

Council



Forest Heath
District Council

Title:	Agenda
Date:	Wednesday 19 December 2018
Time:	6.00 pm
Venue:	Council Chamber District Offices College Heath Road Mildenhall
Membership:	<p>All Councillors</p> <p>You are hereby summoned to attend a meeting of the Council to transact the business on the agenda set out below.</p>  <p>Ian Gallin Chief Executive 11 December 2018</p>
Quorum	One quarter of the total number of Members
Committee administrator:	<p>Helen Hardinge Democratic Services Officer Tel: 01638 719363 Email: helen.hardinge@westsuffolk.gov.uk</p>

Public Information



Forest Heath
District Council

Venue:	District Offices College Heath Road Mildenhall Suffolk, IP28 7EY	Tel: 01638 719000 Email: democratic.services@westsuffolk.gov.uk Web: www.westsuffolk.gov.uk
Access to agenda and reports before the meeting:	Copies of the agenda and reports are open for public inspection at the above address at least five clear days before the meeting. They are also available to view on our website.	
Attendance at meetings:	The District Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public.	
Public speaking:	<p>At ordinary meetings of the Council, members of the public who live or work in the District may put questions about the work of the Council to members of the Cabinet or any Committee. 30 minutes will be set aside for this. 30 minutes will also be set aside for questions at extraordinary meetings of the Council, but must be limited to the business to be transacted at that meeting.</p> <p>A person who wishes to speak must register at least fifteen minutes before the time the meeting is scheduled to start. This can be done by sending the request to: democratic.services@westsuffolk.gov.uk or by telephoning 01638 719363 or in person by telling the Democratic Services Officer present at the meeting.</p> <p>Written questions, detailing the full question to be asked, may be submitted by members of the public to the Service Manager (Democratic Services) no later than 10.00am on the previous working day to the meeting of the Council.</p> <p>Email: democratic.services@westsuffolk.gov.uk Phone: 01638 719363</p>	
Disabled access:	The public gallery is on the first floor and is accessible via stairs. There is not a lift but disabled seating is available at the back of the Council Chamber on the ground floor. Please see the Democratic Services Officer who will be able to help you.	
Induction loop:	An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter.	

Recording of meetings:	<p>The Council may record this meeting and permits members of the public and media to record or broadcast it as well (when the media and public are not lawfully excluded).</p> <p>Any member of the public who attends a meeting and objects to being filmed should advise the Democratic Services Officer who will instruct that they are not included in the filming.</p>
Personal Information:	<p>Any personal information processed by Forest Heath District Council or St Edmundsbury Borough Council arising from a request to speak at a public meeting under the Localism Act 2011, will be protected in accordance with the Data Protection Act 2018. For more information on how we do this and your rights in regards to your personal information and how to access it, visit our website: https://www.westsuffolk.gov.uk/Council/Data_and_information/howweuseinformation.cfm or call Customer Services: 01284 763233 and ask to speak to the Data Protection Officer.</p>

Agenda

Procedural Matters

Part 1 - Public

	<i>Page No</i>
1. Minutes	1 - 8
To confirm as a correct record the minutes of the Council meeting held on 26 September 2018 (copy attached).	
2. Chairman's Announcements	9 - 14
Report No: COU/FH/18/020	
3. Apologies for Absence	
4. Declarations of Interest	
Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.	
5. The Leader's Report	15 - 18
Report No: COU/FH/18/021	
Council Procedure Rule 8.2 states that <i>'the Leader of the Council will introduce the statement and members may ask the Leader questions on the content of both his/her introductory remarks and the written report. All questions will be answered immediately by the Leader or by the relevant Cabinet Member if the Leader refers any question to him or her, unless sufficient information to give an answer is not available. In these circumstances the member asking the question will receive a response in writing within five working days of the Council meeting at which the question was asked.'</i>	
8.3 - <i>A total of 30 minutes will be allowed for questions and responses. There will be a limit of five minutes for each question to be asked and answered. The member asking the original question may put a supplementary question arising from the reply so long as the five minute limit is not exceeded.</i>	

6. Public Participation

Council Procedure Rule 6 *Members of the public who live or work in the District are invited to put one question of not more than five minutes duration. A person who wishes to speak must register at least fifteen minutes before the time the meeting is scheduled to start.**

(Note: the maximum time to be set aside for this item is 30 minutes, but if all questions are dealt with sooner, or if there are no questions, the Council will proceed to the next business.)

*Each person may ask one question only. A total of **five minutes will be allowed for the question to be put and answered.** One further question will be allowed arising directly from the reply **provided that the original time limit of five minutes is not exceeded.***

Written questions may be submitted by members of the public to the Service Manager (Democratic Services) **no later than 10.00am Tuesday 18 December 2018.** The written notification should **detail the full question** to be asked at the meeting of the Council.*

**For further information, see the Public Information Sheet attached to this agenda.*

7. Referrals Report of Recommendations from Joint Executive (Cabinet) Committee 19 - 264

Report No: **COU/FH/18/022**

Referral from Joint Executive (Cabinet) Committee: 2 October 2018

1. West Suffolk Gambling Act 2005: Statement of Policy 2019 to 2022
Cabinet Member: Councillor Lance Stanbury

Referral from Joint Executive (Cabinet) Committee: 6 November 2018

2. Forest Heath Statement of Licensing Policy 2019 to 2022 and Newmarket Cumulative Impact Assessment (CIA) Area
Cabinet Member: Councillor Lance Stanbury

Continued overleaf...

Referrals from Joint Executive (Cabinet) Committee: 11 December 2018

3. Recommendations of the St Edmundsbury and Forest Heath Overview and Scrutiny Committees: 7 and 8 November 2018 – West Suffolk Housing Strategy 2018-2023
Cabinet Members: Councillor Lance Stanbury and Councillor Sara Mildmay-White (West Suffolk Lead for Housing)

4. Recommendations of the Forest Heath Performance and Audit Scrutiny Committee: 28 November 2018 – Mid- Year Treasury Management Report and Investment Activity (1 April – 30 September 2018)
Cabinet Member: Councillor Stephen Edwards

5. West Suffolk Local Development Scheme (LDS) December 2018: Adoption
Portfolio Holder: Councillor Lance Stanbury

6. West Suffolk Statement of Community Involvement (SCI) December 2018: Adoption
Portfolio Holder: Councillor Lance Stanbury

8. West Row: Reorganisation Order

265 - 286

Report No: **COU/FH/18/023**

9. Questions to Chairmen of other Committees

Questions to Chairmen on the business transacted by their Committees since the last ordinary meeting of Council:

Performance & Audit Scrutiny Committee	27 September 2018 28 November 2018
Development Control Committee	3 October 2018 7 November 2018 5 December 2018
Overview & Scrutiny Committee	8 November 2018
Licensing & Regulatory Committee	4 December 2018
West Suffolk Joint Standards Committee	10 December 2018

10. Urgent Questions on Notice

The Council will consider any urgent questions on notice that were notified to the Service Manager (Democratic Services) by 11am on the day of the meeting.

Council



Forest Heath
District Council

Minutes of a meeting of the **Council** held on
Wednesday 26 September 2018 at **6.00 pm** at the **Council Chamber,**
District Offices, College Heath Road, Mildenhall IP28 7EY

Present: **Councillors**

<i>Vice Chairman in the Chair</i> Chris Barker	
Ruth Allen	Victor Lukaniuk
Michael Anderson	Carol Lynch
John Bloodworth	Christine Mason
David Bowman	Robert Nobbs
Ruth Bowman J.P.	Colin Noble
Rona Burt	David Palmer
Louis Busuttil	Peter Ridgwell
Simon Cole	Nigel Roman
Roger Dicker	Reg Silvester
Andy Drummond	Lance Stanbury
Stephen Edwards	James Waters

321. **Minutes**

The minutes of the meeting held on 25 April 2018 and the Annual Meeting held on 9 May 2018 were unanimously received as an accurate record and were signed by the Chairman.

322. **Chairman's Announcements (Report No: COU/FH/18/016)**

The report was noted.

323. **Apologies for Absence**

Apologies for absence were received from Councillors Brian Harvey, Louise Marston and Robin Millar.

Councillor Andrew Appleby was also unable to attend the meeting.

324. **Declarations of Interest**

None were declared.

325. **The Leader's Report (Report No: COU/FH/18/017)**

The Leader presented his statement to the meeting as set out in Report No COU/FH/18/017.

Councillor Victor Lukaniuk thanked the Leader for the congratulations he included in his statement to Brandon for their recent achievement in being awarded Best Newcomer in the Anglia in Bloom awards.

Councillor Lukaniuk then went on to make reference to Toggam Solar Farm and he questioned the level of return that the project was achieving.

Councillor Stephen Edwards responded, in his capacity as Cabinet Member for Resources and Performance, and robustly challenged the figures stated by Councillor Lukaniuk. He outlined in detail the income that had been generated from the project to date and what was forecast to be achieved.

Councillor Edwards stressed that the project had performed exceptionally well, above all expectations, and should be recognised for this.

Councillor Lance Stanbury also spoke in response to the comments made by Councillor Lukaniuk and expressed disappointment that the points raised seemingly did not appreciate the real success of the solar farm and were, instead, appearing to portray it to the public (inaccurately) as a 'failed project'.

Councillors Ruth Allen and Roger Dicker then both spoke in response to Councillor Stanbury and objected strongly to the comments he made.

The Leader then addressed the meeting and reiterated the achievements of the solar farm project and asked all present to note his report as written.

326. **Public Participation**

There were no questions or statements from members of the public.

327. **Referrals Report of Recommendations from Joint Executive (Cabinet) Committee - Annual Treasury Management Report 2017/2018 and Investment Activity (1 April - 30 June 2018) (Report No: COU/FH/18/018)**

The Council considered the referral report of recommendations from the Joint Executive (Cabinet) Committee as set out in Report No COU/FH/18/018 in respect of:

1. Annual Treasury Management Report 2017/2018 and Investment Activity (1 April – 30 June 2018)
(Joint Executive (Cabinet) Committee: 4 September 2018)

Councillor Stephen Edwards, Cabinet Member for Resources and Performance, presented this referral item.

On the motion of the Cabinet Member, seconded by Councillor David Bowman and with the vote being unanimous, it was

RESOLVED:

That the Annual Treasury Management Report for 2017-2018, attached as Attachment 1 to Report No: PAS/FH/18/028, be approved.

328. Exclusion of the Press and Public

The Chairman explained that in order to allow the Director to provide an update on the commercially sensitive information within the exempt papers appended to the agenda in respect of Cabinet referral item No 2 (Mildenhall Hub), a vote needed to be taken in order to move the consideration of this item into Part 2 and exclude any attending press and public from the meeting.

Accordingly, it was moved by Councillor Simon Cole, seconded by Councillor Carol Lynch and with the vote being unanimous, it was

RESOLVED:

That the press and public be excluded during the consideration of the following items because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items, there would be disclosure to them of exempt categories of information, as prescribed in Part 1 of Schedule 12A of the Local Government Act 1972 and indicated against each item and, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

329. Referrals Report of Recommendations from the Joint Executive (Cabinet) Committee - Mildenhall Hub (Exempt: Para 3) (Report No: COU/FH/18/018)

The Council considered the referral report of recommendations from the Joint Executive (Cabinet) Committee as set out in Report No COU/FH/18/018 in respect of:

2. Mildenhall Hub (Exempt: Para 3)
(Joint Executive (Cabinet) Committee: 4 September 2018)

The Director tabled an addendum to the exempt Appendix to Report No CAB/JT/18/027, as appended to the agenda, and outlined the updated financial information set out therein.

On the motion of the Leader, seconded by Councillor Ruth Bowman and with the vote being unanimous, it was

RESOLVED:

That:-

1. On the basis set out in the exempt Appendix to Report No CAB/JT/18/027 and the tabled addendum paper, the final cost plan for the Mildenhall Hub project (including renewables and health facilities) be approved, and contractor appointments be made,

subject to it still achieving at least the net revenue position previously agreed in 2017; and

2. The Council's Section 151 Officer make any necessary changes to the Council's prudential indicators as a result of recommendation 1 above.

On conclusion of this item the Chairman moved the meeting back into Part 1.

330. **Referrals Report of Recommendations from the Joint Executive (Cabinet) Committee - Habitats Regulations Assessment (HRA) Report and Barley Homes: Interim Business Plan and Changes in Governance (Report No: COU/FH/18/018)**

The Council considered the referral report of recommendations from the Joint Executive (Cabinet) Committee as set out in Report No COU/FH/18/018 in respect of:

3. Habitats Regulations Assessment (HRA) Report
(Joint Executive (Cabinet) Committee: 4 September 2018)

Councillor Lance Stanbury, Cabinet Member for Planning and Growth, presented this referral item.

On the motion of the Cabinet Member, seconded by Councillor Simon Cole and with the vote being unanimous, it was

RESOLVED:

That:-

1. The Council as a competent authority, undertake an Appropriate Assessment.
2. The procedural changes required following the European court ruling, be confirmed.
3. The HRA Addendum to the HRAs of the Forest Heath SIR and SALP (modification stage) (June 2018), attached as Appendix 1 to Report No CAB/JT/18/028, be endorsed; and
4. Having regard to the HRA as a whole, the Council is satisfied that the FHDC Local Plan (SIR and SALP) will not have adverse effects on the integrity of any European site.

and

4. Barley Homes: Interim Business Plan and Changes in Governance
(Joint Executive (Cabinet) Committee: 18 September 2018)

The Chairman welcomed Councillor Sara Mildmay-White to the meeting, who was in attendance in her capacity as the West Suffolk Lead for Housing and presented this referral item.

Attention was drawn to the addendum to this report which had been circulated separately to the agenda and which set out amended recommendations.

Councillors Victor Lukaniuk and Ruth Allen raised concerns with the business plan and stated that they felt they were unable to support the recommendation.

In response, Councillor Lance Stanbury expressed disappointment that the Independent Group had apparently failed to recognise the value of the project and, furthermore, had not suggested any alternative ways of generating revenue.

The Leader explained that he appreciated that the project had resulted in some frustration and delay, however, he was confident it had great potential and was capable of delivering a good level of return and much needed housing for West Suffolk.

Councillor Lukaniuk requested that a recorded vote be taken on this item which was duly supported by four other Members.

On the motion of the Leader, seconded by Councillor David Bowman and upon being put to the vote Members voted as follows:

Name of Member	For	Against	Abstained
Ruth Allen		X	
Michael Anderson	X		
Chris Barker	X		
John Bloodworth	X		
David Bowman	X		
Ruth Bowman	X		
Rona Burt	X		
Louis Busuttil	X		
Simon Cole	X		
Roger Dicker	X		
Andy Drummond	X		

Name of Member	For	Against	Abstained
Stephen Edwards	X		
Carol Lynch	X		
Victor Lukaniuk		X	
Christine Mason	X		
Robert Nobbs	X		
Colin Noble	X		
David Palmer			X
Peter Ridgwell		X	
Nigel Roman	X		
Reg Silvester	X		
Lance Stanbury	X		
James Waters	X		
TOTAL	19	3	1

It was therefore

RESOLVED:

That:-

- (1) The proposal for Suffolk County Council to transfer its ownership of Barley Homes to the West Suffolk Councils be noted, and the terms of the deal as set out in Paragraph 2.2 of Report No: CAB/JT/18/032, be agreed.
- (2) An additional working capital loan facility of £350,000 funded from the Strategic Priorities and Medium Term Financial Strategy (MTFS) reserves and as set out in section 3.4, be approved.
- (3) A revised total of £7.5 million (currently £6 million) revolving investment facility, be added to the Councils' capital programme, financed from capital receipts in line with Paragraph 3.3.2.

- (4) Delegation be given to the S151 Officer and Monitoring Officer, in consultation with the Portfolio Holders for Resources and Performance and Housing to issue equity and loan funding from the revolving investment facility (set out in (3) above) subject to state aid requirements.
- (5) The S151 Officer and Monitoring Officer, in consultation with the Portfolio Holders for Resources and Performance, be authorised to negotiate and agree the terms of such loans with Barley Homes and the funding and necessary legal agreements, taking into consideration the Council's loans policy and state aid requirements.
- (6) Approval of the Interim Business Plan will constitute consent for Barley Homes to issue shares and enter into debt financing, in line with the Business Plan, be noted.
- (7) The Councils' medium term financial revenue plans in line with section 3.5, be updated.
- (8) The proposed shareholder representative arrangements be agreed, and authority be given for the representatives to make all necessary decisions on behalf of the shareholders as required by the Articles of Association and Shareholder Agreement as set out in Paragraphs 5.4 to 5.6.
- (9) The Shareholder Representatives be authorised to make all necessary arrangements for the purchase of the County Council's shareholding in Barley Homes, and the consequential governance amendments required to the Company's Articles of Association and Shareholder Agreement, as set out in Paragraph 5.2.
- (10) The Shareholder Representatives be authorised to agree the Interim Business Plan contained in Exempt Attachment A of Report No: CAB/JT/18/032, subject to the development of the Town Hall Car Park, Haverhill, being paused to allow for further discussions on the aspirations of the site, and priority to be given to development of the sites at Westfields and Castle Hill.
- (11) It be noted that a comprehensive business case for Barley Homes will be presented to West Suffolk Council in 2019.
- (12) Agreement be given for the Council's Section 151 Officer to make the necessary changes to the Council's 2018/19 prudential indicators as a result of Recommendation (3).

331. Annual Scrutiny Report: 2017/2018 (Report No: COU/FH/18/019)

Councillor Simon Cole, Chairman of the Overview and Scrutiny Committee, presented Forest Heath's Annual Scrutiny Report for 2017/2018.

He thanked his fellow Overview and Scrutiny Members for all their support and input over the past year, together with those Officers and Portfolio Holders who contributed towards the work of the Committee.

Councillor Louis Busuttill also spoke in support of the report in his capacity as Chairman of the Performance and Audit Scrutiny Committee and similarly gave thanks to the Members and Officers concerned.

It was moved by Councillor Simon Cole, seconded by Councillor Louis Busuttill and with the vote being unanimous, it was

RESOLVED:

That the Annual Scrutiny Report for 2017/2018 be received and noted.

332. Representation on Suffolk County Council's Health Overview and Scrutiny Committee

The Council was asked to nominate one Member and one substitute Member to serve on the County's Health Overview and Scrutiny Committee.

Councillor Simon Cole advised that the Overview and Scrutiny Committee had, at their meeting on 7 June 2018, nominated Councillor John Bloodworth as the full Member and Councillor Christine Mason as the substitute Member for 2018/2019.

Councillor Cole then formally moved the recommendation of the Overview and Scrutiny Committee, this was duly seconded by Councillor Nigel Roman and with the vote being unanimous, it was

RESOLVED:

That Councillor John Bloodworth be nominated as the District Council's representative and Councillor Christine Mason as the nominated substitute Member on the Suffolk Health Overview and Scrutiny Committee for 2018/2019.

333. Questions to Chairmen of other Committees

There were no questions to Chairmen of other Committees.

334. Urgent Questions on Notice

There were no urgent questions on notice.

