.0 Recommendation

The meeting is recommended:

1.1 To agree the designation of Ashton Parish as a Neighbourhood Area.

2.0 Introduction

2.1 The Localism Act 2011 gave Town and Parish Councils the powers to produce Neighbourhood Plans. They are seen as a way of enabling communities to shape their local areas and may be drawn up by Parish Councils. Once adopted these plans will carry full statutory weight as part of the Development Plan for the area, and due regards must be had to them when making decisions on planning applications.

2.2 The Neighbourhood Plan (General) Regulations came into force in April 2012 and set out the steps that Town and Parish Councils must complete in order to progress their Neighbourhood Plans. The first step is to obtain agreement to the area that the Plan will cover. This can be the whole parish or part of a parish. There is also the opportunity for Town and Parish Councils to prepare a Plan jointly if it includes land in more than one parish. Within parished areas such as South Northamptonshire applications must be made by the Parish or Town Council.

2.3 In South Northamptonshire 5 parishes have been designated as Neighbourhood Areas. In order to obtain approval of designation as a Neighbourhood Area, Town and parish Councils must apply to the local planning authority with the following information:
• A map which identifies the area to which the area application relates;
• A statement explaining why this area is considered appropriate to be designated as a neighbourhood area; and
• A statement that the organisation or body making the application is a relevant body for the purpose of section 61G of the 1990 Act.

2.4 Ashton Parish Council submitted an application for Ashton parish to become a Neighbourhood Area in April 2015. The designation as a Neighbourhood Area is the first step in the preparation of Neighbourhood Plans. A copy of the application from Ashton Parish Council is attached in Appendix 1.

2.5 The proposed designation of Ashton as a Neighbourhood Area was considered by the Council’s Planning Policy and Regeneration Strategy Committee on 18 November 2015. At that meeting the Committee resolved:

That Full Council be recommended to agree that Ashton Parish is approved as a Neighbourhood Area. (Minute 45)

Publication of the Ashton Neighbourhood Area

2.6 The application for designation of Ashton Parish as a Neighbourhood Area has been advertised in accordance with the Neighbourhood Plan (General) regulations which came into force on 6 April 2012 for the preparation of Neighbourhood Plans.

2.7 Responses received to the consultation on Ashton Neighbourhood Area are attached at Appendix 2. Four responses were received to the consultation.

• Natural England – advised that they have published advice on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans and development proposals. This is available at https://www.gov.uk/consulting-on-neighbourhood-plans-and-development-orders
• Crime Prevention and Design Officer - Northamptonshire Police has no formal objection to the application for designation of a Neighbourhood area for Ashton.
• Northampton Borough Council – had no comments on the designation of a Neighbourhood area for Ashton
• Grafton Regis Parish Council – advised that Grafton Regis is a conservation area and has a number of Grade 2 listed buildings

3 Next Steps in the Neighbourhood Plan Process

3.1 Once a Neighbourhood Plan area is agreed and designated, and if the Parish then wish to prepare a Neighbourhood Plan, the next stage is for the Parish Council to engage with their community and prepare their plans. The process requires at least one formal 6 week consultation period on their draft plans. The Local Authority will provide technical advice and support in accordance with the “duty of care” obligation under the Neighbourhood Plan process. However the Localism Act makes it clear that Neighbourhood Plans should be led by Parish and Town Councils in consultation with their communities.
3.2 A draft Neighbourhood plan will be submitted to the Local authority that will check it to ensure that it has been prepared correctly and then initiate a further 6 week publication period.

3.3 The Neighbourhood plan must meet certain “basic conditions” before it can come into force. These are:

- Must have regard to national policies and advice, such as the National Planning Policy Framework
- Should contribute to the achievement of sustainable development
- Must be in general conformity with the strategic policies in the development plan for the area, which includes any adopted local plans;
- Should be compatible with European obligations and human rights requirements

3.4 Once the Neighbourhood Plan has been prepared by the parish, the District Council will facilitate and fund the independent examination into the Plan and advise of any representations received during the publication period. Providing that the Examiner recommends that the Neighbourhood Plan is taken forward, a referendum will be called; the Local Authority will be responsible for facilitating and funding this part of the process. The Plan requires the support of a majority of those who vote in the referendum.

4.0 Conclusion and Reasons for Recommendations

4.1 It is considered that the proposed Neighbourhood Area for Ashton is appropriate and it is recommended that Council confirms the designation of Ashton Parish as a Neighbourhood Area.

5.0 Consultation

5.1 The following consultation took place:

- Site notices erected in the Parish giving details of the application, including parish noticeboards;
- Advert placed in the relevant local newspaper;
- All application material and adverts made available on the Council’s website;
- Letters sent to Ward Councillors and County Councillors and neighbouring Parish Councils, Northamptonshire County Council highway officers and planners, and statutory bodies such as English Heritage, Highways Agency and the Environment Agency.