The meeting concluded at 6.54 pm

Signed by:

Chairman

Council



Title of Report:	Chairman's Announcements and Itinerary	
Report No:	COU/FH/18/020	
Report to and date:	Council	19 December 2018

Chairman of the Council's Itinerary for September 2018 to December 2018 (part)

Annual Leave: 18 September – 7 October

Saturday	6 October	Mildenhall Parish Council – RAF Honington Band Concert Mildenhall
Wednesday	10 October	West Suffolk House Poppy Installation Bury St Edmunds
Sunday	14 October	Suffolk Harvest Festival Bury St Edmunds
Sunday	21 October	East Cambridgeshire District Council Civic Service Ely
Wednesday	7 November	Red Lodge War Memorial Dedication Red Lodge
Wednesday	7 November	County Remembrance Commemoration Service Bury St Edmunds
Thursday	8 November	Newmarket Schools and RBL Remembrance Service Newmarket
Friday	9 November	South Norfolk District Council Civic Service Poringland, Norfolk
Saturday	10 November	Band of Hope Planting Mildenhall

Saturday	10 November	Rose Garden Remembrance Service Bury St Edmunds
Sunday	11 November	Red Lodge Remembrance Service Red Lodge
Sunday	11 November	Remembrance Parade and Service Newmarket
Friday	16 November	The 'Friends of Market Cross Surgery' Mildenhall
Sunday	18 November	St Edmunds Day Service and Lunch Bury St Edmunds
Wednesday	21 November	RAF Mildenhall Thanksgiving Eve Service Ely
Sunday	2 December	USAFE Open House Reception RAF Mildenhall
Monday	3 December	Mayor of St Edmundsbury Carol Service Bury St Edmunds
Tuesday	4 December	Christmas Post Office Visit Mildenhall
Friday	7 December	RAF Lakenheath and RAF Mildenhall Yuletide Winter Reception RAF Lakenheath
Tuesday	11 December	Christmas Post Office Visit Brandon
Thursday	13 December	Christmas Post Office Visit Newmarket
Sunday	16 December	Forest Heath Chairman's Carol Service Barton Mills
Tuesday	18 December	Shadow Council West Suffolk House, Bury St Edmunds

Vice Chairman of the Council's Itinerary for September 2018 to December 2018 (part)

Wednesday	26 September	FHDC Council District Offices, Mildenhall
Thursday	27 September	2018 West Suffolk Sports Awards Newmarket

Saturday	6 October	University of Suffolk at West Suffolk College Graduation Ceremony Bury St Edmunds
Sunday	14 October	Suffolk Harvest Festival Bury St Edmunds
Sunday	21 October	Breckland Council Civic Reception Dereham
Sunday	28 October	Brandon Remembers Preview and Launch Brandon
Sunday	16 December	Forest Heath Chairman's Carol Service Barton Mills
Tuesday	18 December	Shadow Council West Suffolk House, Bury St Edmunds

Leader of the Council's Itinerary for September 2018 to December 2018 (part)

Wednesday	26 September	FHDC Council District Offices, Mildenhall
Tuesday	2 October	Leaders Meetings, Joint Cabinet Planning & Joint Executive Committee District Offices, College Heath Road, Mildenhall
Tuesday	9 October	Leaders Briefing & Joint Conservative Group meeting West Suffolk House, Bury St Edmunds
Wednesday	10 October	Unveiling of the Poppy Project (WW1 Centenary) West Suffolk House, Bury St Edmunds
Friday	12 October	The Bury Free Press Business Awards 2018 The Apex, Bury St Edmunds
Tuesday	16 October	The West Suffolk Councils' Housing Conference The Apex, Bury St Edmunds
Wednesday	17 October	Cambridge Norwich Tech Corridor Leaders & Chief Executive Meeting West Suffolk College, Bury St Edmunds
		Joint Cabinet Planning West Suffolk House, Bury St Edmunds
Monday	22 October	Supply Chain Contracting & Procurement Event Newmarket Race Course
Wednesday	24 October	Forest Heath Conservative Group meeting District Offices, College Heath Road, Mildenhall

Tuesday	6 November	Mayor and Business Leaders Share Future Ambitions for Growth The Hall, situated within The Club, Alconbury Enterprise Campus, Alconbury Weald, Huntingdon PE28 4XA
Thursday	8 November	Forest Heath Overview & Scrutiny Meeting District Offices, College Heath Road, Mildenhall
Monday	19 November	Lakenheath F-35 Beddown Infra Contract Ceremony RAF Lakenheath
Tuesday	20 November	Shadow Council West Suffolk House, Bury St Edmunds
Monday	27 November	Leaders Briefing, Joint Cabinet Planning & Shadow Executive West Suffolk House, Bury St Edmunds
Friday	30 November	Suffolk Public Sector Leaders Meeting Claud Castleton, Riverside, Lowestoft
		Implications of Brexit For Suffolk – Workshop Claud Castleton, Riverside, Lowestoft
Monday	3 December	Leaders and Ward member meeting West Suffolk House, Bury St Edmunds
Tuesday	11 December	Joint Cabinet Planning & Joint Executive Committee West Suffolk House, Bury St Edmunds
Wednesday	12 December	Forest Heath Quarterly Scrutiny Meeting & Forest Heath Conservative Group District Offices, College Heath Road, Mildenhall
Friday	14 December	MP briefing with Matthew Hancock West Suffolk House
Monday	17 December	Leaders meeting with Members & Officers West Suffolk House
Tuesday	18 December	West Suffolk Independent Remuneration Panel West Suffolk House, Bury St Edmunds
		Portfolio Holder meeting West Suffolk House, Bury St Edmunds
		Shadow Council West Suffolk House, Bury St Edmunds

Deputy Leader of the Council's Itinerary for September 2018 to December 2018 (part)

Wednesday	26 September	FHDC Council District Offices, Mildenhall
Tuesday	2 October	Portfolio Holder meeting, Joint Cabinet Planning & Joint Executive Committee District Offices, College Heath Road, Mildenhall
Tuesday	9 October	Joint Portfolio Holder meeting, Forest Heath Crime Prevention Panel crucial crew District Offices, College Heath Road, Mildenhall Joint Conservative Group meeting West Suffolk House, Bury St Edmunds
Monday	15 October	Parish and Town Conference District Offices, College Heath Road, Mildenhall
Wednesday	17 October	Joint Cabinet Planning West Suffolk House, Bury St Edmunds
Tuesday	23 October	Disability Focus Event One (Centre of Learning), Scrivener Drive, Ipswich, IP8 3SU
Wednesday	24 October	Forest Heath Conservative Group meeting District Offices, College Heath Road, Mildenhall
Monday	5 November	FHDC Community Chest Evaluation West Suffolk House, Bury St Edmunds
Tuesday	6 November	Joint Portfolio Holder briefing, Joint Cabinet Planning & Joint Executive Committee District Offices, College Heath Road, Mildenhall
Monday	12 November	Joint Portfolio Holder briefing West Suffolk House, Bury St Edmunds
Tuesday	13 November	Newmarket Open Door meeting Portland House, Newmarket
Tuesday	20 November	Families & Communities meeting, Shadow Council West Suffolk House, Bury St Edmunds
Tuesday	27 November	Joint Cabinet Planning and Shadow Executive West Suffolk House, Bury St Edmunds
Thursday	6 December	Friends of Yellow Brick Road and Community briefing (County Lines) Newmarket

Monday	10 December	Deputy Leader meeting District Offices, College Heath Road, Mildenhall
Tuesday	11 December	Deputy Leader and Officer briefings, Joint Cabinet Planning & Joint Executive Committee District Offices, College Heath Road, Mildenhall
Wednesday	12 December	Forest Heath Quarterly Scrutiny Meeting & Forest Heath Conservative Group District Offices, College Heath Road, Mildenhall

Council



Forest Heath
District Council

Title of Report:	Leader's Statement	
Report No:	COU/FH/18/021	
Report to and date:	Council	19 December 2018

Merry Christmas

I want to wish you all a Merry Christmas and a Happy New Year. What a successful year we have had, and will continue to have next year. Just last month I was talking to businesses about hundreds of millions of pounds of opportunities and investment in our area. We have just agreed to support hundreds of thousands of pounds of investment in local community groups that are doing great work in our area. Our lobbying and partnership work is paying off as the Cambridgeshire and Peterborough Combined Authority announced their aspiration for the Cambridge metro to link to Mildenhall and Haverhill. We have secured more funding for social prescribing to deliver in this life changing work in Mildenhall and Brandon. Next year we will see the creation of West Suffolk Council, and the further opportunities that will bring to drive prosperity. I want to thank everyone around this table and the staff that have delivered these improvements and successes, sometimes through challenging times and while delivering high quality services for our residents. While this is the time of year when people relax with their friends and family, I know many of us and our staff will be working through this festive period. I hope you get a break and enjoy Christmas.

Community Chest

One thing that sets us apart from other councils is our families and communities work. Therefore in this time of giving I was pleased to see us agree that, together with St Edmundsbury Borough Council, we have invested more than £400,000 in community led projects to benefit residents across West Suffolk.

Together our councils have given a total of more than £1,480,100 over the last three years in Community Chest grants across West Suffolk. The money is part of the Councils' Family and Community approach to achieve better outcomes and resilient communities.

The organisations that benefit from this use that money to deliver positive outcomes for people that truly touch people's lives. It is part of the ethos behind the new West Suffolk Council to be big enough to have a strong say, but remain local to work alongside our communities to deliver tailored initiatives with residents at the heart of its design.

The projects are designed to help residents' health, family support, counselling, advice and advocacy, community activities and initiatives involving young people in arts and sports, and are set to receive the funding through our highly popular Community Chest scheme.

Local charities, community groups and voluntary organisations are often the best placed to help address some of the issues we face in our society. Community Chest allows us to help make these ideas happen, to invest in our local families and communities, in turn making life better for residents including some of the more vulnerable in West Suffolk.

Social Prescribing

I am very pleased to see that the Social Prescribing initiative that has been trialled in Haverhill will now be coming to Mildenhall and Brandon. This follows a successful bid by us and St Edmundsbury for just over £660,000.

This scheme supports NHS and wider public services system in dealing with patients' social needs whilst improving individuals' wellbeing. Put simply, it is a life saver that has a major impact on the lives of people who take part helping them tackle anything from mental health, isolation, debt, wellbeing or getting back into work...to name just a few.

West Suffolk Councils led on securing the extra funding for the social prescribing scheme.

This money will importantly enable us to work with local partners in Mildenhall and Brandon to develop a social prescribing model for the two towns. It will also further strengthen the work being carried out by the Haverhill LifeLink scheme.

The scheme helps address social and wellbeing needs of residents which can also impact on health and are sometimes traditionally hard for medical services to address. West Suffolk Councils have been backing the pilot in Haverhill with other agencies including the CCG and ONE Haverhill Partnership, where almost 200 people have been supported in just over a year since its inception.

Just over £160,000 has also been provided by the NHS West Suffolk Clinical Commissioning Group for the social prescribing scheme. While £500,000 was provided through the 100% Business Rates Pilot money that was awarded to Suffolk by Government for place based issues. This was agreed by Suffolk Leaders as part of the West Suffolk Councils' share of the fund. I would like to thank all those involved.

Five Ways

We will all have seen that the lights have been switched on at Five Ways roundabout to improve safety and reduce congestion. While we welcome the investment in this we will continue to lobby for a more permanent solution and improvements at the Newmarket junction with the A14 and A142. Transport improvements are vital to the area and one of the reasons for the new West Suffolk Council has been set up to lobby for this.

Get Ready for Growth

I was pleased to represent our Council at RAF Lakenheath to celebrate the start of a new contract to bring the F35 to our area. This is bringing more than £1 billion in investment and opportunities over the next five years and is an exciting time.

Earlier this year in Newmarket, I spoke to national and local companies at a packed 'Get Ready for Growth' meeting to see how they can be part of multi-million contracts for the USAF and growth in West Suffolk.

Hundreds of millions of dollars is being invested in the Lakenheath area as part of the USAF programme to base the F35 Fighter and its supporting personnel in the UK. This has opened up opportunities for UK and especially local contractors to provide services.

We are at the heart of this work not only helping manage this growth and supporting business but as ever, being good friends and neighbours to the current and new military personnel.

Happy New Year

As I said, what a year we have had and what a great year we are going to have. I look forward to welcoming you back and working with you in 2019 to create the new West Suffolk Council. Until then have a Merry Christmas and a Happy New Year

This page is intentionally left blank

Council



Forest Heath
District Council

Title of Report:	Referrals Report of Recommendations from the Joint Executive (Cabinet) Committee	
Report No:	COU/FH/18/000	
Report to and date:	Council	19 December 2018
Documents attached:	<p>Appendix 1: 'West Suffolk Gambling Act 2005 Statement of Policy'.</p> <p>Appendix 2: 'West Suffolk Gambling Act 2005: Local Area Profile 2019'.</p> <p>Appendix 3: 'Joint Executive (Cabinet) Committee Report No: CAB/JT/18/041 'Forest Heath Statement of Licensing Policy 2019 to 2022 and Newmarket Cumulative Impact Assessment (CIA) Area and Appendix 1'.</p> <p>Appendix 4: 'Appendix 1 to Report No: CAB/JT/18/051: Draft West Suffolk Housing Strategy (including Appendices A, B, C and D)</p> <p>Appendix 5: 'Working Paper 1 to Report No: CAB/JT/18/054: West Suffolk Councils Local Development Scheme – December 2018)'</p> <p>Appendix 6: 'Working Paper 1 to Report No: CAB/JT/18/055: West Suffolk Statement of Community Involvement – December 2018'</p>	

(A) Referrals from Joint Executive (Cabinet) Committee: 2 October 2018

1. West Suffolk Gambling Act 2005: Statement of Policy 2019 to 2022

Portfolio Holder: Cllr Lance Stanbury

[Report No: CAB/JT/18/035](#) and [Appendix 1](#); [Appendix 2](#); [Appendix 3](#)

RECOMMENDED

That the revised West Suffolk Gambling Act 2005: Statement of Policy for the period 2019 to 2022, as contained in Appendices 1 and 2 to Report No: COU/FH/18/022, be adopted.

- 1.1 The Joint Executive (Cabinet) Committee at their meeting on 2 October 2018, considered Report No: CAB/JT/18/035 which sets out the results of the public consultation and sought approval for adoption of a revised joint West Suffolk Councils' Statement of Policy in accordance with the Gambling Act 2005, 2016-2019.
- 1.2 A statement of policy typically runs for a period of three years, although there is nothing to prevent the Councils from updating the policy more frequently, if so wished. The current West Suffolk policy will expire on 30 January 2019 and a revised version has been consulted on with statutory consultees. This will then require review in 2021 for re-adoption by January 2022.
- 1.3 The Joint Executive (Cabinet) Committee particularly discussed the regulatory and enforcement powers of local authorities in relation to fixed odds betting terminals in betting shops and the harm that gambling could cause to some individuals. In particular, reference was made to the Local Area Profile for Newmarket and the Joint Committee requested to ensure that this adequately reflected the Town's particular local circumstances and that the most up-to-date and relevant data was used when applying the licensing principles.
- 1.4 Therefore, the Joint Executive (Cabinet) Committee had *RECOMMENDED*:

That, subject to the approval of Forest Heath District and St Edmundsbury Borough Councils, the revised West Suffolk Gambling Act 2005: Statement of Policy for the period 2019 to 2022, as contained in Appendix 2 to Report No: CAB/JT/18/035, be adopted, subject to:
 - 1) *Ensuring that the future Local Area Profile, as set out in Appendix 3 to Report No: CAB/JT/18/035, adequately reflects the particular local circumstances in Newmarket, and to ensure the most up-to-date and relevant data is used when applying the licensing principles.*

- 2) *Further clarification being provided on the regulatory and enforcement powers of the local authority regarding fixed odds betting terminals.*

1.5 Following on from the discussions and recommendations from the Joint Executive (Cabinet) Committee on 2 October 2018, the Statement of Policy and the Local Area Profile has since been amended as set out below (these amended documents are attached at Appendices 1 and 2 to this Council report, with the changes highlighted in red text):

- West Suffolk Gambling Act 2005 Statement of Policy (Appendix 1)
 - Additional text to clarify the role of the Gambling Commission in comparison to that of licensing authorities (Part A; Sections 8.4 to 8.6).
 - Additional paragraph outlining the Gambling Act definition of 'gaming machines' in order to distinguish them from 'betting machines' (Part B; Section 8.1).
 - Added the Gambling Commission guidance and requirements to Schedule C:
 - Betting machines categories according to their use in different premises
 - Betting machines categories according to their maximum stake and prizes
 - Summarising the requirements specifically for fixed odds betting machines.
- Local Area Profile (Appendix 2)
 - Updated the bullet points on page 4 of the Local Area Profile where there were anomalies within the statistical information presented.
 - Removed the references to the Dog Track (Mildenhall area). As of October 2018 this Track was no longer in operation. (The licence had not been revoked at the time of the preparation and consideration of the Joint Committee report).

1.6 In relation to the specific circumstances which have been referred to with regards to gambling in Newmarket, Officers will be reviewing the Local Area Profile in line with the West Suffolk Council to add specific information about different wards and this will then include information about Newmarket.

1.7 This referrals report had also been considered by St Edmundsbury Borough Council at their meeting on 30 October 2018, where the recommendation to adopt the revised West Suffolk Gambling Act 2005: Statement of Policy for the period 2019 to 2022, as contained in Appendices 1 and 2, was approved.

1.8 Members may also view the full Joint Executive (Cabinet) Committee report and its Appendices on the Council's website via the above links or may request a paper copy from Democratic Services.

(B) Referrals from Joint Executive (Cabinet) Committee: 6 November 2018

2. Forest Heath Statement of Licensing Policy 2019 to 2022 and Newmarket Cumulative Impact Assessment (CIA) Area

Portfolio Holder: Cllr Lance Stanbury

Report No:

[CAB/JT/18/041](#)

[Appendix 1](#) (also attached to this Council report at Appendix 3)

[Appendix 2](#);

[Appendix 3](#);

[Appendix 4](#)

RECOMMENDED, that:

(1) The draft overarching Statement of Licensing Policy for Forest Heath 2019-2022, as set out in Appendix 1 to Report No: CAB/JT/18/041, be adopted.

(2) The existing Newmarket Cumulative Impact Assessment (CIA) Area (as incorporated within Appendix 1 to Report No: CAB/JT/18/041) be:

(a) renewed; and

(b) reviewed again within approximately 18 months.

2.1 The Joint Executive (Cabinet) Committee considered this report which had reviewed the updated mandatory Statement of Licensing Policy, incorporating the Cumulative Impact Assessment (CIA) Area for Newmarket. For ease of reference, the full Joint Executive (Cabinet) Committee report and associated Appendix 1 are also attached to this referrals report.

2.2 Whilst the full Joint Executive (Cabinet) Committee report and Appendix 1 are attached, Members may also view these documents, along with Appendices 2 to 4, on the Council's website via the above links or may request a paper copy from Democratic Services.

(C) Referrals from Joint Executive (Cabinet) Committee: 11 December 2018

(These referrals have been compiled before the meeting of the Joint Executive (Cabinet) Committee on 11 December 2018 and are based on the recommendations contained within each of the reports listed below. Any amendments made by the Joint Executive (Cabinet) Committee to the recommendations within these reports will be notified to Members accordingly)

3. Recommendations of the St Edmundsbury and Forest Heath Overview and Scrutiny Committees: 7 and 8 November 2018 – West Suffolk Housing Strategy 2018-2023

Portfolio Holders:

Cllr Lance Stanbury

SEBC Cllr Sara Mildmay-White (West Suffolk Lead for Housing)

Report No:

[CAB/JT/18/051](#)

[Appendix 1](#)

and **[Appendix A](#)**

[Appendix B](#)

[Appendix C](#)

[Appendix D](#)

(These Appendices are also attached to this Council report at Appendix 4)

RECOMMENDED

The West Suffolk Housing Strategy 2018-2023, attached as Appendix 1 to Report No: CAB/JT/18/051, be adopted.

- 3.1 The St Edmundsbury and Forest Heath Overview and Scrutiny Committees, at their meetings on 7 and 8 November 2018 respectively, received [Report No: OAS/SE/18/030](#) and [Report No: OAS/FH/18/029](#) which informed Members that a review of West Suffolk's Housing Strategy was due in 2018. Through the review the opportunity has been taken to reflect priorities, actions and projects set out in the Strategic Framework 2018-2020. Furthermore, there are a number of additional duties and fundamental changes to housing legislation that have been reflected in the Housing Strategy.
- 3.2 It was no longer a legal requirement for a local authority to have a Housing Strategy in place. However, it was recognised that a strategic overview is necessary in order to set out how we plan to address the housing challenges we are facing and to provide a range of housing options for the growing need for a range of quality housing in West Suffolk.
- 3.3 Report Nos: OAS/SE/18/030 and OAS/FH/18/029 provided an overview of progress against the Housing Strategy that covered the period from 2015 to 2018. The Overview and Scrutiny Committees requested figures for the number of affordable houses delivered in towns and in the rural areas, which has been incorporated in the evidence base at Appendix B to these reports.
- 3.4 The Overview and Scrutiny Committees considered the Housing Strategy while the consultation was still ongoing, detail about which can be found in Report Nos: OAS/SE/18/030 and OAS/FH/18/029. The Committees requested that further information relating to the consultation be submitted to Cabinet once it had concluded, as set out below.
- 3.5 The formal consultation took place for a six week period between 9 October and 20 November 2018. It involved an online survey available on our webpages which was sent directly to Members, parish councils and a number of our partners.

- 3.6 There were a total of 31 responses to the online consultation and three responses submitted by letter which were received from: local residents, partner organisations (including community and voluntary groups), registered providers, housing developers, agents, parish councils and neighbouring local authorities. A focus group with young people also took place. A number of themes emerged during the consultation mainly around the following themes:
- The need for infrastructure and services to support growth.
 - The need for social and affordable housing in the towns and rural areas which is appropriate for local needs.
 - Providing accessible properties to meet the needs of vulnerable groups and those with additional needs.
 - Providing sufficient housing in the right places to ensure that local people can find suitable employment.
- 3.7 The points raised during the consultation have been addressed through our robust implementation plan. However, the actions in the implementation plan have been further developed and refined during the consultation period. An Implementation Plan that accompanies the Housing Strategy has been developed so that we can deliver against the priorities and actions set out in the strategy.
- 3.8 As part of this report, the Joint Executive (Cabinet) Committee will also be considering a review of the West Suffolk Tenancy Strategy, which is also due to be undertaken in 2018, as part of the requirements of the Localism Act 2011. However, as the review of this Strategy does not require Council approval, these recommendations have not been included within this report.
- 3.9 This referrals report is also due for consideration by the St Edmundsbury Council at their meeting on 18 December 2018.
- 3.10 Members may also view the Joint Executive (Cabinet) Committee report and its associated Appendices on the Council's website via the above links or may request a paper copy from Democratic Services.