6.0 Alternative Options and Reasons for Rejection

6.1 The Council could choose not to approve the designation of Ashton parish as a Neighbourhood plan area if it is considered that the area is not appropriate.
7.0 Implications

Financial and Resource Implications

7.1 There are no financial or resource implications at this stage of the Neighbourhood Area designation, however in line with guidance as set out in paragraph 3 of Schedule 4B to the Town and Country Planning Act 1990 (as amended), the local authority must take key decisions in the neighbourhood planning process and provide advice or assistance to a parish neighbourhood area.

Comments checked by:
Paul Sutton, Head of Finance and Procurement,
0300 003 0106, Paul.sutton@cherwellandsouthnorthants.gov.uk

Legal Implications

7.2 There are no direct legal implications arising as a result of the recommendation of this Report. There may be a need for some legal support if the Parish prepares a Neighbourhood Plan in the future.

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

8.0 Decision Information

Wards Affected

Ashton

Links to Corporate Plan and Policy Framework

- Strategic Priority: Preserve what’s special
- Growing the Economy
- Strategic Priority: Protect the vulnerable
- Key Theme: Environmental well-being

Lead Councillor

Cllr Rebecca Breese - Portfolio holder for Planning and Environment
## Document Information

<table>
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<td>Appendix 1</td>
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<td>Ashton as a Neighbourhood Plan area</td>
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<td>Appendix 2</td>
<td>Responses received on the consultation to Designation Ashton as a</td>
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<td>Neighbourhood Plan area</td>
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</tbody>
</table>

### Background Papers

None

### Report Author

Jacqueline Brooks – Planning Policy Officer

### Contact Information

Adrian Colwell - Head of Strategic Planning and the Economy  
[Adrian.Colwell@cherwellandsouthnorthants.gov.uk](mailto:Adrian.Colwell@cherwellandsouthnorthants.gov.uk)  
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Andy D’Arcy – Lead Officer: Planning Policy  
[Andy.Darcy@southnorthants.gov.uk](mailto:Andy.Darcy@southnorthants.gov.uk)  
Tel 01327 322267

Jacqueline Brooks – Planning Policy Officer  
[Jacqueline.brooks@southnorthants.gov.uk](mailto:Jacqueline.brooks@southnorthants.gov.uk)
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South Northants Council
The Forum
Moat Lane
TOWCESTER
NN12 6AD

15 April 2015

For the attention of Mr A D'Arcy, Development Control Dept

Dear Sirs,

Re: Town and Country Planning Act 1990, s 61 G
Application for designation of a Neighbourhood Area

I enclose the required documentation that is submitted following a Resolution of the Council at its meeting on 08 April 2015. I look forward to hearing from you in due course regarding the next steps.

Yours faithfully,

John Marshall
Clerk to the Council
Town and Country Planning Act 1990

As amended by the Localism Act 2011, Sch 9, Part 1

The Neighbourhood Planning (General) Regulations 2012 – Part 2 (5)

Application for designation as a neighbourhood area

APPLICATION BY ASHTON PARISH COUNCIL

Ashton Parish Council hereby applies for the designation of the following area to be the subject of a Neighbourhood Plan under the above mentioned Regulations:

Section 5 (1) (a) Application area:

The civil parish of Ashton (plan attached)

Section 5 (1) (b) Appropriate area statement:

This area is considered appropriate for designation as a neighbourhood area for the following reason:

The Parish is a long-established, well recognised and clearly defined area entirely within the remit of the Ashton Parish Council. Within the parish, the great majority of residents live in one nuclear settlement, that has a clear physical and social identity. The Parish Council is a democratically elected body representing the entire local community within the parish and is committed to ensuring that future planning decisions within this area reflect that community’s wishes.

Section 5 (1) (c) Relevant body statement:

Ashton Parish Council meets the criteria of a relevant body by virtue of satisfying the requirements of the Town and Country Planning Act 1990 as amended by the Localism Act 2011, Schedule 9, Part 1, section 61 G (2) (a).

Signed ......... Vice Chairman

Signed ......... Proper Officer

Dated: 15 April 2015
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## Appendix 1: Ashton Neighbourhood Area: Summary of Responses

<table>
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<tr>
<th>Reference</th>
<th>Respondent</th>
<th>Summary of response</th>
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<tbody>
<tr>
<td>ASH001</td>
<td>Natural England</td>
<td>No comments on the designation of Ashton as a Neighbourhood Area.</td>
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Response sets out general advice which may be of use in the preparation of a future Plan as follows:

Natural England, together with the Environment Agency, English Heritage and Forestry Commission has published joint advice on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans and development proposals. This is available at: https://www.gov.uk/consulting-on-neighbourhood-plans-and-development-orders

Local environmental record centres hold a range of information on the natural environment. A list of local records centre is available at: http://www.nbn-nfbr.org.uk/nfbr.php

**Protected landscapes**

National Character Areas (NCAs) divide England into 159 distinct natural areas. Each is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. Their boundaries follow natural lines in the landscape rather than administrative boundaries, making them a good decision making framework for the natural environment. http://www.naturalengland.org.uk/publications/nca/default.aspx

**Protected species**

You should consider whether your plan or proposal has any impacts on protected species. Natural England has produced standing advice to help understand the impact of particular developments on protected or Biodiversity Action Plan species should they be identified as an issue. The standing advice also sets out when, following receipt of survey information, you should undertake further consultation with Natural England.

Natural England Standing Advice
Local Wildlife Sites
You should consider whether your plan or proposal has any impacts on local wildlife sites, eg Site of Nature Conservation Importance (SNCI) or Local Nature Reserve (LNR) or whether opportunities exist for enhancing such sites. If it appears there could be negative impacts then you should ensure you have sufficient information to fully understand the nature of the impacts of the proposal on the local wildlife site.

Best Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society, for example as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably.

Paragraph 112 of the National Planning Policy Framework states that:
‘Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality’.

General mapped information on soil types is available as ‘Soilscapes’ on the www.magic.gov.uk and also from the LandIS website; http://www.landis.org.uk/index.cfm which contains more information about obtaining soil data.

Opportunities for enhancing the natural environment Neighbourhood plans and proposals may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment, use natural resources more sustainably and bring benefits for the local community, for example through green space provision and access to and contact with nature.

Opportunities to incorporate features into new build or retro fitted buildings which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes should also be considered as part of any new development proposal.
<table>
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<td><strong>Northampton Borough Council</strong></td>
<td><strong>No comments</strong></td>
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Strategic Planning in West Northamptonshire

Report of Director of Development

This report is public

Purpose of Report

For Members to consider making a request to the Secretary of State to revoke the Order which established the West Northamptonshire Joint Strategic Planning Committee ("WNJSPC"), as recommended by the WNJSPC at its meeting on 20 October 2015, and to consider proposals for new partnership working arrangements to replace the current Committee.

1. Recommendations

1.1 That the Council writes formally to the Secretary of State to request the revocation of the order which established the WNJSPC pursuant to section 31(2) of the Planning and Compulsory Purchase Act 2004.

1.2 That, in the event that the Secretary of State revokes the order, the Council:

   1.2.1 Supports the establishment of a Joint Planning and Infrastructure Board supported by a Memorandum of Cooperation generally as set out in draft form at Appendix 1.
   1.2.2 Withdraws from or agrees to modify or terminate existing agreements that complement the Joint Committee arrangements so as to give effect to the new arrangements.

2. Introduction

2.1 Partnership working between the partner local planning authorities in West Northamptonshire (South Northamptonshire, Daventry District, Northampton Borough and Northamptonshire County Councils) is currently underpinned by the WNJSPC established in 2008 by an order under Section 29(2) of the Planning and Compulsory Purchase Act 2004 (the “Order”). The councils have also entered into a number of agreements which supplement the Order.

2.2 At its meeting on 16 July 2015 the WNJSPC authorised the partnership's officers to examine alternative methods of joint working having regard to the National Planning Policy Framework (NPPF) and the duty to cooperate with regards to ending the current statutory joint arrangement.
2.3 At a further meeting on 20 October 2015, having considered the report that looked at alternative models of joint working, the WNJSPC agreed to write to the Secretary of State requesting revocation of the order, and to invite the partner councils to do likewise.

3. **Report Details**

3.1 The reasons for reviewing the existing partnership arrangements are twofold. Firstly, the Order predates the NPPF and its guidance on Local Plans and planning strategically across local authority boundaries, in particular NPPF paragraph 153 which indicates that each local planning authority should produce a Local Plan for its area. Thus a joint committee is not an appropriate vehicle to produce such plans. In addition, some individual partner authorities have recently agreed their own Local Development Schemes for their chosen local plans. Secondly, the geographical scope of the partnership is no longer fit for purpose in that it excludes other neighbouring areas, particularly the Borough of Wellingborough, which has a strong relationship with the Northampton Housing Market Area.

3.2 It is recognised that the future development needs of Northampton and the requirement to cooperate on the delivery of unmet needs, including supporting infrastructure, will remain the key driver for partnership working. Local Planning Authorities are required by law through the Duty to Cooperate to ‘engage constructively, actively and on an on-going basis’ on planning matters that impact on more than one local planning area. The duty is amplified in the NPPF which sets out the key strategic priorities that should be addressed jointly.