4. Recommendations of the Forest Heath Performance and Audit Scrutiny Committee: 28 November 2018 – Mid- Year Treasury Management Report and Investment Activity (1 April – 30 September 2018)

Portfolio Holder: Cllr Stephen Edwards

**[Report No:
CAB/JT/18/052](#)**

***Performance and Audit
Scrutiny Committee:
28 November 2018:***

**[Report No:
PAS/FH/18/040](#)**

RECOMMENDED:

That the Mid-Year Treasury Management Report 2018-2019 and Investment Activity (1 April to 30 September 2018), as set out in Report No: [PAS/FH/18/040](#), be approved.

- 4.1 The Joint Executive (Cabinet) Committee will be considering this report which provides a summary of investment activities for the first six months of 2018-2019.
- 4.2 The total amount invested at 1 April 2018 was £16.005m and at 30 September 2018, £19.800m. The increase in balances over the period was due primarily to timing differences in respect of the collection of local taxes, the payment of precepts and changes in the profile of the Capital Programme:

TREASURY MANAGEMENT – INVESTMENT ACTIVITY SUMMARY	
	2018/19
Opening Balance 01 April 2018	16,005,000
Investments made during the year (including transfers to business reserve accounts)	25,300,000
Sub Total	41,305,000
Investments realised during the year (including withdrawals from business reserve accounts)	21,505,000
Closing Balance 30 September 2017	19,800,000

- 4.3 The 2018/19 Annual Treasury Management and Investment Strategy (Report PAS/FH/18/009) sets out the Council’s projections for the current financial year. The budget for investment income in 2018/19 was £224,000, which was based on a 0.75% target average rate of return on investments.
- 4.4 As at the end of September 2018, interest actually earned during the first six months of the financial year amounted to £62,722 (average rate of return of 0.676%) against a profiled budget for the period of £112,000; a budgetary deficit of £49,278. The budgetary deficit was due to lower cash balances as a result of re-phasing of some income generating projects. These projects were budgeted to be funded through external borrowing which would have temporarily boosted the cash balances and resultant interest. In addition, investments were made on a shorter term basis for liquidity resulting in lower yields:

INTEREST EARNED & AVERAGE RATE OF RETURN SUMMARY			
Investment Category	Total Average Investment	Average Rate of Return (%)	Interest Earned
City Deposit Cash Managers	2,000,000	0.798%	4,328.10
Temporary Investments	1,179,341	0.699%	39,820.27
Lloyds 95 Day Account	2,460,705	0.767%	9,459.53
NatWest LSA	61,130	0.062%	18.96
Barclays FIBCA	2,035,600	0.400%	4,082.36
Santander 180 Day Account	1,000,000	0.700%	3,509.59
Santander 95 Day Account	500,000	0.600%	1,504.11
Total Overall Average Return on Investments %			0.676%
Total Interest Earned - 1 April 2018 to 30 Sept 2018			62,722.92
LIBOR 3 Month Average			0.686%

- 4.5 The report also included assumptions on borrowing for capital projects included within it. The borrowings used around seven specific

projects as per their agreed business cases. The report included a summary of capital borrowing budget 2018-2019, and a summary of capital borrowing for Quarter Two. As at the end of Quarter Two, there had been no requirement to borrow externally over and above the £4.0m Barclays loan. Therefore the only interest payable for Quarter Two was the £169,000 relating to this:

SUMMARY OF CAPITAL BORROWING BUDGET 2018/19 (including c/f amounts)			
Project	Borrowing	Minimum Revenue Provision (MRP)	Interest Payable
West Suffolk Operational Hub	£2,585,263	£0	£0
Mildenhall Hub*	£4,560,000	£0	£0
Mildenhall Swimming Pool	£24,000	£0	£0
The Flowerpot – Brandon *	£50,000	£0	£0
Wellington Street Pedestrian Scheme – Newmarket *	£150,000	£0	£0
Barley Homes – Loan Facility *	£1,695,750	£0	£0
Investing in our Growth Fund	£20,000,000	£600,000	£412,500
Newmarket Leisure Centre (relating to £4m from 2008)	£4,000,000	£122,250	£169,600
Toggam Solar Farm (amount carried forward from 2017/18)	£2,290,041	£436,000	£202,000
Total	£35,355,054	£1,158,250	£784,100

**These projects were originally to be funded from capital receipts, however the Council took advantage of utilising capital receipts available at the time to finance the solar farm projects – creating additional (albeit temporary) savings in borrowing costs. The borrowing costs to fund these projects sits within the Toggam Solar Farm line.*

- 4.6 Members may also view the Joint Executive (Cabinet) Committee and the Performance and Audit Scrutiny Committee reports and their associated Appendices on the Council’s website via the above links or may request a paper copy from Democratic Services.

5. West Suffolk Local Development Scheme (LDS) December 2018: Adoption

Portfolio Holder: Cllr Lance Stanbury

Report No:
CAB/JT/18/054 and
Working Paper 1

(Working Paper 1 is also attached to this Council report at Appendix 5)

RECOMMENDED

That the West Suffolk Local Development Scheme (LDS), as set out in in Working Paper 1 to Report No: CAB/JT/18/054, be adopted.

- 5.1 The Local Plan is the tool used to deliver the land use elements of the wider place-making function of the Council. It is part of the suite of corporate strategies/plans and programmes which collectively deliver the strategic priorities.
- 5.2 As the starting point for considering whether planning applications can be approved. The Local Plan provides the framework for good development across West Suffolk.
- 5.3 A review of the existing Local Plans is now required to meet our Council ambitions and to safeguard communities from speculative unsustainable growth – development in the wrong locations and without the necessary strategic infrastructure. The Local Plan will provide a positive, flexible and deliverable planning policy framework for West Suffolk.
- 5.4 Before starting work on the West Suffolk Local Plan, the Council has reviewed and updated the Local Development Scheme which sets out what development plan documents are to be produced, their subject matter and broad timetable for their preparation including consultation, examination and adoption.
- 5.5 A revision to the 2016 joint St Edmundsbury and Forest Heath LDS is now required in order to:
 - reflect recent changes to the planning system
 - prioritise plan preparation and progression in order to meet the single council consequential order clause which requires West Suffolk to prepare a Local Plan across the administrative area within 5 years of becoming a single council (April 2024)
 - to update progress on the development plan documents currently in preparation; and
 - to roll the programme forward to 2023 for the preparation of a West Suffolk Local Plan. The revised LDS is attached at Working Paper 1 to Report No: CAB/JT/18/054.
- 5.6 Annex 1 to the LDS document is the programme chart with milestones for the preparation of the West Suffolk Local Plan. The key milestones are set

out below for information. The programme takes a realistic and inclusive approach, based on the time taken to achieve key milestones during the preparation of previous Local Plans and to ensure proper engagement and consultation. Progress will be measured against milestones to assess whether there is any need to revise the published timetable. The timeline is a 'live' document and will be updated on the West Suffolk Council's website as necessary.

Stage	Dates
First Regulation 18 public consultation on issues and options	November 2019 - January 2020
Second Regulation 18 public consultation on preferred options	August - October 2020
Pre-submission consultation	April - May 2021
Submission to the Secretary of State	July 2021
Examination in public	January - February 2022
Adoption of West Suffolk Local Plan	May 2023

- 5.7 This referrals report is also due for consideration by the St Edmundsbury Council at their meeting on 18 December 2018.
- 5.8 Members may also view the Joint Executive (Cabinet) Committee report and its associated Appendices on the Council's website via the above links or may request a paper copy from Democratic Services.

6. West Suffolk Statement of Community Involvement (SCI) December 2018: Adoption

Portfolio Holder: *Cllr Lance Stanbury*

Report No:
[CAB/JT/18/055](#) and
[Working Paper 1](#)
(Working Paper 1 is also attached to this Council report at Appendix 6)

RECOMMENDED

That the West Suffolk Statement of Community Involvement (SCI), as set out in Working Paper 1 to Report No: CAB/JT/18/055, be adopted.

- 6.1 The Local Plan is the tool used to deliver the land use elements of the wider place-making function of the Council. It is part of the suite of corporate strategies/plans and programmes which collectively deliver the strategic priorities.
- 6.2 As the starting point for considering whether planning applications can be approved. The Local Plan provides the framework for good development across West Suffolk.
- 6.3 A review of the existing Local Plans is now required to meet our Council ambitions and to safeguard communities from speculative unsustainable growth – development in the wrong locations and without the necessary strategic infrastructure. The Local Plan will provide a positive, flexible and deliverable planning policy framework for West Suffolk.

- 6.4 Before starting work on the West Suffolk Local Plan, the Council has reviewed and updated its Statement of Community Involvement which explains how they will engage local communities and other interested parties in producing their Local Plan and determining planning applications.
- 6.5 Section 18 of the Planning and Compulsory Purchase Act 2004 introduced the requirement for local planning authorities to produce a Statement of Community Involvement (SCI). The current joint Forest Heath District Council and St Edmundsbury Borough Council SCI was adopted in February 2014.
- 6.6 Recently, a number of legislation changes have resulted in the need to update the SCI. These include, through the Neighbourhood Planning Act 2017, a requirement for the SCI to set out the local planning authority's policies for giving advice and assistance in relation to making and modifying neighbourhood plans and neighbourhood development orders. The Neighbourhood Planning Act also requires the SCI to include the authorities' policies for involvement in relation to the preliminary stages of plan production.
- 6.7 The NPPF 2018 also introduced new requirements to produce Statements of Common Ground under the Duty to Cooperate. The requirement for the SCI to be subject to examination and for any review to be the subject of public consultation has also been removed. Reviewing the SCI also provided an opportunity to reflect changes to the Councils' practices such as the introduction of charging for pre-application advice and the forthcoming creation of a single West Suffolk Council.
- 6.8 A reviewed version of the SCI taking into account recent legislative and procedural changes is attached as Working Paper 1 to Report No: CAB/JT/18/055.
- 6.9 This referrals report is also due for consideration by the St Edmundsbury Council at their meeting on 18 December 2018.
- 6.10 Members may also view the Joint Executive (Cabinet) Committee report and its associated Appendices on the Council's website via the above links or may request a paper copy from Democratic Services.

This page is intentionally left blank

West Suffolk Gambling Act 2005 Statement of Policy

**Effective 30 January 2019 to 31 January 2022
(Unless revised sooner)**

(Amendments shown in red text)

Preface

Section 349 of the Gambling Act 2005 requires all licensing authorities to prepare and publish a statement of policy that they propose to apply in exercising their functions under the act during the three-year period to which the policy applies.

Working together, Forest Heath District Council and St Edmundsbury Borough Council have developed this document with due regard to all available regulations, conditions, codes of practice, statutory guidance, practical experience of legislation and any consultee responses. Should anything in future publications, legislative/regulatory changes or case law impact upon the content of this 'statement of policy' document, then it will be taken into account and the document may be updated at a later stage and with due consideration to the resource implications for the licensing authority.

All references made within this document to the Gambling Commission Guidance for Licensing Authorities, and any extracts quoted thereof.

Throughout this statement of policy the term 'the councils' and 'the licensing authority' should be read as jointly applying to both councils' licensing authority functions, that is, Forest Heath District Council and St Edmundsbury Borough Council. Where the statement applies to only one of the councils, it will be stated which one.

For more information refer to:

- www.gamblingcommission.gov.uk
- www.culture.gov.uk
- www.westsuffolk.gov.uk

If you require this information in another format or language, phone 01284 758050 or email licensing@westsuffolk.gov.uk to discuss your need.

Gambling Act 2005: Statement of policy

Effective 30 January 2019 until 31 January 2022

Contents

Part A – General	3
1.0 The licensing objectives	3
2.0 The West Suffolk councils	3
2.1 Background	3
2.2 About the area	4
2.3 Policy development	5
3.0 Declaration	6
4.0 Responsible authorities	6
5.0 Interested parties	7
6.0 Exchange of information	7
7.0 Enforcement	8
8.0 licencing authority functions	9
9.0 Appeals	10
10.0 Risk assessment and local area profile	10
Part B – Premises licences	13
1.0 General principles	13
2.0 Reviews	19
3.0 Provisional statements	20
4.0 Temporary use notices	21
5.0 Occasional use notices	22
6.0 Casinos	23
7.0 Bingo premises	23
8.0 Betting premises	24
9.0 Tracks	26
10.0 Adult gaming centre’s	34
11.0 (Licensed) family entertainment centre’s	35
Part C. Permits, temporary use notices and occasional use notices	37
1.0 Unlicensed family entertainment centre (unlicensed FEC’s) gaming machine permits	37
2.0 Club gaming permits	38
3.0 Club machine permits	40
4.0 (Alcohol) licensed premises gaming machine permits	41
5.0 Prize gaming and prize gaming permits	42
6.0 Travelling fairs	43
7.0 Society lotteries	44
Schedule A	46
Gambling Act 2005 Statement of Licensing Principles: consultee list	46
Schedule B	47
Schedule C	50
Schedule D	52
Authorised gambling activities	52

Part A – General

1.0 The licensing objectives

1.1 In exercising most of its functions under the Gambling Act 2005, the licencing authority must have regard to the licensing objectives as set out in section 1 of the Gambling Act 2005 ('the Act'). The licensing objectives are:

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

The Gambling Commission has stated, with limited exceptions, the intention of the Gambling Act 2005 is that children and young persons should not be permitted to gamble and should be prevented from entering those gambling premises which are adult only environments. The objective refers to protecting children from being 'harmed or exploited' by gambling. This means preventing them from taking part in gambling activities except limited authorised activities (see schedule D), and for there to be restrictions on advertising so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children excepting category D machines.

1.2 In accordance with section 153 of the act, in making decisions about premises licenses and temporary use notices the licensing authority should **aim to permit** the use of the premises for gambling purposes in so far as it thinks it:

1. in accordance with any relevant code of practice issued by the Gambling Commission
2. in accordance with any relevant guidance issued by the Gambling Commission
3. reasonably consistent with the licensing objectives, and
4. in accordance with the authority's statement of policy.

2.0 The West Suffolk councils

2.1 Background

2.1.1 Forest Heath District Council and St Edmundsbury Borough Council are both district councils in terms of their functions and in 2011 both councils agreed to build on several years of informally sharing services by creating a West Suffolk partnership. The partnership is designed to retain each council's individual identity while having a single staff team working across the councils' boundaries (and beyond, through working with other partners). This partnership will be maintained when the two councils become West Suffolk Council on the 1 April 2019.

2.1.2 Since 2011 the West Suffolk councils have adopted several joint policies and strategies and also a shared constitution for West Suffolk which allows the

councils to maintain their own local identity where appropriate whilst simplifying how meetings are conducted, decisions are made decision-makers are held to account. The constitution is considered the foundation of every council and the shared document ensures there is a consistent decision-making process throughout all areas of both councils.

2.1.3 The West Suffolk councils have also adopted a joint Strategic Framework which sets out the vision, priorities and key actions for West Suffolk. The specific actions for the shared vision and strategic priorities are contained in the West Suffolk Strategic Framework, available at:
<https://www.westsuffolk.gov.uk/strategicframework>

2.1.4 More information about the services provided by the West Suffolk partnership can be found at <https://www.westsuffolk.gov.uk/civicleadership>.

2.2 About the area



2.2.1 The area of West Suffolk comprises the council areas of Forest Heath and St Edmundsbury, two predominantly rural districts in the heart of East Anglia. Well-connected with London, the rest of East Anglia and the Midlands, West Suffolk is a safe and comparatively prosperous place in which to live. It also has some beautiful and accessible countryside areas, including grassland, heath and forest.

2.2.2 Forest Heath has three main market towns, Brandon, Newmarket and Mildenhall. St Edmundsbury has two: Bury St Edmunds and Haverhill.

2.2.3 Bury St Edmunds, the largest settlement in West Suffolk, has been a prosperous town for centuries, with people drawn to its market and Georgian architecture, shops, leisure and cultural facilities.

2.2.4 Newmarket is known as the 'home of horseracing'. It has more racehorses, trainers, stable staff, stud farms and racing organisations in and around the town than anywhere else in the world, with racing accounting for a significant

number of local jobs.

- 2.2.5 Haverhill, Mildenhall and Brandon expanded significantly in the 1970s due to the construction of new housing to accommodate families moving as part of the Greater London Council's expansion programme.
- 2.2.6 Today, West Suffolk has a thriving, diverse economy, embracing a number of business sectors. These include tourism, food and drink, life sciences and advanced manufacturing, including a number of businesses trading with the two major US Air Force bases in West Suffolk.
- 2.2.7 In all of West Suffolk's towns and rural areas, many of the residents benefit from a good quality of life. However, some areas have suffered more than others from the impact of the economic downturn, and others are facing issues such as: rural isolation, a lack of skills or qualifications amongst young people, an ageing population with some in need of more specialist housing or care, poverty, or health deprivation.

2.3 Policy development

- 2.3.1 Licensing authorities are required by the act to publish a statement on 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 must be re-consulted upon. Following any amendment and consultation, the revised statement will then be re-published.
- 2.3.2 West Suffolk councils consult widely upon this statement of policy before it is finalised and published. The Gambling Act 2005 requires that the following parties are consulted by licensing authorities:
- The Chief Officer of Police
 - One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area
 - One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.

A list of the persons to be consulted by the licensing authority is attached to this document as **Schedule A**.

- 2.3.3 This policy will be consulted upon with key stakeholders between 10 July and 28 August 2018 and will be presented to Cabinet on 2 October 2018 and full Council 18 and 19 December 2018 for consideration of re-adoption.
- 2.3.4 It should be noted that this statement of policy document shall **not** override the rights 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.

2.4 Licensing Service contact details

Forest Heath District Council

Environmental Health
District Offices
College Heath Road
Mildenhall
Suffolk
IP28 7EY

St Edmundsbury Borough Council

Environmental Health
West Suffolk House
Western Way
Bury St Edmunds
Suffolk
IP33 3YU

or

Telephone: 01284 758050

email: licensing@westsuffolk.gov.uk

website: www.westsuffolk.gov.uk

3.0 Declaration

- 3.1 In producing this statement of policy the licensing authority declares that it has had due regard to the licensing objectives of the Gambling Act 2005 (see 1.1 of this document), the guidance issued by the Gambling Commission, and any responses from those consulted on the statement of policy.

4.0 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 licensing authority about the protection of children from harm. The principles are:
- the need for the body to be responsible for an area covering the whole of the licensing authority's area;
 - the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.
- 4.2 In accordance with Gambling Commission Guidance for Licensing Authorities. This authority intends to designate the **Suffolk Local Safeguarding Children Board** for this purpose. The Suffolk Local Safeguarding Children Board has an arrangement with the Suffolk Constabulary for the Constabulary to act as their nominated agent in relation to Gambling Act 2005, when considering applications with a view to protecting children from harm.
- 4.3 The contact details of all the responsible bodies under the Gambling Act 2005 are available via the West Suffolk councils' website at or available upon request to the Licensing Service.

5.0 Interested parties

- 5.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. The Gambling Act 2005 defines interested parties as persons who:
- a. live sufficiently close to the premises to be likely to be affected by the authorised activities
 - b. have business interests that might be affected by the authorised activities, or
 - c. represents persons who satisfy paragraph a. or b.
- 5.2 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:
- Each case will be decided upon its merits; and
 - The licencing authority will not apply a rigid rule to its decision making. It may have regard to a number of factors, for example:
 - The size of the premises
 - The nature of activities the applicant proposes to provide at the premises, and
 - Guidance from the Gambling Commission that 'business interests' should be given the widest possible interpretation (see paragraph 24 of the Gambling Commission guidance).
- 5.3 Interested parties can include persons who are democratically elected such as county, parish and town councillors and MPs. Other than these persons, the licensing authority will normally require written evidence that a person 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or business interests that might be affected by the authorised activities.
- 5.4 If individuals approach councillors to ask them to represent their views then care should be taken that the councillors are not subsequently appointed as part of a licensing sub-committee who may be involved with the determination of dealing with the licence application. If any further guidance is required, generally or in individual cases, then please contact the Licensing Section at Forest Heath District Council.

6.0 Exchange of information

- 6.1 This licensing authority will, when exchanging information which it holds relating to gambling premises, permits and temporary permissions, apply the following principles:
1. Act in accordance with the provisions of the Gambling Act 2005.
 2. Comply with the Data Protection Act 1998 and any subsequent or supplementary guidance provided by the Information Commissioner.
 3. Comply with any relevant requirements of the Freedom of Information Act 2000.

4. Have regard to Part 13 of the Guidance issued by the Gambling Commission on this matter.
5. The Gambling Commission's publication 'Advice to Licensing Authorities on information exchange with the Gambling Commission' (as may be periodically updated).
6. 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 pursuant to section 350 of the Act concerning information exchange with the other bodies as listed in Schedule 6(1) of the act then these will be made available by the licencing authority.

7.0 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. West Suffolk councils corporate enforcement policy will be applied when considering, managing and taking enforcement action. A copy is available on the councils' website.