3.3 Any future partnership arrangements need to support the partner councils in meeting the Duty to Cooperate and enable the effective consideration of strategic planning priorities, such as the need for homes and jobs, where these cross local authority boundaries.

3.4 Following the introduction of the Duty to Cooperate and the publication of the NPPF a number of models of joint working have been established or modified across the country. These models were considered by the WNJSPC at their October meeting.

- Cambridgeshire and Peterborough – Approach includes a Memorandum of Co-operation and a Joint Strategic Planning and Transport Member Group.

- Derby Housing Market Area – Comprising Derby City Council, Amber Valley Borough Council, South Derbyshire District Council and Derbyshire County Council. Approach includes an HMA Co-ordination Group at officer level and a Joint Advisory Board comprised of Members and Officers. This arrangement has secured the preparation of a joint evidence base and aligned timetables for Local Plan preparation.

- Greater Nottingham – Approach includes a Joint Planning Advisory Board to advise on the preparation of coordinated and aligned Local Plans through to examination and adoption.

- Coastal West Sussex & Greater Brighton – Approach includes a Strategic Planning Board to identify and manage spatial planning issues that impact on
more than one local planning area and to ensure the integration of strategic spatial and investment priorities across the area.

- Oxfordshire – Approach includes the Oxfordshire Growth Board (which is constituted as a statutory joint committee under the Local Government Acts 1972 and 2000). The Board facilitates collaboration between local authorities on economic development, strategic planning and growth. The Oxfordshire authorities have also agreed a Statement of Cooperation which covers a range of issues including the process for meeting objectively assessed housing need.

3.5 These joint working arrangements are supporting the local planning authorities in addressing the duty to cooperate. To date the Cambridgeshire and Peterborough partnership has:

- Developed a consistent evidence base to assess the demand for homes and jobs across the area.
- Produced a Memorandum of Cooperation.
- Produced a Strategic Spatial Priorities Document.
- Completed a Sustainable Development Strategy Review.

3.6 In both Cambridgeshire and Peterborough and in Coastal West Sussex and Greater Brighton joint working has enabled the development of a shared vision for a wider area, agreed spatial strategic objectives, and a set of spatial priorities to achieve the vision and objectives. The approach respects the principles of localism and each local authority remains responsible for the preparation of its own Local Plan.

3.7 In the case of Coastal West Sussex and Greater Brighton the Strategic Planning Board has produced a Local Strategic Statement (LSS). The LSS sets out long term strategic objectives for the period 2013-2031 and the spatial priorities for delivering these in the short to medium term to support regeneration, provide homes and jobs, and protect the high quality environment.

3.8 Following consideration of these different models by the WNJSPC, the preferred option is to establish a Joint Planning and Infrastructure Board to replace the WNJSPC, with clear terms of reference, supported by a Memorandum of Cooperation. The four current partner councils would continue to be included as full members of the partnership. It is also suggested that options to extend the scope of the partnership should be explored to ensure effective consideration of strategic planning and infrastructure issues across a wider area.

3.9 This model of joint working follows closely the approach adopted in Coastal West Sussex and Greater Brighton and Cambridgeshire and Peterborough. The partnership would clearly be able to develop this model to support its own circumstances.

3.10 Details of the proposed joint working arrangements, including the proposed Officer level structure are set out below. These proposals have benefitted from independent scrutiny in the form of critical friend support provided to the Joint Planning Unit by Catriona Riddell of POS Enterprises (POSe). The POSe advice provides assurance that the proposed Joint Planning and Infrastructure Board is capable of providing effective partnership working arrangements to meet the requirements of the NPPF and Duty to Cooperate.
3.11 The preferred option of the WNJSPC is to establish a joint Member-level board that would have an advisory function rather than direct responsibility for plan making. It is envisaged that the Board would be comprised of elected Members of the following local planning authorities:

- South Northamptonshire Council
- Northampton Borough Council
- Northamptonshire County Council
- Daventry District Council

3.12 In addition, it is recommended that early discussions should take place with the Borough Council of Wellingborough to explore the potential for their involvement as full members of the Board. It should be noted that there would also be scope to invite other local authorities and agencies to act as observers as and when required.

3.13 The purpose of the Board would be to:

- Identify and manage spatial planning issues that affect more than one local planning authority area.
- Support better coordination of development and investment strategies across the area including the delivery of strategic infrastructure.
- Ensure that the Duty to Cooperate is actively addressed.

3.14 The joint working arrangements would be underpinned by a Memorandum of Cooperation (a draft is attached as Appendix 1), and the work of the board would be defined by clear terms of reference (a draft is also included in Appendix 2).

3.15 Based on the consideration which has already been given by the partnership to priorities it is suggested that the following would be the key work areas for the Board:

- Development of a shared strategic evidence base, such as Housing and Economic Development Needs Assessment, to inform future Local Plans.
- Co-ordination of investment strategies and infrastructure delivery including coordinating the ongoing monitoring, review and updating of Infrastructure Delivery Plans.
- Joint information and monitoring function including the production of a Joint Authorities Monitoring Report.
- To support the local planning authorities in coordinating and recording all relevant activity relating to the Duty to Cooperate.

3.16 The short term priority for each of the partner Councils is to progress their own Part 2 Local Plans within the framework set by the adopted Joint Core Strategy. However in the medium term the partnership will need to consider how it will review and or replace the Joint Core Strategy. One option which the Advisory Board model would facilitate is for the preparation of a non-statutory document such as the Local Strategic Statement prepared for Brighton and Coastal West Sussex. This would guide the Local Planning Authorities in the preparation of Local Plans for their areas, but would not be prescriptive in terms of setting levels or locations for development.
3.17 An appropriate Officer structure would be required to support the work of the Board. It is envisaged that this would be provided by the existing West Northamptonshire Programme Board. The Joint Planning Unit, in its restructured form, would also continue to act as the secretariat for the Board. The other Local Planning are also being asked to consider and pass similar resolutions.

4. **Conclusions and Reasons for Recommendations**

4.1 In view of the introduction of the NPPF and the exclusion within the existing arrangements of other neighbouring Authorities, it is suggested that Members agree to write to the Secretary of State requesting that the Order be revoked.

4.2 In the event of revocation of the Order, this Council and the other Partner Local Planning Authorities would also need to complete the memorandum of cooperation, finalise the terms of reference of the Board and appoint to it. For practical purposes it is also envisaged that the legal agreement entered into by the partners in 2010 under the previous arrangements would be terminated by mutual agreement and replaced by the proposed memorandum of cooperation.

5. **Consultation**

5.1 These recommendations are as a direct result of decisions taken at the last WNJSPC meeting at which all Councils have Member representation. This includes for this council the Portfolio Holder for Planning and Environment.

6. **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 proceed with the Policy as recommended in this report, this is the preferred option and supported by the information in the report.

Option 2: To decline to write to the Secretary of State. This is not recommended in view of the current arrangements no longer being fit for purpose.

7. **Implications**

**Financial and Resource Implications**

7.1 None as a direct result of this report. The Council currently funds the Joint Planning Unit, which it is proposed would form the Secretariat of the advisory Board. Future contributions from SNC would depend on precisely what arrangements are agreed for moving forward. The budget is reviewed annually, and any proposals would be subject of future reports.

Comments checked by: Paul Sutton, Head of Finance and Procurement, 03000030106, paul.sutton@cherwellandsouthnorthants.gov.uk
Legal Implications

7.2 The WNJSPC is currently constituted under the West Northamptonshire Joint Committee Order 2008 which came into force on 25th July 2008. This was made under Section 29(2) of the Planning and Compulsory Purchase Act 2004. The Order transferred certain plan-making powers from the three district councils to the JSPC. The Secretary of State has the power to revoke the Order under Section 31 of the Act upon the request of one or more of the partner authorities.

Comments checked by: Kevin Lane, Head of Law and Governance, 0300 0030107 kevin.lane@cherwellandsouthnorthants.gov.uk

Risks

7.3 If the Secretary of State declines to accept the request, then the WNJSPC will remain the decision making body, for plan making within the three districts. Conversely if the order is revoked then it will be necessary for the Authorities to work together under the duty to co-operate without the powers of the order.

Comments checked by: Ros Holloway, Performance Information Officer Ros.holloway@cherwell-dc.gov.uk. Tel. 01295 221578

8. Decision Information

Links to Corporate Plan and Policy Framework

Preserving what's special
Protecting our quality of life
Sustainable prosperity

Lead Councillor

Rebecca Breese – Portfolio Holder Planning and Environment

Document Information

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<thead>
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<th>Appendix No</th>
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<tr>
<td>1</td>
<td>Draft Memorandum of Co-operation</td>
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<td>2</td>
<td>Draft Terms of Reference</td>
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</table>

Background Papers

None

Report Author

Calvin Bell, Director of Development

Contact Information

0300 003 0103
calvin.bell@cherwellandsouthnorthants.gov.uk
[WEST NORTHAMPTONSHIRE] JOINT PLANNING AND INFRASTRUCTURE BOARD

MEMORANDUM OF COOPERATION

INTRODUCTION
This memorandum establishes a framework for cooperation between the above named local planning authorities with respect to strategic planning and development issues that raise cross borough/district council boundary matters affecting them. The establishment of a Joint Planning and Infrastructure Board is central to this framework.