7.2 This licensing authority's principles are that it will be guided by the Gambling Commission Guidance (in particular Part 36), the Regulators' Compliance Code, shall endeavour to regulate in the public interest and be:

- **proportionate:** regulators should only intervene when necessary and 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 In accordance with the Gambling Commission guidance, the licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

7.4 Any inspection programme, which may be adopted by the licensing authority, shall be risk-based. This would include targeting high-risk premises which require greater attention, whilst operating a lighter touch in respect of low-risk premises, so that resources are more effectively concentrated on problem premises. Further detail are available upon request.

7.5 The enforcement and compliance role for the licencing authority under the Gambling Act 2005 is to ensure compliance with the Premises licenses and other permissions, which it authorises. The Gambling Commission is the enforcement body for operator and personal licences. Manufacture, supply or

repair of gaming machines is dealt with by the Gambling Commission and not by the licensing authority.

- 7.6 This licensing authority will also endeavour to work in partnership with and support local businesses, having due regard to the stated principles and any best practice guidelinesⁱ published by the Better Regulation Executive, in respect of its responsibilities under the Gambling Act 2005 and other regulatory functions of the local authority.
- 7.7 With due regard to the principle of transparency, any enforcement/compliance protocols or written agreements developed by the licencing authority shall be made available upon request to the Licensing Team.
- 7.8 In considering applications, and taking enforcement action, under the Gambling Act 2005 the licencing authority shall duly consider any Human Rights Act 1998 implications (in particular Article 1, Protocol 1 and Articles 6, 8 and 10).

8.0 licencing authority functions

- 8.1 The Act gives Licensing Authorities a number of important regulatory functions in relation to gambling, the main functions of which are to:
- consider **notices** given for the temporary use of premises for gambling
 - grant **permits** for gaming and gaming machines in **clubs and miners' welfare institutes**
 - regulate gaming and gaming machines in **alcohol-licensed premises**;
 - grant **permits** to **family entertainment centres** (FEC's) for the use of certain lower stake gaming machines
 - grant permits for **prize gaming**
 - consider **occasional use notices** for betting at tracks
 - register small societies' lotteries
 - consider applications for **provisional statements**
 - provide information to the Gambling Commission regarding details of licences, permits, notices and registrations issued (see section 6 above on 'Exchange of information')
 - maintain registers of the permits, notices and licences that are issued under these functions, and
 - prepare and publish, every three years (or sooner if required), a **statement of the policy** it proposes to apply when exercising its functions under the Gambling Act 2005.

Additions or amendments to the list above notified by the Gambling Commission will be published on the council's website or upon request direct to the Licensing Service.

- 8.2 The councils' summary of delegations adopted under the Gambling Act 2005 is available separately via the council's website at www.westsuffolk.gov.uk or upon request to the Licensing Service.
- 8.3 It should be noted that local licensing authorities are not responsible for licensing remote gambling. This is the responsibility of the Gambling Commission.

8.4 The Gambling Commission works in partnership with licensing authorities to regulate gambling. In doing so, the Commission will tend to focus on operators and issues of national or regional significance, and licensing authorities will take the lead on regulating gambling locally. The Commission and licensing authorities may work directly together on particular issues, for example where it may establish a precedent or help build capacity and learning to be rolled out more widely. Licensing authorities work with local businesses to reduce the risk to the licensing objectives to acceptable levels.

8.5 The Act creates three types of licence:

- operating licences, which are required by businesses in order to provide gambling facilities lawfully
- personal licences, which are required by some people working in the gambling industry
- premises licences, which are required to authorise premises to provide gambling facilities.

8.6 In terms of the split of licensing functions, the Commission has responsibility for granting operating and personal licences for commercial gambling operators and personnel working in the industry. Licensing authorities have responsibility for licensing gambling premises within their area, as well as undertaking functions in relation to lower stake gaming machines in clubs and minors' welfare institutes. The Act also provides a system of temporary and occasional use notices and these are also regulated by local authorities.

9.0 Appeals

9.1 Appeals relating to premises licensing and other decisions by licensing authorities are covered within the relevant legislation and regulations and are referred to in Part 12 of the Gambling Commission guidance.

10.0 Risk assessment and local area profile

10.1 The Gambling Commission issue codes of practice under section 24 of the Gambling Act 2005, about the manner in which facilities for gambling are provided to ensure that:

- gambling is conducted in a fair and open way
- children and other vulnerable people are protected from being harmed or exploited by gambling
- assistance is made available to people who are, or may be, affected by problems related to gambling.

10.2 Codes of practice are either:

- social responsibility code provisions - which must be adhered to by all licence holders

- ordinary code provisions – these do not have the status of licence conditions but failure to take account of them can be used as evidence in criminal or civil proceedings.

10.4 Operators will be required to prepare a risk assessment for their business which takes into account the nature and characteristics of the locality in which they are situated.

Assessing local risk

1. Licensees must assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy.
2. Licensees must review (and update as necessary) their local risk assessments:
 - a. to take account of significant changes in local circumstances, including those identified in a licensing authority's statement of licensing policy
 - b. when there are significant changes at a licensee's premises that may affect their mitigation of local risks
 - c. when applying for a variation of a premises licence, and
 - d. in any case, undertake a local risk assessment when applying for a new premises licence.

Sharing local risk assessments

All non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences.

1. Licensees should share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise on request.

10.5 **Local area profiles:** Such risk assessments can make reference to the councils' area profile which may be compiled with respect to reported gambling-related problems in an area. At the time of preparing this edition of the statement of licensing policy there has been no evidence presented to the West Suffolk councils to support the assertion that any part had or is experiencing problems from gambling activities.

10.6 This position will be kept under review, however, as the council sees this as best practice has compiled a basic guidance document using ward profiles and licensing figures. This document is available on our website https://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/Gambling_and_lotteries/index.cfm.

Part B – Premises licences

1.0 General principles

- 1.1 Premises licences are subject to the requirements set out in the Gambling Act 2005 and regulations. The act provides that conditions may be attached to licences, in a number of ways:
1. automatically, having been set out on the face of the act
 2. through regulations made by the Secretary of State
 3. by the commission, to operating and personal licences
 4. by the licensing authority, to premises licences and some permits, and
 5. by the licensing authority, by excluding certain default conditions on a premises licence.
- 1.2 When determining an application, this licencing authority **aims 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 principles.
- 1.3 **Definition of 'premises':** Premises is defined in the act as 'any place'. A particular premises cannot be granted more than one premises licences under the gambling act at any one time. It is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being separate premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances. However, the Gambling Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can be properly regarded as different premises.
- 1.4 The licencing authority takes particular note of the Gambling Commission Guidance, which states that licensing authorities should take particular care when considering applications for multiple licenses for more than one premises licences for a single building, applications for a premises licence where part of the premises is used for non-gambling purposes. In particular the licencing authority will consider whether:
- entrances and exits from parts of a building covered by one or more licences are to be separate and identifiable so that the separation of different premises is not compromised and that people cannot 'drift' into a gambling area
 - premises are configured so that children are not invited to participate in, have accidental access to, or able to closely observe gambling where they are prohibited from participating, and

- customers are able to participate in the principal gambling activity authorised by the premises licence.

1.5 The licencing authority takes particular note of the Gambling Commission guidance, which states that licensing authorities should pay particular attention to applications where access to the licensed premises is through other premises, whether licensed or unlicensed. The licencing authority will consider whether:

- entrances and exits from parts of a building covered by one or more licences are to be separate and identifiable so that the separation of different premises is not compromised and that people cannot 'drift' into a gambling area
- 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 and
- customers are able to participate in the principal gambling activity authorised by the premises licence.
- children can gain access to the premises
- the two establishments are compatible and
- The proposed licence holder would be able to comply with the requirements of the act, for example, mandatory operating licence conditions, and
- Gambling Commission guidance in relation to division, separation or splitting of premises and primary gambling activity (Part 7 of statutory guidance).

In addition an overriding consideration for the licencing authority is whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the act.

1.6 Where an application is made in respect of a premises to be constructed or altered the licencing authority will consider each application on its own merits having due regard to the advice given by the Gambling Commission in its Guidance. The licencing authority will consider:

- if a future effective date on the licence is appropriate; or
- the licence should be issued subject to a condition that trading shall not commence until the premises have been completed in all respects and in accordance with the scale plans provided with the application.

The licencing authority may require inspection of the completed works or written confirmation from the applicant, their agent or surveyor to satisfy the authority that the completed works comply with the original, or changed, plan attached to the premises licence.

1.7 **Primary gambling activity:** The licensing authority takes particular note of the Gambling Commission guidance which states that licensing authorities exercise care when considering applications to ensure that the primary gambling activity of the premises should be that described by the premises

licence type. For example, in a bingo premises, the primary activity should be bingo, with gaming machines as an ancillary offer on the premises.

- 1.8 **Location:** Demand or need for licensed premises cannot be considered with regard to the location of premises. In accordance with the Gambling Commission guidance, the licencing authority will pay particular attention to 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 concerning areas where gambling premises should not be located, this policy 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 possibility for the applicant to show how any concerns can be overcome.
- 1.9 **Duplication with other regulatory regimes:** The licencing authority seeks to avoid any duplication with other statutory/regulatory systems wherever possible, including planning, building control, health and safety and fire safety.

Should it come to the attention of the licencing authority that planning conditions or other regulatory restrictions/controls may impact on a premises operator's ability to comply with mandatory or default conditions then it may alert the applicant accordingly. The grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.

- 1.10 The premises operators are normally responsible for compliance with any other statutory requirements which may apply (for example, Regulatory Reform (Fire Safety) Order 2005).
- 1.11 The licencing authority will seek to avoid duplication with other regulatory regimes when dealing with the licensing function. If other existing law already places certain statutory responsibilities on an employer or operator of premises, it cannot be necessary to impose the same or similar duties on the premises licence (or, in certain circumstances, permit) holder. Once the discretion of the licencing authority is engaged, it is only where additional and supplementary measures are necessary to promote the licensing objectives that necessary and proportionate conditions will be attached to a licence.
- 1.12 Other local authority and government policies, strategies, responsibilities, and guidance documents may also refer to the licensing function, and the licencing authority may liaise with the relevant authorities or its directorates with regard to these. While some of these may not be directly related to the promotion of the licensing objectives, they can indirectly impact upon them. For example, the licencing authority will liaise closely with Local Police to ensure that the Local Authority can develop effective strategies that take full account of local crime and disorder issues.

It is the licencing authority's intention that it will, through its licensing committee, monitor how the matters set out in this paragraph impact on the licencing authority's licensing and other functions in order to integrate its licensing function with other relevant strategies.

The licencing authority will maintain a list of those strategies and policies with which it seeks to integrate its aims and objectives on the website, at www.westsuffolk.gov.uk.

- 1.13 **Licensing objectives:** Premises Licenses granted must be reasonably consistent with the licensing objectives. With regard to these objectives, the licencing authority has considered the Gambling Commission Guidance and provides some commentary below:

1. **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime:**

The Gambling Commission takes the leading role in preventing gambling from being a source of crime. Where a particular area is associated with criminal activity the licencing authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be appropriate, for example the provision of door supervisors. There is a distinction between disorder and nuisance, and licencing authority will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed when determining applications under the Gambling Act 2005.

2. **Ensuring that gambling is conducted in a fair and open way:**

The Gambling Commission stated in its guidance that it would, with the exception of tracks (see Part B section 7 of this document) generally not expect Licensing Authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this is addressed via operator and personal licensing requirements. If the licencing authority suspects that gambling is not being conducted in a fair and open way then this will be brought to the attention of the Gambling Commission for its further consideration.

3. **Protecting children and other vulnerable persons from being harmed or exploited by gambling:**

The Gambling Commission has stated, with limited exceptions, that the intention of the Gambling Act is that children and young persons should not be permitted to gamble and should be prevented from entering those gambling premises which are adult only environments. The objective refers to protecting children from being 'harmed or exploited' by gambling. This means preventing them from taking part in gambling activities except limited authorised activities (see schedule D), and for there to be restrictions on advertising so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children (excepting category D machines). With the exception of bingo clubs, tracks on race-days and licensed family entertainment

centres, children should not be permitted to enter licensed gambling premises.

The licensing authority will therefore consider, as suggested in the Gambling Commission Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include such matters as supervision of entrances/machines or segregation of areas.

The licensing authority will also have due regard to any relevant codes of practice issued by the Gambling Commission concerning this licensing objective in relation to specific premises.

This section refers to 'vulnerable persons' but for regulatory purposes assume that this group includes people who:

- gamble more than they want to
- gamble beyond their means
- who may not be able to make informed or balanced decisions about gambling due to a mental health needs, alcohol or drugs."

The licensing authority will consider this licensing objective on a case by case basis.

1.14 **Conditions:** Since the licensing authority must aim to permit the use of premises for gambling, it will not attach conditions which limit the use of the premises for gambling, except where that is necessary as a result of the requirement to act:

- in accordance with the Gambling Commission guidance, the commission's codes of practice or this licensing authority's statement of policy; or
- in a way that it is reasonably consistent with the licensing objectives.

This licensing authority notes that conditions on premises licences should only relate to gambling, and it is not necessary, proportionate or appropriate to impose conditions on a premises licence where the Gambling Commission's Licence Conditions and Codes of Practice, or other legislation, places the same or similar duties, responsibilities or restrictions on an employer or the operator of gambling premises.

This licensing authority shares the view of the Gambling Commission that the mandatory and default conditions set by the Secretary of State will normally be adequate for the general good conduct of gambling premises. However, where there are specific, evidenced risks or problems associated with a particular locality, specific premises, or class of premises in its area then the licensing authority may be able to attach individual conditions to address this.

Any conditions attached by the licensing authority to a premises licence shall be:

- carefully considered in view of the matters mentioned above
- proportionate

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

Sections 169 to 172 of the Act set out certain matters that may not be the subject of licensing authority conditions, as set out below:

- any condition on the premises licence which makes it impossible to comply with an operator 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.

The licensing authority will have due regard to these when considering the need for conditions.

- 1.15 The licencing authority will also consider specific measures, which may be required for buildings, which are the subject of more than one Premises Licence.

In considering these matters the licensing authority shall have due regard to:

- any mandatory or default conditions of licence;
- any relevant codes of practice (particularly social responsibility provisions linked to operator licences) issued by the Gambling Commission; and
- Gambling Commission guidance.

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 specific non-adult gambling premises in order to promote the licensing objectives.

- 1.16 The licensing authority must be satisfied that where category C or above machines are available 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 may apply to premises including buildings where more than one Premises Licence is applicable.

- 1.17 Tracks may be subject to one, or more than one, premises licence provided each licence relates to a specified area of the track. In accordance with the Gambling Commission guidance, the licensing authority will consider the impact upon the protection of children and vulnerable adults 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.
- 1.18 In accordance with Gambling Commission guidance, the licensing authority may consider whether door supervisors are necessary and appropriate in the particular circumstances in order to:
- prevent premises from becoming a source of crime or disorder, or
 - protect children and vulnerable persons from being harmed or exploited by gambling.

Should the licensing authority consider that door supervisors are necessary and appropriate in the particular circumstances to promote the licensing objectives for a particular premises, it will normally expect that any person employed as a door supervisor at that premises will either:

- meet the minimum requirements necessary for that individual to be licensed by the Security Industry Authority (SIA) in normal circumstances (accepting that there is a specific exemption for the licensing of door supervisors by the SIA for casino and bingo premises), or
- the holder of the operator licence will have recruitment criteria for their door supervisors, which may specify:
 1. a minimum training standard (whether within the organisation, or a nationally accredited training course), and
 2. an assessment of whether that individual is fit and proper, for example by means of a subject access search, Disclosure and Barring Service (DBS) basic disclosure or other means.

2.0 Reviews

2.1 An application for review of a premises licence may be made by:

- an interested party
- a responsible authority, and
- the licencing authority, for:
 - a particular class of premises licence, or
 - in relation to a particular premises, and
- it is for the licencing authority to determine whether the review is to be carried out.

2.2 Any request for a review should normally relate to matters relevant to one or more of the following:

- any relevant code of practice issued by the Gambling Commission
- any relevant guidance issued by the Gambling Commission
- the licensing objectives, and
- the licencing authority's statement of policy.

When considering any review request, or whether to instigate its own review, the licencing authority will have due regard to the guidance issued by the Gambling Commission and consider:

- each application on its merits
- whether matters raised in the application are frivolous or vexatious
- whether the application would certainly not cause the it to amend/suspend or revoke the licence, or
- whether the request is substantially the same as any previous representations or requests made for a review or previous application for the same premises.

Officers of the authority may attempt informal mediation or dispute resolution techniques, where practicable, prior to a review being conducted.

2.3 A review application must only be determined by a subcommittee, and not by an officer. The purpose of a review is to determine whether the licencing authority should take any action in relation to the licence. The licencing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations. If action is justified, the options are to:

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

3.0 Provisional statements

3.1 An applicant may apply for a full premises licence where the premises are uncompleted or unaltered (see Part B section 1.7 of this document). However, an applicant for a provisional statement does not need the right of occupation or an operator licence (granted or applied for), which are required in order to apply for a premises licence.

3.2 An application may be made to the licencing authority, under section 204 of the Act, for a provisional statement in respect of premises that the applicant expects to:

- be constructed
- be altered, or
- acquire a right to occupy.

An application may also be made for a provisional statement for premises which already have a premises licence (either for a different type of gambling or the same type).

- 3.3 When considering an application for a provisional statement the licencing authority shall have due regard to the guidance issued by the Gambling Commission (in particular Part 11). Subject to any necessary modifications, the process for considering an application for a provisional statement is the same as that for a premises licence, including the rights of interested parties and responsible authorities to make representations and rights of appeal.
- 3.4 If representations about premises licence applications following the grant of a provisional statement are received, they may not be taken into account unless they concern matters which could not have been addressed when determining the provisional statement, or they reflect a material change in the circumstances of the application. The licencing authority must determine the premises licence, referring only to matters:
- which could not have been raised by way of representations at the provisional statement stage
 - which in the licencing authority's opinion reflect a change in the operator's circumstances, or
 - where the premises has not been constructed in accordance with the plan and information submitted with the provisional statement application. If there are substantial changes to the plan the licencing authority will discuss any concerns with the applicant before making a decision.
- 3.5 In accordance with section 210 of the act (which applies to premises licences and provisional statements), the licencing authority must not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with planning or building law.

4.0 Temporary use notices

- 4.1 Temporary use notices (TUN) allow the use of premises for gambling where there is no Premises Licence but where a licensed gambling operator wishes to use the premises for providing facilities for equal chance gaming. The Gambling Commission guidance suggests that premises that might be suitable for TUNS may include hotels, conference centres and sporting venues, and that equal chance gaming may include games such as backgammon, mah-jong, rummy, kapok, dominoes, cribbage, bingo and poker but may not be provided by means of machine.
- 4.2 There are a number of statutory limits that apply in respect of a TUN, including that a TUN may only be granted to a person or company holding a relevant operator licence, in effect a non-remote casino operating licence, and limitations on the number of times a 'set of premises' can be used under these provisions.
- 4.3 A 'set of premises', as referred to in section 218 of the act, is the subject of a TUN if any part of the premises is the subject of a notice. This reference to 'premises' is not the same as that in Part 8 of the Act and prevents one large

premises from serving a TUN for different parts of the premises and exceeding the statutory limit of 21 days in any 12 month period.

- 4.4 The licencing authority will take into account Gambling Commission guidance when considering whether a place falls within the definition of a 'set of premises'. This consideration may include looking at the ownership, occupation and control of the premises. The Gambling Commission guidance advises that: "This is a new permission and licensing authorities should be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises."
- 4.5 Where a notice of objection is received in respect of a temporary use notice, the licensing authority will hold a hearing and consider representations from:
- the person who gave the notice
 - any person who objected to the notice, and
 - any party who was entitled to receive a copy of the temporary use notice.

Where all parties agree that a hearing is unnecessary, the hearing may be dispensed with.

- 4.6 Where objections are made, a modification to the TUN may be proposed, which could include:
- a reduction in the number of days when gambling occurs
 - a restriction on the type of gambling which may take place.
- 4.7 Where, following a hearing, or after a hearing has been dispensed with, the licensing authority considers that the temporary use notice should not have effect, it must issue a counter notice which may:
- prevent the temporary use notice from taking effect;
 - limit the activities that are permitted
 - limit the time period of the gambling
 - allow the activity to take place subject to a specified condition.
- 4.8 The principles which the licensing authority will apply in determining a TUN are those which it will apply when determining a premises licence, as set out at part B, General principles, subject to its view as to whether it accords with a:
- commission code
 - the Guidance issued by the Gambling Commission
 - this licensing authority's statement of licensing policy, and
 - is reasonably consistent with the licensing objectives.

5.0 Occasional use notices

- 5.1 Occasional use notices (OUN) permit licensed betting operators (with appropriate permission from the Gambling Commission) to use tracks for short periods for conducting betting, where the event upon which the betting is taking place is of a temporary, infrequent nature. The OUN dispenses with the need for a betting Premises Licence for the track in these circumstances.