PARTIES TO THE MEMORANDUM
This Memorandum is signed by the following Local Planning Authorities:
- Daventry District Council
- Northampton Borough Council
- Northamptonshire County Council
- South Northamptonshire Council
- [Others as appropriate]

LIMITATIONS
The Local Planning Authorities recognise that there will not always be full agreement with respect to all of the strategic planning issues in respect of which they seek to cooperate. For the avoidance of doubt this Memorandum is not intended to be legally binding and will not restrict the discretion of any of the local planning authorities in the exercise of any of their statutory powers and duties.

ESTABLISHMENT OF THE PLANNING AND INFRASTRUCTURE BOARD
This Memorandum supports the establishment of a Joint Planning and Infrastructure Board, which will be supported by an Officer level Programme Board, and professional and technical support provided by a Joint Planning Unit. Detailed Terms of Reference for the Board are set out in Appendix A.

OBJECTIVES
This Memorandum confirms the intention of the signatory councils via their relevant Officers and the Joint Planning and Infrastructure Board to achieve the following broad objectives:
- To secure a broad but consistent approach to strategic planning and development across the [West Northamptonshire] area;
- To identify and manage spatial planning issues that impact on more than one local planning area within the [West Northamptonshire] area;
To ensure that the Local Plans and other development policies prepared by each local planning authority are, where appropriate, informed by the views of other local planning authorities across the [West Northamptonshire] area;

To support better coordination of development and investment strategies across the area including the delivery of strategic infrastructure; and

To ensure that the Duty to Co-operate is actively addressed.

STRATEGIC PLANNING AND DEVELOPMENT ISSUES

The Joint Planning and Infrastructure Board will:

- Develop and implement a programme for jointly addressing strategic planning and development issues;
- Monitor the preparation of Local Plans across the area and the implementation of adopted planning policies through the preparation of a Joint Authorities Monitoring Report;
- Support the local planning authorities in coordinating and recording all relevant activity relating to the Duty to Co-operate;
- Monitoring, review and update Infrastructure Delivery Plans;
- Prepare, maintain and update a Strategic Spatial Priorities document to support the development of a coherent and comprehensive development strategy across the [West Northamptonshire] area; and
- Maintain liaison with the Local Enterprise Partnerships and support the implementation of agreed Strategic Economic Plans to achieve sustainable growth.

TIMESCALE AND REVIEW

[Include a statement about timescale for the MOC e.g. 5 years with review after 2 years]

FUNDING ARRANGEMENTS

[Statement of intent required on shared funding for Joint Planning arrangements i.e. who are the funding partners and what is the proportion. Also who will be the accountable local authority]

SIGNATURES:
To be signed relevant Members/Officers of each Council
Appendix 2

[WEST NORTHAMPTONSHIRE] JOINT PLANNING AND INFRASTRUCTURE BOARD

TERMS OF REFERENCE

Area covered by the Board
Strategic Planning and Infrastructure issues covering more than one of the following local planning authority areas:
Daventry District Council
Northampton Borough Council
South Northamptonshire Council
[Other(s) as appropriate]

Scope of the Board
- Identify and manage spatial planning issues that affect more than one local planning authority area;
- Support better coordination of development and investment strategies across the area including the delivery of strategic infrastructure;
- Ensure that the Duty to Cooperate is actively addressed.
- Development of a shared strategic evidence base, such as Housing and Economic Development Needs Assessment, to inform future Local Plans;
- A joint information and monitoring function including the production of a Joint Authorities Monitoring Report;
- To support the local planning authorities in coordinating and recording all relevant activity relating to the Duty to Cooperate; and
- Ongoing monitoring, review and updating of Infrastructure Delivery Plans.

Status of the Board
The Board has no decision making powers and cannot bind any of the participating local planning authorities in any way. [Decision required on whether meetings will be held in public/private]

Membership
The Board shall have equal representation from each of the partner Councils comprising x elected members for each.

Observers
The Board may invite Members of other Local Authorities and organisations to attend as observers.

Appointment of Members
Each LPA to appoint Members to the Board in accordance with their own constitution. Appointments should include the relevant Portfolio holder with responsibility for Planning.

Meetings
To be held quarterly with the ability of the Chair to both cancel scheduled meetings if there is insufficient business to conduct and call special meetings should issues arise between scheduled meetings?
Venue and Administration
[Rotating venues – Democratic Services support to be provided by the local authority of the Chair from time to time]

Chairmanship
[To rotate annually by convention]

Technical Support
Programme Board – Senior Officers with lead responsibility for Planning from each LPA.
Joint Planning Unit – as per restructure.
South Northamptonshire Council

Council

16 December 2015

Calendar of Meetings 2016/17 and
Draft Calendar of Meetings 2017/18

Report of Head of Law and Governance

This report is public

Purpose of report

Council is asked to consider the calendar of meetings for the municipal year 2016/17 and the municipal year 2017/18.

1.0 Recommendations

The meeting is recommended:

1.1 To approve the calendar of meetings for South Northamptonshire Council (SNC) for the municipal years 2016/17 (Appendix 1) and 2017/18 (Appendix 2).

1.2 To approve the joint calendar of meetings 2016/17(Appendix 3) and 2017/18 (Appendix 4), subject to similar agreement by Cherwell District Council.

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 Cabinet’s and Committee’s work programmes and to enable the Joint Management Team and Officers to programme key dates into their work plans.

2.2 The draft South Northamptonshire Council 2016/17 calendar of meetings was approved by Council in February 2015. The calendar has been slightly amended from the draft version and a revised 2016/17 calendar of meetings is attached at Appendix 1. The draft 2017/18 calendar of meetings is attached at Appendix 2.

2.3 The calendars of meetings have been prepared in conjunction with the calendars of meetings for Cherwell District Council (CDC) to ensure that the Joint Management Team and shared officers are able to attend relevant meetings at either authority.
2.4 Following the establishment of the Joint Commissioning Committee, Joint Councils Employee Engagement Committee and the Joint Scrutiny Committee, the proposed joint calendar of meetings for 2016/17 and 2017/18 are attached as appendix 3 and 4 respectively. Cherwell District Council is being recommended to approve these at its meeting on 14 December 2015 and a verbal update on their decision will be given at the meeting.

3.0 Report Details

3.1 The 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 Wednesdays
- Meetings of Cabinet being held on the second Monday of each month with the following exceptions: August and May when no meetings are scheduled.
- Development Control Committee meetings every four weeks with the exception of December /January and April/May/June in all years when the cycle varies between three weekly and five weekly due to the festive season and elections respectively. In all cases the four weekly cycle is reinstated as soon as possible.
- Meetings of the Scrutiny Committee, Budget and Financial Strategy Committee and the Planning Policy and Regeneration Strategy Committee are scheduled to tie in with key activities undertaken by each Committee e.g. performance monitoring, budget preparation, business plan review and will assist with work programme planning.
- The Audit Committee meeting five times plus an informal meeting prior to the June meeting to review the accounts.
- One meeting of the Licensing Committee is scheduled towards the start of the municipal year to ensure a Chairman is appointed in a timely manner to liaise with officers. Any other meetings and meetings of the Licensing Sub-Committee will be arranged as required.
- Appointments and Personnel Committee, Standards Committee and Appeals Panel meetings will be arranged as business requires.
- Community Funding Panel and Communications Panel meetings will be held quarterly on dates to be agreed by the respective Panel.
- Cabinet Business Planning Meetings (BPM) are administered by the PA to the Leader. They are scheduled for the last Monday of each month.
Joint Committees with Cherwell District Council (CDC)

3.2 The joint committee calendars of meetings have been prepared on the basis of the considerations set out below:

- Meetings held on Thursdays and rotating between the CDC and SNC council offices as far as practicable.
- Meetings of the Joint Councils Employee Engagement Committee (JCEEC) and the Joint Commissioning Committee (JCC) held bi-monthly on the same date.
- The Joint Appraisal Sub-Committee will meet in March and October each municipal year to carry out the Chief Executive’s appraisal (March meeting) and mid-year appraisal (October meeting).

2016/17
Thursday 6 October 2016, SNC Council Offices
Thursday 2 March 2017, CDC Council Offices

2017/18
Thursday 5 October 2017, SNC Council Offices
Thursday 1 March 2018, CDC Council Offices

- The Joint Scrutiny Committee (JSC) will meet quarterly.
- Joint Appeals Committee meetings will be arranged as required. No meetings are currently scheduled.

3.3 In addition to the above joint committees, the following informal sub-groups of the JCC are administered by the Business Transformation Team.

- Transformation Joint Working Group (TJWG): This sub-group oversees the detail of the transformation programme, the development of business cases and any other proposals relating to transformation and organisational change. Meetings are held at 9am on the first Wednesday of the month at Bodicote House.
- Commercial Development Panel: This Panel oversees any developmental work that is undertaken on commercial ideas, including the detailed oversight of workstream 11 (commercial development) and any opportunity for commercialising existing services. The group consists of 3 members from SNC and three members from CDC. Meeting dates will be notified to Panel members.
- Transformation Reference Group: This is an informal group consisting of 12 members from each council, but open to any Members. The Group will meet twice a year and provide an opportunity for questions and answers and any updates around the transformation programme.