- 5.2 The OUN must be served by a person who is responsible for the administration of events on the track or by an occupier of the track.
- 5.3 The licencing authority must ensure that the statutory limit of eight days in a calendar year is not exceeded. The licencing authority must consider the definition of a 'track', which need not be a permanent fixture, and whether the applicant is eligible to serve the notice.

6.0 Casinos

- 6.1 This licencing authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but retains the power to do so. Any change will be published on the councils' website and the statement of principles in the intervening period.
- 6.2 Where a licencing authority area has the power to determine a premises licence application for a new style casino, it will do so following any regulations under Section 175 of the Gambling Act 2005 published by the Secretary of State.
- 6.3 The act lays down a framework for a two-stage process for considering applications in circumstances where the number of applications exceeds the number of licences available, and this will be followed by the licencing authority.
- 6.4 **Licence considerations/conditions:** The licencing authority shall have due regard to the Gambling Commission guidance in relation to the suitability and layout of casino premises, and also the guidance issued by the commission on primary gambling activity at casino premises.
- 6.5 **Betting machines:** Where betting is permitted in a casino, the licencing authority will normally, in accordance with the Gambling Commission guidance and when considering whether to impose a condition to restrict the number/nature/circumstances of betting machines (bet receipt terminals) made available in particular premises, 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 persons,.

7.0 Bingo premises

- 7.1 It is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category B or C or machines are made available for use on premises to which children are admitted Licensing Authorities should ensure that:
- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance; and
 - only adults are admitted to the area where the machines are located.

- 7.2 The licencing authority shall have due regard to relevant licence conditions and codes of practice in relation to the operation of Bingo premises, and also the Gambling Commission's guidance about the particular issues that licensing authorities should take into account in relation to the suitability and layout of bingo premises. This includes guidance on primary gambling activity, split premises and operating licence conditions.

8.0 Betting premises

- 8.1 **Gaming machines** are defined by the Act as machines designed or adapted for use by individuals to gamble (whether or not it can also be used for other purposes. It is an offence under the Act to make a gaming machine available for use, except under:

- An Operating Licence
- A Family Entertainment Centre Gaming Machine Permit
- A licensed premises Gambling Machine Permit
- A notification by Premises Licence Holder under Licensing Act 2003
- Exception for travelling fairs to operate category D gambling machines
- Provision that there is no prize or prize limited to value not in excess of amount paid to play

Further details about gaming machines can be found in Schedule C.

- 8.2 **Betting machines:** The licencing authority will normally, in accordance with the Gambling Commission 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 (bet receipt terminals) an operator wants to make available. Children and young persons will not be able to enter premises which hold a betting premises licence, unless the special rules applying to tracks are applicable.
- 8.3 Betting machines (Bet receipt terminals) are not gaming machines under the Act, and do not accrue against the premises entitlement for gaming machines, **unless** the machine is designed or adapted for use to bet on **virtual** races (that is, images generated by computer to resemble races or other events) in which case it is considered a gaming machine. Where betting facilities are provided only by betting machines the number of betting machines must exceed the number of gaming machines made available for use.
- 8.4 The licencing authority shall have due regard to the Gambling Commission's guidance in relation to the suitability and layout of betting premises. This includes guidance on primary gambling activity, split premises and operating licence conditions.

9.0 Tracks

9.1 Tracks are defined under the act as “a horse race course, greyhound track or other premises on any part of which a race or other sporting event takes place or is intended to take place”. Examples of tracks include:

- a horse racecourse
- a greyhound track
- a point to point horse race meeting
- football, cricket and rugby grounds
- an athletics stadium
- a golf course
- venues hosting darts, bowls or snooker tournaments
- premises staging boxing matches
- sections of river hosting a fishing competition
- a motor racing event.

This list is not exhaustive, but gives an example of the types of venue which could accommodate the provision of betting facilities.

9.2 There are three types of authorisation under which betting facilities may be made available at a sporting event:

- an occasional use notice
- a temporary use notice and
- a track premises licence.

Betting in relation to tracks may be provided either as on course, or off course betting. The different types of betting are explained in detail in the Guidance issued by the Gambling Commission, and an up to date excerpt of this guidance is published at www.gamblingcommission.gov.uk.

9.3 A betting premises licence permits premises to be used for the provision of facilities for betting, whether by:

- making or accepting bets
- acting as a betting intermediary, or
- providing other facilities for the making or accepting of bets.

9.4 Tracks are the only class of premises that may be subject to more than one premises licence, provided that each licence relates to a specific area of the track. This allows track venues to develop leisure facilities such as a casino and apply for a (casino) premises licence for that part of the track.

9.5 There is no special class of betting premises licence for a track, but the act does contain rules which apply specifically to Premises Licences granted in respect of tracks.

9.6 Special rules apply to applicants for a premises licence in relation to a track. Most importantly the applicant need not hold an operator licence. That is because, unless the occupier of the track wishes to offer pool betting (or general betting) facilities himself (for which he will need a licence) the betting that is provided upon the track will not be provided by him, but will be provided by other operators who come on-course. Since those people will require the

necessary operator licences, the act allows the track operator to obtain a premises licence without also having to hold an operator licence. This track premises licence then authorises anyone upon the premises with a valid operator licence to offer betting facilities.

- 9.7 Track premises licences are distinguished from all other premises licences because children and young persons are allowed to be present on the track while betting is taking place on those licensed premises.
- 9.8 Track premises that safeguard the achievement of the three licensing objectives may generally be considered fit for gambling, and some general principles hereby licensing authorities can establish whether a track is fit for the provision of gambling facilities are, as follows:

Licensing objective	Issues to consider	Reason to consider a track premises unfit for gambling purposes?
The protection of children and other vulnerable persons from being harmed or exploited by gambling	Tracks permit access to children.	No - children are allowed access to tracks on race days.
	Bet receipt terminals in areas where there is no supervision which would allow children or young persons to use machines undetected.	No - It is a mandatory condition of the operating licence that operators ensure that bet receipt terminals are supervised. This is not an issue for the premises licence.
	Children are allowed access to areas holding category B and C gaming machines.	It is a mandatory condition of the operating licence that operators ensure that children are not allowed access to areas where category B and C gaming machines are provided. However, section 182 of the Act also creates a premises licence condition that children and young persons must be excluded from areas where any gaming machines other than category D are located.
	Betting areas adjacent to areas where children/young persons are present such as play	No - children are allowed access to tracks on race days and so will be exposed to gambling areas.

	areas	It is a mandatory condition of the operating licence that operators do not accept bets from children or young persons.
	Betting areas adjacent to areas where children/young persons are present such as play areas	The commission considers that the location of betting does not generally pose a risk to this licensing objective. Licensing authorities may impose their own local conditions where they perceive problems.
Ensure gambling is conducted in a fair and open way	The rules of betting are not displayed on the premises.	No (not an issue at application stage) - it is a mandatory condition of the premises licence that the rules of betting are displayed.
	Unlicensed betting operators are allowed to operate on tracks.	No (not an issue at application stage) - it is a mandatory condition of the premises licence that licence holders make arrangements to ensure that they only allow licensed operators on track.
	Betting takes place out of approved hours.	No (not an issue at application stage) - it is a mandatory condition of the premises licence that betting only takes place within the specified hours.
Prevent gambling from being a source of crime and disorder	Betting is allowed in all parts of a track resulting in greater difficulties for track premises licence holders to identify instances of illegal betting.	No - the Commission's view is that this does not generally pose a risk to this objective. Licensing authorities may impose their own conditions should they perceive a problem.
	No formal exit/entry points allowing easy access for unapproved operators and customers.	No - the commission's view is that this does not generally pose a risk to this objective. Licensing authorities may impose their own conditions should they perceive a problem.

The licencing authority will take any such guidance into consideration when determining an application for a track premises licence.

9.9 **Access to premises and other parts of the track:** Access between premises licensed for gambling and non-gambling areas is an important local licensing consideration, for reasons such as the following:

- to prevent operators from seeking to circumvent the Act by artificially subdividing a premises and securing separate premises licences for its composite parts
- to ensure that operators do not circumvent regulations governing the maximum number of gaming machines applicable to specific premises;
- to ensure that people who have entered a premises for one type of gambling are not exposed to another, potentially harder, form of gambling
- to ensure that there is no direct access between gambling premises to which children have access and those which they are prohibited from entering
- to ensure that all gambling premises have publicly accessible entrances, and
- to ensure that gambling premises are not developed in the backrooms of other commercial premises.

9.10 **Access by children – special dispensation for tracks:** The act forbids all persons under 18 years old to enter premises when betting facilities are being provided, other than at tracks. This dispensation allows families to attend premises such as greyhound tracks or racecourses on event days, and children to be permitted into areas where betting facilities are provided, such as the betting ring, where betting takes place. This dispensation does not, however, apply to:

- areas within a track where category C or above machines are provided, or
- other premises to which under 18 year olds are specifically not permitted access.

Licensed betting operators at tracks are bound by their operating licence conditions which prevent them from accepting bets from persons who are under 18 years old. The track premises licence holder is also required through premises licence conditions to display a notice in a prominent place at every public entrance stating that no person under the age of 18 is permitted to bet on the premises.

There may be some specific considerations with regard to the protection of children and vulnerable persons from being harmed or exploited by gambling, the need to ensure entrances to each type of premises are distinct and that children are excluded from gambling or betting areas where they are not permitted to enter.

Children and young persons will by law be permitted to enter track areas where facilities for betting are provided on days when dog racing and/or horse racing takes place, although they are still prevented from entering areas where gaming machines (other than category D machines) are provided. The licencing authority will normally expect premises licence applicants to demonstrate

suitable measures to ensure the children do not have access to adult only gambling facilities.

Appropriate measures may include:

- proof of age schemes
- CCTV
- door supervisors
- supervision of entrances/machine areas
- physical separation of areas
- location of entry
- notices/signage
- specific opening hours
- the location of gaming machines
- self barring schemes
- provision of information leaflets/helpline numbers for organisations such as GamCare or Gamble Aware.

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

- 9.11 **Betting on event and non-event days:** Premises licence holders will be expected to comply with the mandatory and default conditions applicable to them on both event and non-event days. The licensing authority will not generally expect to re-assess a licence application as a result of a change to the dates of sporting events, but would expect applicants and licence holders to make information about sporting fixtures available as part of the application.

Significant changes to the fixture/events listing have a bearing on the licence conditions in that track premises licence holders will be expected to comply with the mandatory and default conditions applicable to them on both event and non-event days.

On days when no public sporting event is taking place on a track, gambling facilities may only be provided on the track between the hours of 7am and 10pm. Where the premises user intends to continue to offer facilities for gambling outside the proposed gambling hours on non-event days these facilities should be provided by virtue of an occasional use notice.

On non-event days, tracks become similar to licensed betting offices on the high street. Tracks may achieve this requirement by:

- locating all betting areas inside an area of the premises that is separated from the remainder of the premises by a physical barrier, thereby preventing access other than through a designated entrance
- only admitting adults to the part of the track where betting areas are located, by establishing procedures for verifying customer ages and refusing entry to adult-only areas for those unable to produce an acceptable form of identification (and taking action where there are unlawful attempts to enter adult-only areas), and
- placing prominent notices in front of and inside each entrance stating that access to the area is prohibited to persons under 18.

The licensing authority may consider reducing the default gambling hours, providing any reduction is in line with the principles set out in section 153 of the Act.

- 9.12. **Bet receipt terminals:** Licensed operators may install bet receipt terminals on tracks. There is no restriction on the number of bet receipt terminals that may be in use but operators must, by virtue of their operating licence conditions, supervise such terminals to prevent them being used by those under 18 years of age.

There is no formal requirement on track premises licence holders to involve themselves in the procedures used by betting operators to supervise their bet receipt terminals unless specific local conditions specifying supervisory arrangements are added to the track premises licence by the licensing authority terminals.

- 9.13 **Gaming machines:** A track premises licence does not of itself entitle the holder to provide gaming machines, as this type of premises licence can be held without any corresponding operating licence.

Where a track owner holds both a track premises licence *and* a pool betting operating licence issued by the commission (in effect, greyhound tracks only), they may site up to four gaming machines within categories B2 to D on the track.

Some tracks may also hold a premises licence under the Licensing Act 2003. As such they will be automatically entitled under section 282 of the act to two gaming machines of category C or D.

In such scenarios the operating licence entitlement does not take precedence, and each licence has its own requirements that must be complied with.

Applications for permits to allow additional gaming machines are not permitted where the premises is already covered by a track premises licence.

It is a condition of section 282 of the act that alcohol-licensed premises licence holders (not necessarily the owners) must comply with any relevant provision of a code of practice under section 24 about the location and operation of a gaming machine. The gaming machine permits code of practice can be found on the commission's website.

Where track premises licence holders possess a pool betting operating licence, the commission places a mandatory licence condition on such operators that they must:

- have and put into effect documented policies and procedures to prevent underage gambling, and
- monitor the effectiveness of these.

- 9.14 **Administration of betting:** Administrative and quasi-regulatory arrangements in place to ensure that activities held on tracks run smoothly for paying

customers, track operators and betting operators are considered to be outside the remit of the act unless they affect the licensing objectives.

- 9.15 **The role of track premises licence holders:** The responsibilities of track premises licence holders are established by the mandatory and default licence conditions attaching to their premises licence.

The licensed betting operators authorised by track owners to provide betting facilities at tracks must comply with their operating licence conditions and codes of practice issued by the commission.

Track premises licence holders have a responsibility to report regulatory breaches or potential breaches relating to the premises itself or to betting operators.

- 9.16 **Acceptance of bets:** Track premises licences for greyhound tracks and racecourses are subject to mandatory licence conditions requiring access to be offered at the track-side to betting operators generally. This prevents track premises licence holders who are also pool betting operators from becoming a monopoly supplier of betting on tracks.

While this does not mean that there must be independent betting operators on tracks on event days, track premises licence holders cannot hold event days without at least making places available to licensed operators. This matter is the responsibility of the Gambling Commission and not the licencing authority.

- 9.17 **Pool betting:** Under the act, holders of track premises licences on licensed greyhound tracks are given exclusivity to offer pool betting facilities on greyhound racing.

They may also authorise other people to conduct such pool betting on their behalf, although in all cases a relevant operating licence will be required to license this activity

A totalisator on a licensed greyhound track will only be permitted while the public are admitted to the track for the purpose of attending greyhound races, and no other sporting events are taking place. A mandatory condition is attached to the premises licence to this effect.

- 9.18 **Admission of betting operators:** It is a mandatory premises licence condition of track premises licences that the licence holder makes arrangements to ensure that the betting operators they admit to their track operate under valid operating licences.

Track premises licence holders are responsible for determining their own arrangements for the verification of betting operators. As part of this process, the track premises licence holder should make arrangements for ensuring that the betting operator holds an operating licence. Additionally, both parties should agree a procedure for assessing that persons accepting bets on behalf of a betting operator either themselves hold operating licences in their own right, or are employed by the operator under a written contract of employment.

- 9.19 **Removal of illegal betting operators:** Track premises licence holders are required by a mandatory licence condition to take reasonable steps to remove from the racecourse anybody found to be providing facilities for gambling without authorisation. Failure to uphold this requirement could result in action being taken against the premises licence holder.

Track premises licence holders are not expected to have proactive policies and procedures for identifying illegal gambling other than the mandatory requirement to verify that betting operators offering betting facilities on their track hold suitable operating licences.

- 9.20 **Display of rules:** It is a mandatory condition of premises licences that clear and accessible information about the terms on which a bet may be placed must be displayed at betting premises, including tracks.

The track premises licence holder should make the necessary arrangements to ensure that betting rules are accessible to all customers, regardless of which area of the track they are in. If certain areas are restricted to certain customers (such as different stands within a football ground) then rules could be displayed at various parts of the track. Other measures could be taken to ensure that they are made available to the public, such as printing them in the race-card or programme. The requirement could also be met by making a copy of the rules available in leaflet form from the main track office, and customers could be given a copy if they request one.

Betting operators offering betting facilities on racecourses and at greyhound tracks are required through the conditions of their operating licence to clearly display any of their own rules that differ from those that the track premises licence holder elects to display, and their rules concerning voids, late bets, and maximum payouts. For racecourses and greyhound tracks, the maximum payout will vary according to the rules of individual on-course operators.

- 9.21 **Approved betting areas:** In considering applications, the licensing authority will take into account the licensing objectives and assess whether these objectives are compromised by proposed betting arrangements. The location of betting areas (other than those for gaming machines and bet receipt terminals) is not considered a threat to the licensing objectives and therefore no additional conditions would normally be imposed by licensing authorities, unless the circumstances are such that the licensing authority considers that the licensing objectives would be undermined.

- 9.22 **Multiple licences:** The act permits a licencing authority to issue more than one premises licence for a track provided that each licence relates to a distinct specified area of the track (although there cannot be more than one premises licence covering the same area of the track.)

This enables track owners to extend existing facilities to provide other gambling facilities such as a casino on their existing tracks, whereby these additional gambling activities are covered by separate premises licences.

Where an application is made for an additional premises licence, the licencing authority will consider the following matters when determining an application:

- access issues in particular whether access to the desired premises will be allowed directly from the track. Direct access between a track and other betting premises (other than a track betting shop) is not permitted. The track owner would need to make arrangements so that access to a casino or bingo hall would be via a street, not via the track itself.

Where a particular area of a track is already subject to a premises licence, and a person wishes to apply for a licence to offer another type of activity in that area, an application must be made to the licensing authority to vary the original premises licence. The new track premises licence can only be granted at the same time as, or after, the original licence has been varied.

Where the licensing authority receives an application indicating separate betting areas that may not necessarily have clear physical boundaries, such as walls or fencing, it may grant the licence where it is satisfied that the area is clearly delineated, both in terms of making it clear to the public that they are entering a 'betting office', and to keep out persons aged under 18.

Where the licensing authority is not satisfied that a new activity in an existing area is clearly delineated, it may consider refusing the application.

- 9.23 **Social responsibility considerations for tracks:** The Act places a condition on the track premises licence that the licensee shall ensure that children and young persons are excluded from any area where facilities for betting are provided (unless on race days at racetracks and at greyhound tracks).

10.0 Adult gaming centre's

- 10.1 The licencing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will require applicants to demonstrate that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises.

Appropriate measures may also be included within mandatory/default conditions, codes of practice and cover matters such as:

- proof of age schemes
- CCTV
- supervision of entrances / machine areas
- physical separation of areas
- access and Location of entry
- notices / signage
- self-barring schemes
- ATM locations
- prohibition of alcohol consumption
- provision of information leaflets/helpline numbers for organisations such as GamCare or Gamble Aware.

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

The licencing authority may determine the opening hours for adult gaming centres, on a case-by-case basis, in the absence of any default conditions addressing this matter.

11.0(Licensed) family entertainment centre's

11.1 The licencing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will require applicants to demonstrate that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only Category C gaming machine areas.

The licencing authority will require applicants to demonstrate that there will be sufficient measures to promote the licensing objectives. Appropriate measures may also be included within mandatory/default conditions, codes of practice and cover issues such as:

- CCTV
- supervision of entrances / machine areas
- physical separation of areas
- access and Location of entry
- notices/signage
- challenging children or young person's attempting to play Category C machines
- self-barring schemes
- ATM location
- prohibition of alcohol consumption
- provision of information leaflets/helpline numbers for organisations such as GamCare or Gamble Aware
- 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.

The licencing authority may determine the opening hours for licensed FEC's, on a case-by-case basis, in the absence of any default conditions addressing this matter.

11.2 The licencing authority will, in accordance with the Gambling Commission guidance, make itself aware of any conditions that may apply to operator licenses covering the way in which the area containing the category C machines should be delineated. The licencing authority will ensure that it has due regard to any mandatory or default conditions on these premises licenses, codes of practice and guidance issued by the Gambling Commission when dispending its functions in relation to licensed family entertainment centres.

Part C. Permits, temporary use notices and occasional use notices

1.0 Unlicensed family entertainment centre (unlicensed FEC's) gaming machine permits

- 1.1 Unlicensed family entertainment centres (FEC's) are commonly located at seaside resorts, in airports and at motorway service stations, catering for families - including unaccompanied children and young persons. Where a premises does not hold a Premises Licence but there is an intention to provide gaming machines (category D only), an application may be made to the licencing authority for the grant of this permit. The applicant must be an individual aged 18 or over, and he/she must occupy or plan to occupy the relevant premises. The licencing authority may only grant a permit where it is satisfied that the applicant intends to use the premises as an unlicensed FEC and where it has consulted the Chief Officer of Police on the application. Any duties on the applicant to comply with other legislation such as fire regulations or health and safety are not issues for the licencing authority under the Gambling Act 2005.

If the operator of a family entertainment centre intends to make category C machines available, in addition to category D machines, then an application must be made for an operator licence from the Gambling Commission and a premises licence from the licencing authority

- 1.3 Details of up to date application requirements, including any supporting documentation, are made available on the councils' website at https://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/Gambling_and_lotteries/index.cfm or from our Licensing Service.
- 1.4 It should be noted that a licencing authority cannot attach conditions to this type of permit.
- 1.5 **Statement of principles:** The licencing authority will expect the applicant to satisfy it that that they and their employees can demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FEC's. The applicant is expected to demonstrate that he has considered appropriate measures to promote the licensing objectives, and training for staff on issues such as:
- suspected truant school children on the premises
 - how staff would deal with unsupervised very young children being on the premises
 - children causing problems on or around the premises, and
 - maximum stakes and prizes of the gambling that is permissible in unlicensed FEC's.