2016/17
Monday 20 June 2016, The Forum
Monday 23 January 2017, Bodicote House
3.4 In addition to the above joint committees/informal groups, ad hoc Member and group briefings take place for matters of significance. Members will be notified of dates when these are arranged.

Amendments to the Calendars of Meetings

3.5 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 Head of Law and Governance, concurs with either a cancellation, or an alternative date or time.

3.6 Once agreed, all meeting dates will be added to the Council’s website. If there are any changes to meeting dates Members will be notified 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 years 2016/17 and 2017/18 as set out in the appendices will provide a suitable decision making framework for South Northamptonshire Council.

5.0 Consultation

None

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 from this report.

Comments checked by: Paul Sutton, Head of Finance and Procurement, 0300 003 0107 paul.sutton@cherwellandsouthnorthants.gov.uk
Legal Implications

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

Comments checked by: Kevin Lane, Head of Law and Governance, 0300 003 0107, kevin.lane@cherwellandsouthnorthants.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: Kevin Lane, Head of Law and Governance, 0300 003 0107, kevin.lane@cherwellandsouthnorthants.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

<table>
<thead>
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<th>Appendix No</th>
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<tbody>
<tr>
<td>1</td>
<td>Proposed SNC calendar of meetings for the municipal year 2016/17</td>
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<td>Proposed SNC calendar of meetings for the municipal year 2017/18</td>
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<td>Proposed joint committee calendar of meetings for the municipal year 2016/17</td>
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<td>4</td>
<td>Proposed joint committee calendar of meetings for the municipal year 2017/18</td>
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Background Papers

None

Report Author | Natasha Clark, Team Leader – Democratic & Elections

Contact Information | 01295 221589
| Natasha.clark@cherwellandsouthnorthants.gov.uk
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## South Northamptonshire Council Calendar of Meetings 2016/17

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To ensure that a Chairman for the Licensing Committee is appointed early in the municipal year, a Licensing Committee meeting is scheduled for Wednesday 15 June 2016. All other meetings of the Licensing Committee and Licensing Sub-Committee will be arranged as required.

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Community Funding Panel and Communications Panel meetings will be held quarterly on dates to be agreed by the respective Panel.

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Standards Committee: Natasha Clark – 01295 221589
Community Funding Panel: Sharon Hickson – 01295 221554
Communications Panel: Sharon Hickson – 01295 221554
Appeals Committee: James Doble – 01295 221587
<table>
<thead>
<tr>
<th>Council</th>
<th>Cabinet</th>
<th>Cabinet Business Planning Meeting (BPM)*</th>
<th>Development Control</th>
<th>Audit Committee</th>
<th>Budget and Financial Strategy Committee</th>
<th>Planning Policy &amp; Regeneration Strategy Committee</th>
<th>Scrutiny Committee</th>
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**CDC/SNC Joint Meetings Calendar of Meetings 2016/17**

<table>
<thead>
<tr>
<th>Transformation Joint Working Group (TJWG)</th>
<th>Joint Councils Employee Engagement Committee (JCEEC)</th>
<th>Joint Commissioning Committee (JCC)</th>
<th>Joint Appraisal Sub-Committee</th>
<th>Joint Scrutiny Committee (JSC)</th>
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Contact Officer: Tina Brain, Business Transformation Project Support Officer
01789 260505

Democratic Contact Officer: Lesley Farrell, 01295 221591

Democratic Contact Officer: Natasha Clark, 01295 221589

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Natasha Clark, 01295 221589

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Please note that meeting dates are subject to change and cancellations. Members will be advised accordingly and the websites updated.

The TJWG is an informal sub-group of JCC to oversee the detail of the transformation programme, the development of business cases and any other proposals relating to transformation and organisational change.

Revised December 2015
NOTES: Joint Appeals Committee meetings will be arranged as required. No meetings are currently scheduled.

Commercial Development Panel: This is an informal sub-group of the JCC to oversee any developmental work that is undertaken on commercial ideas, including the detailed oversight of workstream 11 (commercial development) and any opportunity for commercialising existing services. The group consists of 3 members from SNC and three members from CDC. The Panel is administered by the Business Transformation Team and meeting dates will be notified to Panel members.

Transformation Reference Group: This is an informal group consisting of 12 members from each council, but open to any Members. The Group will meet twice a year and provide an opportunity for questions and answers and any updates around the transformation programme.

Dates for 2016/17: Monday 20 June 2016, 6pm, The Forum
Monday 23 January 2017, 6pm, Bodicote House

In addition to the above joint committees/groups, ad hoc Member and group briefings take place for matters of significance. Members will be notified of dates when these are arranged.
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01789 260505

**Democratic Contact Officer:**  
Lesley Farrell, 01295 221591  
Natasha Clark, 01295 221589

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

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