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

- 1.6 The Chief Officer of Police is a statutory consultee for all such permit applications, and any representations made by him/her will be considered by the licencing authority.
- 1.7 The licencing authority may also require the applicant to provide details of any relevant convictions, (those that are set out in Schedule 7 of the Act); the following documents will be accepted:
- basic Disclosure and Barring Service disclosure, or
 - a police subject access search.

2.0 Club gaming permits

- 2.1 Members clubs and miners' welfare institutes (but not commercial clubs) may apply for a club gaming permit which authorises the premises to:
- make available for use up to three gaming machines of categories B3A to D,
 - equal chance gaming (without restriction on the stakes and prizes), and
 - games of chance as prescribed by regulations (namely pontoon and Chemin de Fer.

The gaming which a club gaming permit allows is subject to the following conditions:

1. In respect of equal chance gaming:
 - The club must not deduct money from sums staked or won.
 - The participation fee must not exceed the amount prescribed in regulations.
 - The game takes place on the premises and must not be linked with a game on another set of premises. Two games are linked if the result of one game is, or may be, wholly or partly determined by reference to the result of the other game.
 - The amount of winnings available in one game is wholly or partly determined by reference to the amount of participation in the other game, and a game which is split so that part is played on one site and another part is played elsewhere is treated as two linked games.
 - Only club members and their genuine guests participate.
2. In respect of other games of chance:
 - the game must be Pontoon and Chemin de Fer only.
 - No participation fee may be charged otherwise than in accordance with the regulations.
 - No amount may be deducted from sums staked or won otherwise than in accordance with the regulations.

- 2.2 Members clubs must have at least 25 members and be established and conducted 'wholly or mainly' for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made

such regulations covering bridge and whist clubs. A members' club must be permanent in nature and established and conducted for the benefit of its members and not as a commercial enterprise. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations".

A club gaming permit may not be granted in respect of a vehicle or a vessel.

2.3 The licencing authority may only refuse an application on the grounds that:

1. the applicant does not fulfil the requirements for a members' club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied
2. the applicant's premises are used wholly or mainly by children and/or young persons
3. an offence under the act or a breach of a permit has been committed by the applicant while providing gaming facilities
4. a permit held by the applicant has been cancelled in the previous ten years, or
5. an objection has been lodged by the Gambling Commission or the Suffolk Constabulary.

Where the licencing authority is satisfied that point 1 or point 2 above is the case, it must refuse the application. In determining an application the licencing authority shall have regard to the relevant guidance issued by the Gambling Commission and, subject to that guidance, the licensing objectives.

Where a permit is granted, the permit holder must comply with statutory conditions:

- no child or young person may use a category B or C machine on the premises; and
- the permit holder must comply with any relevant provision of a code of practice regarding the location and operation of gaming machines.

Clubs do not have to have a permanent premises or alcohol licence.

There is a 'fast-track' procedure available for premises where the club holds a club premises certificate under section 72 of the Licensing Act 2003. Where an application is made under the fast track procedure, there is no opportunity for objections to be made by the commission or the Suffolk Constabulary, and the grounds upon which an Authority can refuse a permit are limited as below:

1. the club is established primarily for gaming, other than gaming of a prescribed kind
2. in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
3. a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

2.4 There are statutory conditions concerning club gaming permits.

3.0 Club machine permits

- 3.1 Members clubs and miners' welfare institutes and commercial clubs may apply for a club machine permit, which enables the premises to make available for use up to three gaming machines of categories B4, C and D. Members clubs and Miner's welfare institutes only may also make available for use category B3A machines offering lottery games in the club under a club machine permit.
- 3.2 Members clubs must have at least 25 members and be established and conducted 'wholly or mainly' for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made such regulations covering bridge and whist clubs. A members' club must be permanent in nature and established and conducted for the benefit of its members and not as a commercial enterprise. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations".
- 3.3 Commercial clubs must have at least 25 members, but may be established with a view to making a profit, which is not returned to the members, but the proprietor(s) of the club. Examples of commercial clubs include snooker clubs, clubs established for personal profit and most clubs established as private companies.
- 3.4 The Gambling Commission guidance advises that licensing authorities may only refuse an application on the grounds that:
- the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied
 - the applicant's premises are used wholly or mainly by children and/or young persons
 - an offence under the act or a breach of a permit has been committed by the applicant while providing gaming facilities
 - a permit held by the applicant has been cancelled in the previous ten years, or
 - an objection has been lodged by the Gambling Commission or the Police

It should be noted that either type of permit may not be issued in respect of a vessel or vehicle.

- 3.5 There is also a 'fast-track' procedure available for premises where the club holds a club premises certificate under section 72 of the Licensing Act 2003. As the Gambling Commission guidance states: "Under the fast-track procedure there is no opportunity for an objection to be made by the commission or the Police, and the grounds upon which an authority can refuse a permit are reduced". The grounds on which an application under the process may be refused are that:
- the club is established primarily for gaming, other than gaming of a prescribed kind
 - in addition to the prescribed gaming, the applicant provides facilities for other gaming, or

- a club machine permit issued to the applicant in the last ten years has been cancelled.

3.6 There are statutory conditions concerning club machine permits that no child or young person may use a category B or C machine on the premises and that the permit holder complies with any relevant provision of a code of practice regarding the location and operation of gaming machines.

4.0 (Alcohol) licensed premises gaming machine permits

4.1 The act makes provision for premises licensed to sell alcohol for general consumption on the premises to be entitled to make available up to two gaming machines, of categories C and/or D. The Licensing Act 2003 premises licence holder needs only to notify the licencing authority of this intention and pay the prescribed fee. The licencing authority may remove the automatic authorisation in respect of any particular premises only if it is satisfied that:

- 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 (that is, that written notice has been provided to the licencing 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.

Before making any such order the licencing authority shall give the licensee at least 21 days prior notice and consider any representations made by the applicant (at a hearing if requested by the licence holder).

4.2 If a Licensing Act 2003 premises licence holder wishes to use more than two gaming machines, then (s) he will need to apply to the licencing authority for a permit and the licencing authority must consider that application based upon:

- the licensing objectives
- any guidance issued by the Gambling Commission, and
- 'such matters' as they think relevant.

This licencing authority considers that 'such matters' will be assessed on a case-by-case basis. Generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling.

This permit replaces, and is not in addition, to the automatic entitlement notification.

4.3 The licencing authority expect the applicant to satisfy the authority it that there will be sufficient measures in place to ensure that persons under the age of 18 year olds do not have access to the adult only category C gaming machines. The applicant may consider appropriate measures to comply with the Gambling Commission's Code of Practice and monitor access to machines. This may include:

- ensuring that the adult gaming machines are within sight of the bar, or within the sight of staff who can monitor that the machines are not being used by persons under the age of 18
- notices and signage may also be an appropriate measure/safeguard, and
- or the provision of information leaflets / helpline numbers for organisations that give support to vulnerable persons such as GamCare and Gamble Aware.

4.4 The holder of a permit must comply with any code of practice issued under section 24 of the act by the Gambling Commission about the location and operation of the gaming machines.

4.5 It should be noted that the licencing authority can and may 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 to the grant of this permit.

There is a similar mechanism for applying to vary the number and category of machines specified on an existing permit.

5.0 Prize gaming and prize gaming permits

5.1 **Statement of principles:** The prize gaming 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 monetary 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.

It should be also noted that this permit cannot be issued in respect of a vessel or vehicle.

An application may only be made by an individual over the age of 18, who occupies or plans to occupy the relevant premises. An application for a permit cannot be made if a premises licence or club gaming permit is already in effect for the same premises.

The licencing authority will expect the applicant to satisfy the authority that that they and their employees can demonstrate a full understanding of the maximum stakes and prizes for the gaming offered and that the type of gaming offered is within the law. The applicant will normally be required to set out the types of gaming that he/she is intending to offer, and may wish to consider appropriate measures to promote the licensing objectives, and training for staff on:

- the type of gaming which they intend to provide
- the stakes and prizes which apply under the regulations relevant to the type of gaming they intend to offer.

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

- 5.3 In making its decision on an application for this permit the licencing authority may have regard to the licensing objectives and must have regard to any Gambling Commission guidance. Given that the premises may be particularly appealing to children and young persons, the licencing authority will give appropriate weight to the consideration of child protection issues.
- 5.4 The Chief Officer of Police is a statutory consultee for all such permit applications. Any representations made by the Chief Officer of Police which are relevant to the licensing objectives will be considered by the licencing authority relevant considerations may include:
- whether the applicant has any convictions that would render them unsuitable to operate prize gaming, or
 - the suitability of the location of the premises in relation to any disorder issues.

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

- 5.5 It should be noted that whilst there may be conditions in the Gambling Act 2005 and Gambling Commission codes of practice (including on social responsibility) with which the permit holder must comply, the licencing authority cannot attach conditions to this permit. Where the authority is minded to refuse a permit application it will notify the applicant and allow the opportunity for the applicant to make representations (which may be considered at a hearing).

6. Travelling fairs

- 6.1 It is the duty of the licensing authority to decide whether, where category D machines and/or equal chance prize gaming without a permit are 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.
- 6.2 The licensing authority will carefully consider whether an operator falls within the statutory definition of a travelling fair (provided by section 286 of the act) and be 'wholly or principally' providing amusements.
- 6.3 The 27 day statutory maximum for the land being used as a fair is per calendar year, and this applies to the piece of land on which the fairs are held regardless of whether it is the same or different travelling fairs occupying the land. The licensing authority shall endeavour to work with neighbouring authorities to

ensure that land which crosses district/borough boundaries is monitored so that the statutory limits are not exceeded.

7.0 Society lotteries

7.1 The council as the local authority is responsible for registering small society lotteries. A lottery is defined under the act and in the guidance as:

A simple lottery if:

- persons are required to pay to participate
- one or more prizes are allocated to one or more members of a class
- the prizes are allocated by a process which relies wholly on chance.

A complex lottery if:

- persons are required to pay to participate
- one or more prizes are allocated to one or more members of a class
- the prizes are allocated by a series of processes
- the first of those processes relies wholly on chance.

A society, or any separate branch of such a society, may be registered by the council to promote a small lottery where it is established and conducted:

- for charitable purposes
- for the purpose of enabling participation in , or of supporting, sport, athletics or a cultural activity
- for any other non-commercial purpose other than private gain and the proceeds of the lottery must be devoted to the purposes above. The society must not be established for the sole purpose of facilitating lotteries.

A small lottery is defined in the act and the current limits are published on the council website at

https://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/Gambling_and_lotteries/smallocietylotteries.cfm. Definitions of exempt lotteries are also published at the above address.

The council may only register a society which wishes to promote a small lottery where the society's principal office is located within its area. If the council believes that the society's principal office does not fall within its boundaries it will inform the society and relevant authority at the earliest opportunity.

The council will expect the society applying to supply a copy of its terms conditions or constitution to enable the council to establish that the society is non-commercial, together with a declaration to the effect that it is non-commercial.

Registration of small society lotteries is a function which the council has delegated to officers.

Details of societies registered by the council will be published in a register maintained by the council.

The registration is for an indefinite period unless the registration is cancelled by:

- the society, or
- the council on failure of the society to pay the annual charge.

The council may refuse to register a small society lottery where:

- an operating licence held by the applicant for registration has been revoked or an application for an operating licence made by the applicant for registration has been refused
- the society cannot be deemed non-commercial
- a person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence
- information provided in or with the application for registration is found to be false or misleading.

Where the council proposes to refuse to register a small society lottery it will give the society an opportunity to make representations in writing or at a hearing. The council will notify the society in writing of the outcome of the hearing and the reasons for the decision.

The council may revoke a society lottery registration where it considers that it would have had to, or would be entitled to refuse an application if it were to be made at that time.

Schedule A

Gambling Act 2005 Statement of Licensing Principles: consultee list

(Please note this is not exhaustive)

ADFAM Families Drugs and Alcohol	Independent Betting Arbitration Service
Adult and Community Services (SCC)	JBR Leisure Ltd
Age Concern Suffolk	Jockey Club
Alcoholics Anonymous	Joe Jennings Ltd
Association of British Bookmakers	Ladbrokes PLC
Association of British Bookmakers	Learning Disability Partnership Board
BACTA	Leisure Link
Beer & Pub Association	Narcotics Anonymous
Bingo Association	National Greyhound Racing Club Ltd
British Casino Association	National Stud
British Casino Association	National Youth Agency
British Greyhound Racing Board	Newmarket Community Partnership
British Horseracing Board	Newmarket Racecourses Trust
Chilvers Automatics Ltd	Planning Authority (FHDC)
Citizens Advice Bureau	Racing Welfare
Citizens Advice Bureau	Responsibility in Gambling Trust
Community Development Youth Worker	Royal British Legion
Corals	Society for the Study of Gambling
Done Brothers Ltd	Suffolk Constabulary
East of England Faiths Council	Suffolk County Council
Environmental Services (FHDC)	Suffolk Local Safeguarding Children's Board
Essex Leisure	Tesco PLC
Gamblers Anonymous	The Racecourse Association Ltd
Gambling Commission	Town and Parish Councils within the District
GamCare	West Suffolk Crossroads
Gamestec Leisure Ltd	
Gordon House Association	
Heads of Service (West Suffolk)	
Help the Aged	
Horserace Totalisator Board	
Horseracing Betting Levy Board	

Schedule B

Section 353 of the Gambling Act 2005 gives some general interpretation and reference for some of the main terminology used within the act and contained within this statement of principles document. Except where the context otherwise requires:

- 'adult gaming centre' has the meaning given by section 237,
- 'alcohol licence' has the meaning given by section 277,
- 'authorised local authority officer' has the meaning given by section 304,
- 'authorised person' has the meaning given by that section,
- 'betting' has the meaning given by sections 9 to 11, 37 and 150,
- 'betting intermediary' has the meaning given by section 13,
- 'bingo' means any version of that game, irrespective of by what name it is described,
- 'casino' has the meaning given by section 7,
- 'casino game' has the meaning given by that section,
- 'Category A gaming machine' (or B, C or D) means a gaming machine falling within category A (or B, C or D) as prescribed under section 236,
- 'chief constables of police forces' has the same meaning in relation to England and Wales as in the Police Act 1996 (c. 16),
- 'child' has the meaning given by section 45,
- 'club gaming permit' has the meaning given by section 271,
- 'club machine permit' has the meaning given by section 273,
- 'commercial club' has the meaning given by section 267,
- 'the Commission' means the Gambling Commission,
- 'director'-
 - (a) has the meaning given by section 741 of the Companies Act 1985 (c. 6), and
 - (b) includes a shadow director within the meaning of that section,
- 'dog track' means premises which are designed, used or adapted for use for dog-racing,
- 'draw', in relation to a lottery, has the meaning given by section 255,
- 'EEA State' means a State which is a contracting party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 (as it has effect from time to time),
- 'Enactment' includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament,
- 'Enforcement officer' means a person designated or appointed as an enforcement officer under section 303,
- 'equal chance gaming' has the meaning given by section 8,
- 'exempt lottery' has the meaning given by section 258,
- 'external lottery manager' has the meaning given by section 257,
- 'fair' has the meaning given by section 286,
- 'family entertainment centre' has the meaning given by section 238,
- 'family entertainment centre gaming machine permit' has the meaning given by section 247,
- 'football pools' means an arrangement whereby-
 - a. people compete for prizes by forecasting the results of association football games, and

- b. each entry to the competition must forecast the results of at least four games,

'gambling' has the meaning given by section 3,
'gambling software' has the meaning given by section 41,
'game of chance' has the meaning given by section 6,
'gaming' has the meaning given by that section,
'gaming machine' has the meaning given by section 235,
'horse-race course' means premises which are designed, used or adapted for use for horse-racing,
'horse-race pool betting' has the meaning given by section 12,
'large casino' has the meaning given by regulations under section 7(5),
'licensed family entertainment centre' has the meaning given by section 238,
'licensed premises gaming machine permit' has the meaning given by section 283,
'the licensing objectives' has the meaning given by section 1,
'licensing authority' has the meaning given by section 2,
'lottery' has the meaning given by section 14 (and section 256),
'lottery manager's operating licence' has the meaning given by section 98,
'lottery ticket' has the meaning given by section 253,
'machine' has the meaning given by section 235(3)(a),
'members' club' has the meaning given by section 266,
'miners' welfare institute' has the meaning given by section 268,
'the National Lottery' has the meaning given by section 1 of the National Lottery etc. Act 1993 (c. 39),
'non-commercial betting' has the meaning given by section 302,
'non-commercial gaming' has the meaning given by section 297,
'non-commercial society' has the meaning given by section 19,
'occasional use notice' means a notice given under section 39,
'operating licence' means a licence issued under Part 5,
'on-premises alcohol licence' has the meaning given by section 277,
'participant', in relation to a game of chance, includes a person who discharges an administrative or other function in relation to the game,
'participation fee' has the meaning given by section 344,
'passenger vessel' means a vessel which is carrying or expected to carry at least one passenger,
'personal licence' means a licence issued under Part 6,
'pool betting' has the meaning given by section 12,
'premises' includes any place and, in particular-
 a. a vessel, and
 b. a vehicle

'premises licence' means a licence issued under Part 8,
'private betting' has the meaning given by section 295 and Part 2 of Schedule 15,
'private gaming' has the meaning given by section 295 and Part 1 of Schedule 15,
'private gain' is to be construed in accordance with section 19(3),
'prize' in relation to gaming (except in the context of a gaming machine) has the meaning given by section 6,
'prize' in relation to a gaming machine has the meaning given by section 239,
'prize' in relation to a lottery has the meaning given by section 14,
'prize gaming' has the meaning given by section 288,
'prize gaming permit' has the meaning given by section 289,

'proceeds', in relation to a lottery, has the meaning given by section 254,
'profits', in relation to a lottery, has the meaning given by that section,
'profits', in relation to non-commercial prize gaming, has the meaning given by section 299,
'racecourse' means premises on any part of which a race takes place or is intended to take place,
'real', in relation to a game, event or process means non-virtual,
'relevant offence' has the meaning given by section 126 and Schedule 7,
'remote communication' has the meaning given by section 4,
'remote gambling' has the meaning given by that section,
'remote gambling equipment' has the meaning given by section 36,
'remote operating licence' has the meaning given by section 67,
'rollover', in relation to a lottery, has the meaning given by section 256,
'small casino' has the meaning given by regulations under section 7(5),
'society' includes a branch or section of a society,
'stake' means an amount paid or risked in connection with gambling and which either-
 (a) is used in calculating the amount of the winnings or the value of the prize that the person making the stake receives if successful, or
 (b) is used in calculating the total amount of winnings or value of prizes in respect of the gambling in which the person making the stake participates,
'supply' includes-
 (a) sale,
 (b) lease, and
 (c) placing on premises with permission or in accordance with a contract or other arrangement,
'temporary use notice' has the meaning given by section 215,
'track' means a horse-race course, dog track or other premises on any part of which a race or other sporting event takes place or is intended to take place,
'travelling fair' has the meaning given by section 286,
'vehicle' includes-
 (a) a train,
 (b) an aircraft,
 (c) a seaplane, and
 (d) an amphibious vehicle (other than a hovercraft within the meaning of the Hovercraft Act 1968 (c. 59)),
'vessel' includes-
 (a) anything, other than a seaplane or an amphibious vehicle, designed or adapted for navigation or other use in, on or over water,
 (b) a hovercraft (within the meaning of the Hovercraft Act 1968), and,
 (c) anything, or any part of any place, situated in or on water,
'virtual' has the meaning given by subsection (3) below,
'winnings', in relation to a bet, means anything won, whether in money or in money's worth, and 'young person' has the meaning given by section 45.

Schedule C

Summary of machine provisions by premises

Summary of gaming machine categories and entitlements **as well as detailed technical standards**

Summary of gaming entitlements for clubs and alcohol licensed premises

Summary of offences under the Gambling Act 2005

Summary of Statutory application forms and notices

For all of the above please follow the link to: www.gamblingcommission.gov.uk

Gaming Machines

The table below provides a summary of the machine provisions by type of premises.

Premises type	Machine category						
	A	B1	B2	B3	B4	C	D
Large casino(machine/table ratio of 5-1 up to maximum)		Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)					
Small casino (machine/table ratio of 2-1 up to maximum)		Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)					
Pre-2005 Act casino(no machine/table ratio)		Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead					
Betting premises and tracks occupied by pool betting		Maximum of 4 machines categories B2 to D (except B3A machines)					
Bingo premises¹				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4		No limit on category C or D machines	
Adult gaming centre²				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4		No limit on category C or D machines	
Licensed family entertainment centre³							No limit on category C or D machines
Family entertainment centre (with permit)³							No limit on category D machines

Clubs or miners' welfare institute (with permits)⁴						Maximum of 3 machines in categories B3A or B4 to D
Qualifying alcohol-licensed premises						1 or 2 machines of category C or D automatic upon notification
Qualifying alcohol-licensed premises (with licensed premises gaming machine permit)						Number of category C-D machines as specified on permit
Travelling fair						No limit on category D machines

¹ Bingo premises licence are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines on the premises. Where a premises licence was granted before 13 July 2011, they are entitled to make available eight (The Gambling Act 2005 (Gaming Machines in Bingo Premises) Order 2009) category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at bingo premises are restricted to sub-category B3 and B4 machines, but not B3A machines.

² Adult gaming centres are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines. Where a premises licence was granted before 13 July 2011, they are entitled to make available four category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at adult gaming centres are restricted to sub-category B3 and B4 machines, but not B3A machines.

³ Only premises that are wholly or mainly used for making gaming machines available may hold an unlicensed FEC gaming machine permit or an FEC premises licence. Category C machines may only be sited within licensed FECs and where an FEC permit is in force. They must be in a separate area to ensure the segregation and supervision of machines that may only be played by adults. There is no power for the licensing authority to set a limit on the number of machines under the FEC permit.

⁴ Members' clubs and miners' welfare institutes with a club gaming permit or with a club machine permit, are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement.

⁵ Commercial clubs with club machine or gaming permits are entitled to a total of three machines in categories B4 to D.

Several devices or systems are excluded from being defined as gaming machines including:

- domestic or dual-use computers
- telephones or other machines for facilitating communication
- machines designed or adapted to bet on future real events
- lottery terminals

- in a bingo premises, machines designed or adapted for the playing of bingo (including by way of prize gaming)
- machines designed or adapted for the playing of bingo, by way of prize gaming, where a family entertainment centre gaming machine permit or a prize gaming permit is held
- semi-automated casino games
- wholly-automated casino games.

Gaming machines fall into categories depending on the maximum stake and prize available.

Category of machine	Maximum stake (from Jan 2014)	Maximum prize (from Jan 2014)
A	Unlimited – No category A gaming machines are currently permitted	
B1	£5	£10,000*
B2	£100	£500
B3A	£2	£500
B3	£2	£500
B4	£2	£400
C	£1	£100
D – non-money prize	30p	£8
D – non-money prize (crane grab machines only)	£1	£50
D – money prize	10p	£5
D – combined money and non-money prize	10p	£8 (of which no more than £5 may be a money prize)
D – combined money and non-money prize (coin pusher or penny falls machines only)	20p	£20 (of which no more than £10 may be a money prize)

* With option of max £20,000 linked progressive jackpot on premises basis only

Fixed Odds Betting Terminals

Fixed odds betting terminals (FOBTs) are electronic machines found in betting shops, which contain a variety of games, including roulette. Each machine accepts bets for amounts up to a pre-set maximum and pays out according to fixed odds on the simulated outcomes of games.

The Gambling Act 2005 classifies FOBTs as B2 gaming machines. Up to four machines can be sited on betting premises. The maximum stake on a single bet is £100, the maximum prize is £500.

Schedule D

Authorised gambling activities

Children and young persons – A child is any person who is less than 16.

- Category D Machines
- Equal Chance gaming at a licensed family entertainment centre
- Equal chance gaming under prize gaming permit
- Football pool

Young persons – A young person is an individual of 16 or 17

- Category D machines
 - Equal chance gaming at a licensed family entertainment centre
 - Equal chance gaming under prize gaming permit
 - Prize gaming at a travelling fair
 - Prize gaming at a non-licensed family entertainment centre
 - Private/non commercial gaming/betting
 - Lottery
-

This page is intentionally left blank



GAMBLING ACT 2005

Local Area Profile Draft

2018 figures

(Amendments shown in red text)

CONTENTS

1. Introduction

Nationally, gambling policy and the regulatory environment overall has an increasing focus on risk. Whilst not compulsory, it is now recommended that a licensing authority creates a 'local area profile' to inform its understanding of risk and to allow appropriate decisions to be made and steps taken to mitigate these risks.

From April 2016, gambling establishment operators must undertake 'local area risk assessments' for all their premises and will be expected to give due consideration to the information available in the Council's 'local area profile'.

Although not a compulsory requirement, we have included a local area profile in the proposed Gambling Act Statement of Policy in order to increase awareness of local risks and improve information sharing with gambling operators. This will facilitate constructive engagement with licensees and a more coordinated response to local risks.

The local area profile will help to inform the local risk assessment process. For example, if a gambling outlet is to be located within close proximity to a school we would expect licensees to have sufficient controls in place to mitigate associated risks, e.g. implementing a robust Think 21 policy and ensuring that the premises is so designed that children cannot see gambling taking place. The Council believe that contribution to premises risk assessments and being knowledgeable and informed on the 'local area' and risks is necessary in order to provide sufficient detail within the assessment. This means that any assessments undertaken do need to have an involvement of and an understanding of the local area in which they operate and are licensed.

It is wholly anticipated that the Council's 'local area profile' will develop over time and will be influenced by information and intelligence from researchers, key partners and other stakeholders. This includes updates once we become a single council on 1 April 2019.

It is our view that the inclusion of a Local Area Profile within the Policy will bring the following benefits:

- enable us to better serve our local community, by better reflecting the community and the risks within it,
- enable us to make robust decisions, based on a clear, published set of factors and risks, which are therefore less susceptible to challenge; and
- encourage operators and applicants to take a proactive approach to risk that is likely to result in reduced compliance and enforcement action.

2. Background

The last decade has seen many changes in the British gambling landscape. The most notable changes during this period include growth in the availability of remote gambling (particularly via the internet), the introduction of fixed odds betting terminals into most bookmakers, an increase in the number of casinos, an increase in the prominence of poker (both online and offline), and the introduction of online betting exchanges.

The most severe form of gambling, pathological (or problem gambling) is recognized as a mental health disorder. Pathological gambling is currently classified as an impulse control disorder but it shares many important features with substance use disorders, especially in terms of diagnostic criteria, clinical

All major current research has been undertaken at national level.

- 56.2% of the adult population (16+) have participated in some form of gambling in the last 12 months (2017). This is compared to 48% in 2010.
- The most popular gambling activity remains the national lottery. Excluding this the rate is 45% of adults.
- 9.4% of adults had used the internet to gamble in the past 12 months.
- Problem gamblers are most likely to be young, male, have parents who gambled regularly and smoke. Identified at 0.8% of the overall population.
- Other risk factors include unemployment, poor health, those from Black Asian and Black British backgrounds and other substance misuse.

British Gambling Prevalence Survey (BGPS) 2010

The BGPS 2010 is the third nationally representative survey of participation in gambling and the prevalence of problem gambling in Great Britain. It builds on the two previous surveys conducted in 1999 and 2007. The BGPS 2010 is the first survey to have been carried out since the implementation of the Gambling Act 2005 on 1 September 2007. The aims of the BGPS 2010 were to provide data on participation in all forms of gambling in Great Britain, the prevalence of problem gambling, attitudes to gambling and to explore a range of associations with gambling behaviour.

Participation in Gambling Activities

The following statistics have been sourced from the Gambling Commission report participation in gambling and rates of problem gambling – England 2016:

- Overall, 56% of the adult population (aged 16 and over) spent money on some form of gambling in the past year. This equates to around 29.8 million adults in the UK. Applied to the estimated adult population of West Suffolk (179,248, Office of National Statistics Population Estimates)

in 2017, this would amount to around 100,378 people in the authority.

- The most popular gambling activity was the National Lottery. In 2016, 41% of adults had bought tickets for the National Lottery Draw.
- Excluding those who had only gambled on the National Lottery Draw, 42% of adults spent money on some other form of gambling in the past year.
- After the national lottery, the next most popular gambling activities are scratch cards (20%), other lotteries (14%), horserace betting (9%), slot machines (6%) and sports betting (5%).
- The report noted a decrease in these types of gambling from 2015 to 2016, with the National Lottery down by 4%, scratch cards down by 2%, other lotteries by 1% and horse racing by nearly 2%.
- In line with this trend, betting on football pools, slot machines and online bets have also fallen slightly.

Online and Offline Gambling

- Overall, 10% of adults had used the internet to gamble in the past year, including online lottery tickets, betting, casino games, bingo, online slot machines and football pools. This would estimate to ~17,300 people in West Suffolk. Increases in online gambling activity have been greater in women than men.
- Among respondents who had gambled in the past year, 71% reported that they gambled 'in person' only, 17% had gambled both online and in-person and only 2% had gambled 'online only'.
- The survey suggests that most gambling activities still occur 'offline'; however casino games and betting on other sports events reported relatively high proportions of online activity – 39% and 27% respectively.

Profile of Participants in Gambling Activity

- Men were more likely than women to gamble overall (60% for men and 52% for women). Women however had higher incidence participating in bingo and scratch cards.
- Gambling participation is associated with age – participation was lowest among the youngest and oldest age groups and highest among those aged 44-64.
- Gambling prevalence was highest among those who were;
 - Either married or had been married (75%)
 - White/white British (76%)
 - Those whose highest qualification was GCSE's or equivalent (76%)
 - Those in lower supervisory/technical households (79%)

- Those in paid work (78%)
- Those with the highest personal income

Gambling Frequency

As of 2016:

- 59% of people who participated in the National Lottery did so once a week or more often. Only football pools had a similar level of frequency (54% once a week or more often).
- There were five other activities which were undertaken at least once a month by half or more of all participants. These were bingo played in person (54%), casino games played on line (53%), spread betting (53%), fixed odd betting terminals (52%), and poker at a pub/club (50%).
- Taking participation in all gambling activities together, past year gamblers took part in gambling, on average, on 93.6 days per year. That is, they tended to gamble more than once a week, but not quite as often as twice a week.
- Those who gambled both online and in-person did so more than twice as often (163.3 days) as those who gambled 'online only' (61.5 days) or 'in- person' only (79.5 days).
- Overall, 6% of regular gamblers were classified as high-time/high-spend gamblers.
- The profile for high-time gamblers consists disproportionately of those with poorer socio-economic indicators, with National Lottery and Bingo being the most popular activities.
- The profile for high-spend gamblers had a higher proportion of graduates, those in paid employment and a preference for betting on horse racing, slot machines and casino games.
- When asked how their gambling involvement had changed in the past year, 4% reported an increase, 13% a decrease and 82% no change.

3. Problem Gambling

Problem gambling, or ludomania, is an urge to continuously gamble despite harmful negative consequences or a desire to stop. Problem gambling often is defined by whether harm is experienced by the gambler or others, rather than by the gambler's behaviour. Severe problem gambling may be diagnosed as clinical pathological gambling if the gambler meets certain criteria. Pathological gambling is a common disorder that is associated with both social and family costs. The condition is classified as an impulse control disorder, with sufferers exhibiting many similarities to those who have substance addictions.

- Problem gambling prevalence measures using DSM-IV (diagnostic and statistical manual of mental disorders) and PGSI (problem gambling severity index) estimate problem gambling at 0.7% of the adult population in 2016.
- 1.2% of those who had been identified as having gambled casually in the last year were identified as high risk of problem

gambling with an additional 3.6% rated as moderate to low risk representing 2,128 people and 6,385 people in the West Suffolk area respectively.

- Rates observed in Great Britain compared similarly to other European countries, particularly Germany, Norway and Switzerland, and lower than countries like the USA, Australia and South Africa.
- Problem gamblers were more likely to be male, younger, have parents who gambled regularly and had experienced problems with their gambling behaviour and be current cigarette smokers. Unemployment, poor health, alcohol consumption and those from Asian/Asian British and Black/Black British backgrounds were also associated risk factors.
- Current best estimates suggest that less than 1% of those in need of treatment actually embark on a treatment programme.
- It is estimated that every problem gambler represents an annual cost to society of c£8,000.
- The [NHS website](#) states that cognitive behavioural therapy usually has the best results in terms of treating problem gambling and outlines the key services available for supporting those affected by gambling.

Young People and problem gambling

There are an estimated 127,500 people aged under 24 with a gambling problem in the UK. Factors linked with problem gambling in young people include; depression, anxiety, crime, suicide, alcohol and substance abuse and poor school performance.

Gambling and Debt

The first known UK research to focus exclusively on the relationship between problem gambling and over indebtedness, published in Autumn 2009, was jointly commissioned by GamCare and the Money Advice Trust from Manchester Metropolitan University. Key findings were;

- Debts of up to £60,000 might be common amongst problem gamblers.
- Understanding of problem gambling amongst money advice agencies and in the NHS is extremely low.
- Awareness of the help available to problem gamblers amongst these agencies and in the NHS, particularly GPs, is equally poor.
- There is an urgent need to improve education about gambling for young people, alongside or as part of work on financial literacy and understanding chance and risk.

4. Gambling Premises

Across West Suffolk Councils there are currently the following

licensed premises: 26 Betting Shops

2 Adult Gaming Centres

20 Licensed Premises with Gaming Machine Permits

12 Premises with Club Machine Permits

1 Betting Race Track (Horse Racing)

144 Licensed Premises with Notices of Intent (2 gaming machines)

These premises pose potential risks to those who reside, work and visit West Suffolk in terms of associated crime and also in terms of 'problem gambling'.

5. West Suffolk Premises

Breakdown of Gambling Premises is detailed below:

Town	BREAKDOWN
Newmarket	1 Adult Gaming Centre (Wellington Street) 1 Horse Racing Betting Track (Rowley Mile) 11 Betting Shops (All Saints Road, The Rookery, High Street, Market Street, Valley Way, Wellington Street, the Guineas) 2 Club Machine Permits (Cheveley Rd, Kingston Passage) 2 Premises Licence Gaming Machine permits
Mildenhall	2 Betting Shops (Mildenhall Market Place) 1 Club Machine Permit (Mildenhall Social Club) 2 Licensed Premises Gaming Machine Permits
Brandon	2 Betting Shops (High Street and Market Hill) 3 Licensed Premises Gaming Machine Permits
Bury St Edmunds	6 Betting Shops (St Andrews Street South, Abbeygate Street, St Olaves Precinct, Hardwick Shopping Centre, Risbygate Street, Cornhill) 1 Family Entertainment Centre Gaming Permit (Western Way) 11 Licensed premises gaming machine permits
Haverhill	5 Betting Shops (High Street and Queen Street) 2 Premises Licence Gaming Machine permits

West Suffolk Councils have a number of licensed premises (2003 Act) which have 2 gambling machines (automatic entitlement) which are required to be registered and the appropriate fee paid. Whilst these are not separately licensed, they will be inspected accordingly and the Council expect these premises to consider an appropriate risk assessment and will review their activities within the guidance.

6. Compilation of the Local Profile

In line with updated guidance, the Council will use the Local Area Profile to support those using the Gambling Statement of Principles. The profile will be maintained separately from the Statement to enable it to be updated accordingly.

This profile will be developed further in 2019 and then reviewed on a regular basis. New versions will appear here on our website.

The following information is a brief summary and we expect to expand on this through our ongoing work on this profile.

7. The Local Profile

Population

- The population of West Suffolk is currently 179,3248 (Office for National Statistics 2017) located within five main centres of population (Bury St Edmunds, Haverhill, Newmarket, Mildenhall and Brandon) and a number of smaller rural communities.
- Between 2017 and 2030, the population of West Suffolk is expected to grow by 8%, compared to 9% in England as whole
- West Suffolk has an ageing population. In 2016, 9.3 of the population were aged over 75, compared to an England average of 8.1% (Office for National Statistics mid year estimates 2016).
- The current area of Forest Heath is the most ethnically diverse district in Suffolk. In 2011 it had the smallest percentage of White (Eng/Welsh/Scot/NI) people - 77.2% compared to a Great Britain average of 80.5% (Census 2011). St Edmundsbury's percentage of White (Eng/Welsh/Scot/NI) people was 91.6% in 2011 (Census 2011). This diversity is in part attributable to the presence of the two largest US Air Force Bases in the UK in the district.
- In 2011, 35.6.1% of West Suffolk's population considered themselves to be in good health and 47.6% in very good health. (Census 2011).
- West Suffolk's households are spread across a large rural area, with 40% living in rural locations. In 2011 the distribution of the population was: villages and outlying areas 38%; Bury St Edmunds 25.5%; Haverhill 15%; Newmarket 10.5%; Brandon 6% and Mildenhall 5% (Census, 2011).

Economy and skills

- West Suffolk saw a large increase in the number of people in employment between 2015 to 2016, with a rise of 3.98% compared to 3.12% across the United Kingdom (Business Register and Employment Survey).
- As of 2011, 73.9% of West Suffolk's 16-64 year olds were economically active compared to 81% in Suffolk as a whole (ONS Annual Population Survey).
- As of April 2017, 4% of the 16-18 year old population in West Suffolk were not in education, employment or training (NEET), compared to 8.4% in England (Labour Force Survey).
- In 2016, 15.6% of West Suffolk employees worked in business and admin support services, 11.9% worked in manufacturing, 11.9% in health, 9.7% in retail and 7.4% in accommodation and food services (Business Register and Employment Survey).
- In 2016, the percentage of residents aged between 16-64 with NVQ4+ level qualifications or more was 33%, which is higher than the Suffolk average of 31.1% but lower than the national average of 37.1% (ONS Annual Population Survey).
- In 2017, the proportion of young people achieving grade 5 or above in England and Maths GCSE was 39.3%, which is below the national average of 42.2% (Department for Education).

Housing

- The average household size in West Suffolk is 2.3 people, slightly smaller than the England average of 2.4 people, (Census, 2011)
- The number of overcrowded households in West Suffolk is 3.2%, lower than the average across England of 4.6%.
- As of 2017, there were 78,010 properties in West Suffolk.
- By 2039, the number of households in West Suffolk is expected to increase by 20% compared to 2014 figures (Ministry for Housing, Communities and Local Government)).
- In 2016, the lower quartile house prices to ratio of lower quartile gross annual earnings was 9.48 in Forest Heath and 9.55 in St Edmundsbury. The East region average ratio was 9.29 and the average ratio for England was 7.26 (Office for National Statistics House price to residence based earnings ratio).
- In 2016, the average monthly cost of renting a home in Forest Heath was £923 and £725 in St Edmundsbury. The average for the East region was £729 per month and average for England was £650 per month (Valuation Office Agency 2016).
- In 2016/17 the number of people accepted as homeless increased significantly from 209 in 2015/16 to 242 in 2016/17 (Ministry for Housing, Communities and Local Government).
- The number of rough sleepers in West Suffolk increased from 11 to 29 between 2015 to 2017 (West Suffolk Councils figures).

Additional Information

Any operators preparing local risk assessments and wishing to find out more about the social and physical makeup of the immediate vicinity should access the following sources:

- Key population and health data broken down by local authority ward: Forest Heath and St Edmundsbury Ward reports:
https://www.westsuffolk.gov.uk/Council/Data_and_information/wardreports.cfm

(Please note that wards are subject to change once a single West Suffolk Council is created on 1 April 2018.)

- Geographical information that can be searched by postcode to find key features and facilities in the vicinity: the West Suffolk 'Find my Nearest' tool:
<http://maps.westsuffolk.gov.uk/>
- Current local crime patterns (see www.police.uk)
- Suffolk-wide statistics that can also be broken down by ward, district or shared authority and focus on the following themes:
<https://www.suffolkobservatory.info/>
 - Population
 - Crime and community safety
 - Children and young people
 - Deprivation
 - Health and social care
 - Economy and Employment
 - Housing
 - Environment

Joint Executive (Cabinet) Committee

Forest Heath & St Edmundsbury councils



West Suffolk
working together

Title of Report:	Forest Heath Statement of Licensing Policy 2019 to 2022 and Newmarket Cumulative Impact Assessment (CIA) Area	
Report No:	CAB/JT/18/041	
Report to and dates:	Joint Executive (Cabinet) Committee	6 November 2018
	Forest Heath Council	21 November 2018
Portfolio holder:	Councillor Lance Stanbury FHDC Portfolio Holder for Planning and Growth Tel: 07970 947704 Email: lance.stanbury@forest-heath.gov.uk	
Lead officer:	David Collinson Assistant Director (Planning and Regulatory Services) Tel: 01284 757306 Email: david.collinson@westsuffolk.gov.uk	
Purpose of report:	To review the updated mandatory Statement of Licensing Policy, incorporating the Cumulative Impact Assessment (CIA) Area.	
Recommendation:	<p>Subject to the approval of Forest Heath Council, the Joint Executive (Cabinet) Committee is <u>RECOMMENDED</u>:</p> <p>(1) To adopt the draft overarching Statement of Licensing Policy for Forest Heath 2019-2022, as set out in Appendix 1 to Report No: CAB/JT/18/041.</p>	

	<p>(2) That the existing Newmarket Cumulative Impact Assessment (CIA) Area (as incorporated within Appendix 1 to Report No: CAB/JT/18/041) is:</p> <p>(a) renewed; and, (b) reviewed again within approximately 18 months.</p>
<p>Key Decision:</p> <p><i>(Check the appropriate box and delete all those that do not apply.)</i></p>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p>
<p><i>The decisions made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included on the Decisions Plan.</i></p>	
<p>Consultation:</p>	<p>31 July 2018 to 7 September 2018</p>
<p>Alternative option(s):</p>	<p>Statement of Licensing Policy</p> <ul style="list-style-type: none"> • Not adopting the Statement of Licensing Policy (not viable as this is a statutory policy required for us to undertake our licensing activities) • Re-adopting the wording of the existing Statement of Licensing Policy (not desirable because it does not include updates required by the new April 2018 statutory guidance) <p>Cumulative Impact Assessment (CIA) Area for Newmarket town centre</p> <ul style="list-style-type: none"> • Do not renew the CIA area • Re-adopt the current CIA area for 3 years • Re-adopt the current CIA and commit to reviewing within 18 months with improved evidence base • Adopt the CIA with amendments to the area. This would require further consultation.
<p>Implications:</p>	
<p>Are there any financial implications? <i>If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>Are there any staffing implications? <i>If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>Are there any ICT implications? <i>If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>Are there any legal and/or policy implications? <i>If yes, please give details</i></p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>The Mandatory Statement of Licensing Policy must be renewed every 5 years, including any Cumulative Impact Policies, which must be renewed every</p>

		3 years, according to Statutory Guidance. The expiry date on this Policy is 5 January 2019	
<i>Are there any equality implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Legal – failure to revise policy in line with the guidance means the council may be open to legal challenge.	Medium	An appropriate consultation plan and supporting evidence base has been implemented.	Low
Community – Not maintaining the Statement of Licensing Policy and Cumulative Impact Assessment area could result in too many premises selling alcohol in the locality with the associated negative impact crime and disorder.	Medium	Implementing effective policies and controls to manage premises selling alcohol will contribute to a safer localities.	Low
Ward(s) affected:		All Forest Heath Wards	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		Current Forest Heath Statement of Licensing policy Home Office Amended Guidance issued under section 182 of the licensing Act 2003 (April 2018): Cabinet report July 2018 – proposed consultations (item 24) and Portfolio Holder decision to consult.	
Documents attached:		Appendix 1: Draft FHDC Statement of Licensing Policy Appendix 2: Summary of Consultation Responses (both Policy and Cumulative Impact Assessment Area) Appendix 3: Newmarket Crime Statistics 2014-2017 Appendix 4: Statement from Suffolk Constabulary: August 2018	

1. Statement of Licensing Policy - Key issues and reasons for recommendations

1.1 Background

1.1.1 The Licensing Act 2003 established a single integrated scheme for licensing premises in England and Wales which are used for the sale or supply of alcohol, to provide regulated entertainment, or late night refreshment. The legislation supports public safety through upholding the following four licensing objectives:

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

1.1.2 In order to license this activity, Section 5 of the 2003 Act requires a licensing authority to prepare and publish a statement of its licensing policy at least every five years. Such a policy must be published before the authority carries out any function in respect of individual applications and notices made under the terms of the 2003 Act.

1.1.3 The policy must be kept under review during the five-year period and the licensing authority may make any revisions as it considers appropriate, such as those relating to feedback from the local community on whether the licensing objectives are being met. If the licensing authority determines and publishes its policy in this way, a new five-year period commences on the date it is published.

1.1.4 This report sets out proposals to re-adopt both the Statement of Licensing Policy and Cumulative Impact Assessment area for Newmarket town centre, the analysis and recommendations for which are set out under separate headings below. This is based on a review of the current legislative framework, the effectiveness of the current policy on crime and disorder in the area and a consultation carried out in accordance with statutory guidelines that apply.

1.2 Revising the Statement of Licensing Policy 2019-2022

1.2.1 Local authority Statement of Licensing policies are required to be renewed every five years. The integrated cumulative impact assessments must now be reviewed every three years or sooner, for example if they are considered with the overarching Statement of Licensing policy review.

1.2.2 The current proposal is for the Forest Heath District Council Statement of Licensing Policy to only run until December 2022, because this is when the current St Edmundsbury Statement of Licensing Policy expires, allowing a West Suffolk Statement of Policy to be produced. In the meantime, it is proposed that a West Suffolk Council Statement of Licensing Policy be adopted by the Shadow Authority in February 2019, using the identical policy wording of the two Forest Heath and St Edmundsbury policies (albeit including the two agreed Cumulative Impact Assessments), but pulling them into a single document and updating any references to legislation that have

been made since 2017. This will be communicated to stakeholders alongside the Shadow Authority’s consideration. This approach has been agreed with the Ministry of Housing, Communities and Local Government.

1.2.3 The following changes have been made to the Forest Heath Statement of Licensing Policy 2014-2019, due to statutory guidance changes and the need to update local area facts and figures:

Paragraph	Change
N/A - introduction	Updating local area facts and statistics
3.3	Adding in link to government guidance on licensing objectives
5.1	Adding additional reference to legislation
5.4	Updating names of relevant authorities and groups (West Suffolk Community Safety Partnership)
7.2	Updating other mechanisms for upholding the licensing objectives according to revised statutory guidance.
7.4 (and all mentions hereafter)	Changing all references to “cumulative impact policy” to “cumulative impact assessment”
7.17 and 7.18	Updating consultation requirements, in particular increasing the evidence base that needs to be published alongside any consultation on a CIA
14.3	Removing reference to outdated joint enforcement policy with partner authorities.
17.2.2	Removing outdated Act
18.6, 18.7 and 19.4	Updating according to new legislation (Immigration Act 2016 amended the Licensing Act 2003)

All changes are also marked as red text in Appendix 1.

1.3 **Statement of Licensing Statutory Engagement**

1.3.1 As part of the review of the Statement of Licensing policy we have a statutory duty to consult with certain parties. Since there were no substantive policy changes we confined the engagement to the statutory consultees and key stakeholders:

- Suffolk Constabulary
- Suffolk Fire and Rescue Service
- Health and Safety Executive
- Suffolk County Council: Public Health and Trading Standards
- Suffolk Children’s Safeguarding Board
- Home Office: Alcohol Licensing team
- Newmarket Business Improvement District
- All ward councillors
- All town and parish councillors

The following internal stakeholders were also consulted:

- Planning
- Families and Communities

1.3.2 A separate consultation was held for the decision on the Newmarket CIA area. Both the CIA public consultation and policy statutory engagement were held between 31 July 2018 and 7 September 2018.

1.4 **Statement of Licensing policy – findings of review and engagement**

1.4.1 It is recommended that the draft policy is adopted with the additional revisions. The alternative options, set out at the beginning of this report, would leave the council at risk of not performing its statutory functions as it would have no policy to support its licensing activities under the Licensing Act 2003.

2. Cumulative Impact Assessment key issues and reasons for recommendations

2.1 **Background to Cumulative Impact Assessments**

2.1.1 “Cumulative Impact” is not mentioned specifically in the 2003 Act. It is, however, referred to in the Home Office guidance, where it is defined as “the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area”. The cumulative impact of licensed premises on the promotion of the licensing objectives is a matter for a licensing authority to consider in developing its licensing policy statement.

2.1.2 The effect of adopting a Cumulative Impact Assessment (CIA) area is to create a rebuttable presumption that applications for the grant or variation of premises licenses or club premises certificates which are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations following relevant representations. However, if the applicant can demonstrate in the operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives then the licence or variation sought is likely to be granted. Applicants should give consideration to potential cumulative issues when setting out the steps they will take to promote the licensing objectives in their application.

2.1.3 As an alternative tool to a CIA, variable licensing hours may indeed facilitate gradual dispersal of customers from premises. However, experience has shown that in some circumstances this is not sufficient to curb the cumulative impact of a cluster of licensed establishments

2.1.4 It should be noted that the publication of a CIA does not remove a licensing authority’s discretion to grant applications for new licences or applications to vary existing licences, where the authority considers this to be appropriate in the light of the individual circumstances of the case. This case-by-case basis includes relevant representation. A relevant representation would state which of the Licensing Act objectives will be undermined and also the likely effect of granting the licence. If there are no representations, the licensing authority must grant the application in terms that they are consistent with the operating schedule submitted by the applicant.

2.1.5 The Secretary of State updated the Licensing Act 2003 guidance for licensing authorities. The revised guidance published in April 2018 makes a number of

changes to out how local authorities should implement these special place-based policies now known as cumulative impact assessments (CIAs):

- renaming previously adopted cumulative impact policies (CIPs) as CIAs
- Updating the requirement for review to at least every 3 years (from 5 years)
- Expanding requirements for consultation
- Expanding the evidence base to include data from a range of partner authorities to support the implementation of a CIA

In essence, this change follows calls for local authorities to be more open and transparent about why a CIA was introduced and whether it should be renewed upon future reviews. This also forms part of the government Modern Crime Prevention Strategy 2016 and fulfils the following commitment to put CIPs “on a statutory footing, to strengthen the ability of authorities to control the availability of alcohol and reduce alcohol-related crime and disorder, as well as providing industry with greater clarity about how they can be used”.

2.2 Background to the Newmarket CIA

2.2.1 Based on the principles set out in the Statement of Licensing Policy, the current Cumulative Impact assessment area applying to the centre of Newmarket was designated in 2008 and re-adopted in 2011 and then again in 2016.

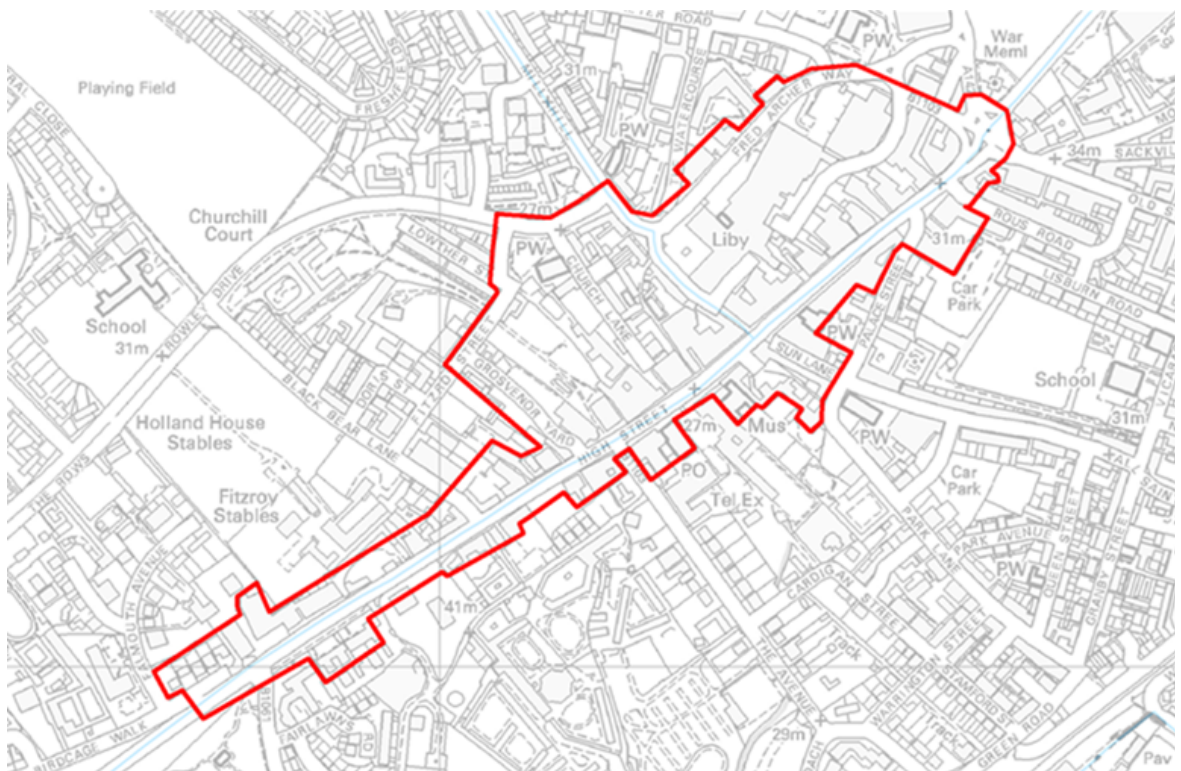


Figure 1 – Current Cumulative Impact Assessment area for Newmarket town centre

2.2.2 Since 2008, the number of licensed premises in the CIA area has stayed relatively steady but the variety in type of late-night opening establishments has changed. For example, the De-Niros nightclub closed in 2015 and no other licensed nightclubs have opened.

2.2.3 The data provided by Suffolk Constabulary, as set out in Appendix 3, shows that crime levels have stayed relatively steady between 2015 to 2017. However, the statistics were significantly lower in 2014. We are unable to directly compare this data with that collected in 2008, when the CIA was first introduced, due to the different methodology used by the police. Unfortunately this makes any comparison made potentially unreliable.

2.3 Newmarket Cumulative Impact Assessment Area Consultation

2.3.1 As another responsible authority, the police work with us to uphold the licensing principles. Data relating to crime and disorder have been obtained from Suffolk Constabulary for a representative period since the adoption of the current Statement of Licensing Policy and CIA area. A summary of crime statistics for the relevant period is presented in Appendix 2. This data was published alongside the consultation to inform responses and uphold the Home Office guidance on being open and transparent about the evidence base for a re-adopting this special area policy.

2.3.2 Suffolk Constabulary were also made aware of the consultation early on and invited to make a statement. This is set out in Appendix 3.

2.3.3 All residents in Newmarket were made aware of the consultation through a leaflet drop and invited to give feedback via our survey or contacting the licensing team directly.

2.3.4 The consultation was also sent out to all councillors and parish and town councils. In addition, we sent the consultation to all of our partner responsible authorities.

2.4 Newmarket Cumulative Impact Assessment area – findings of review and consultation

2.4.1 Three responses to the public consultation were received, comprising of two residents and Newmarket Town Council. All responses supported keeping the Cumulative Impact Assessment Area in place. Details of these responses are set out in Appendix 2. Newmarket Town Council also queried the level of publicity used but all efforts made were explained and it was resolved.

2.4.2 The statement from Suffolk Constabulary, as set out in Appendix 4, also supports keeping this special policy in place. In particular, the following statement sets out the reason from a public safety point of view: "Alcohol related crime and disorder in Newmarket town centre routinely places additional demand on police resources during the times of peak night time economy activity (11pm to 4am)."

2.4.3 We did not include any options for amending the current CIA area in the consultation but provided the opportunity for suggestions as part of our survey. Both a resident and Newmarket Town Council highlighted problems outside of the existing CIA area. There are still licensed premises outside of the CIA area but these have not previously been considered to be clustered as closely together as to cause a cumulative impact. The suggestion from the town council is more about visible policing rather than the CIA area.

- 2.4.4 One question was received from Greene King in relation to the evidence base for the cumulative impact assessment. We responded outlining the evidence we had available and that we don't have access to any more at this moment.
- 2.4.5 The issue raised by Greene King supported Officers' existing view that further work should be done on the evidence base.
- 2.4.6 Although our consultation approach meets the new statutory guidelines, we recognise that we need to do more in the future to broaden this evidence base and recommend that future reviews consider the following:
- local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;
 - statistics on local anti-social behaviour offences;
 - health-related statistics such as alcohol-related emergency attendances and hospital admissions;
 - environmental health complaints, particularly in relation to litter and noise;
 - complaints recorded by the local authority, which may include complaints raised by local residents or residents' associations;
 - residents' questionnaires;
 - evidence from local and parish councillors; and
 - evidence obtained through local consultation.
- 2.4.7 The above list is taken from the revised statutory guidance which suggests different types of evidence local authorities should obtain. In this instance the new guidance was released after our preparations for the review had begun so we were only able to collect some of these statistics in the time available timeframe. We tried to collect more alcohol-related crime and health statistics from other responsible authorities but found this takes significant time and we did not have sufficient time available before the consultation to request this.

2.5 **Newmarket Cumulative Impact Assessment Area Recommendations**

- 2.5.1 On the one hand, we would prefer to have more comparable and extensive data to support a decision on the CIA as outlined above. As a licensing authority we do not want to have an unduly detrimental effect on business unless we have a strong evidence suggesting this is in the interests of protecting public safety. Although we do have the crime statistics for the period 2015-2017, these cannot be compared with those before 2008 when the CIA was created.
- 2.5.2 On the other hand, it would not be prudent to cause unnecessary disruption to the current joint efforts of other responsible and the trade authorities to reduce alcohol-related crime and disorder when we don't have conclusive evidence showing that it has been significantly reduced year on year.
- 2.5.3 Given the recently updated statutory guidance and the limited the consultation response it is proposed that the CIA area is reviewed sooner in. In order to collate sufficient evidence to support a more final decision we recommend reviewing the CIA within 18 months, although this should not reduce the lifetime of the CIA to less than the statutory maximum of three

years. This allows us to maintain the status quo until further evidence is gathered and is based on advice from the police that it would be prudent to keep the CIA in place.

- 2.5.4 This approach will allow us to realise the benefits set out in 2.5.2. In order to do this, licensing officers can work with other responsible authorities, such as the police and ambulance service, to gather additional data and include in a separate evidence base document to complement the overarching Statement of Licensing policy.

2.6 **Other matters raised during the consultation**

- 2.6.1 It was noted from our limited consultation responses that other crime and disorder issues influence perceptions of the CIA. Officers suggest that any future consultation on this topic includes more public awareness campaigns to explain the purpose and scope of the cumulative impact assessment and engage more local residents and businesses.

FOREST HEATH DISTRICT COUNCIL

**Statement of Licensing Policy (5th Edition)
5 January 2019 to 19 December 2022**



Forest Heath
District Council

(Proposed revisions to this Policy are shown in red text)

Foreword

Welcome to the latest edition of Forest Heath District Council’s Statement of Licensing Policy.

Our policy encompasses our District’s desire to encourage growth and diversity whilst considering impacts on existing businesses and residents. It is essential to ensure our residents can peacefully enjoy their homes and environment whilst also encouraging responsible and positive investment and economic growth.

We want to make sure that Forest Heath continues to offer a diverse range of high quality and well managed venues and experiences; valued by those who live here, work here and come to visit.

		Page Number
1	Introduction	
2	Purpose of Licensing Policy	
3	Licensing Objectives	
4	The role of the Licensing Authority in the Decision Making Process	
5	Other Legislation, Strategies and Guidance	
6	Relationship with Planning Process	
7	Cumulative Impact of a Concentration of Licensed Premises	
8	Licensing Hours	
9	Relevant Representations	
10	Administration, Exercise and Delegations of Functions	
11	Hearings	
12	Conditions	
13	Appeals	
14	Enforcement	
15	Closure orders	
16	Late Night Levy	
17	Addressing the Licensing Objectives: 17.2 The Prevention of Crime and Disorder 17.3 Public Safety 17.4 Prevention of Public Nuisance 17.5 Protection of Children from Harm	
18	Personal Licenses	
19	Applications for Premises Licenses	
20	Club Premises Certificates	
21	Temporary Event Notices	
22	Provisional Statements	
23	Variations of Licenses	
24	Transfer of Premises Licenses	
25	Reviews	
	Cumulative Impact Map and Crime Statistics	

1. Introduction

The Licensing Act 2003 became fully implemented on 24 November 2005, and brought about the single biggest change to the licensing arrangements for many types of leisure premises in 40 years.

The Act integrated six separate licensing regimes covering the sale and supply of alcohol, the provision of regulated entertainment, the provision of late night hot food or drink (between the hours of 11pm and 5am), night café, theatres and cinemas. The legislation is continuing to evolve, and be amended.

The licensing authority acknowledges the benefits provided by the Act as detailed in the commentary provided by the Secretary of State for Culture, Media & Sport within the introduction to the revised guidance issued in March 2010, namely that the Act:

- allows local people a bigger voice in licensing decisions, with local people becoming more aware of and engaged in the licensing process;
- assists with providing a better system of regulation for business, greater choice for consumers, and where possible help for areas in need of economic regeneration;
- is evidencing that licensees are making good progress towards taking their responsibilities seriously, and are actively working with the Police and each other to eliminate sales of alcohol to underage persons and to combat alcohol related crime and disorder;
- encourages effective multi-agency partnership working to target 'problem' premises, and that new closure and review powers are working to help clamp down on the irresponsible minority of retailers; and
- cannot in isolation provide a solution to many of the problems associated with alcohol misuse, and must be part of a broader strategy to achieve better management of the night-time economy and a better balance between the rights and responsibilities of everyone living and working in each community.

The Area

Forest Heath is a small, predominantly rural district in West Suffolk, with three market towns, predominantly rural area with three market towns, Newmarket, Mildenhall and Brandon and a number of villages and small hamlets.

In 2017, the population of Forest Heath was estimated to be 65,523. Whilst the population is ageing, the district has a slightly more youthful profile than the rest of the region, with almost two thirds of the population being working age (16-64) and only 17.8% aged 65 or over. The district's population is also more transient than in many other rural areas, due to the United States Air Force in Europe (USAFE) bases in Mildenhall and Lakenheath and the number of migrant workers in the district's horse racing and agricultural industries.

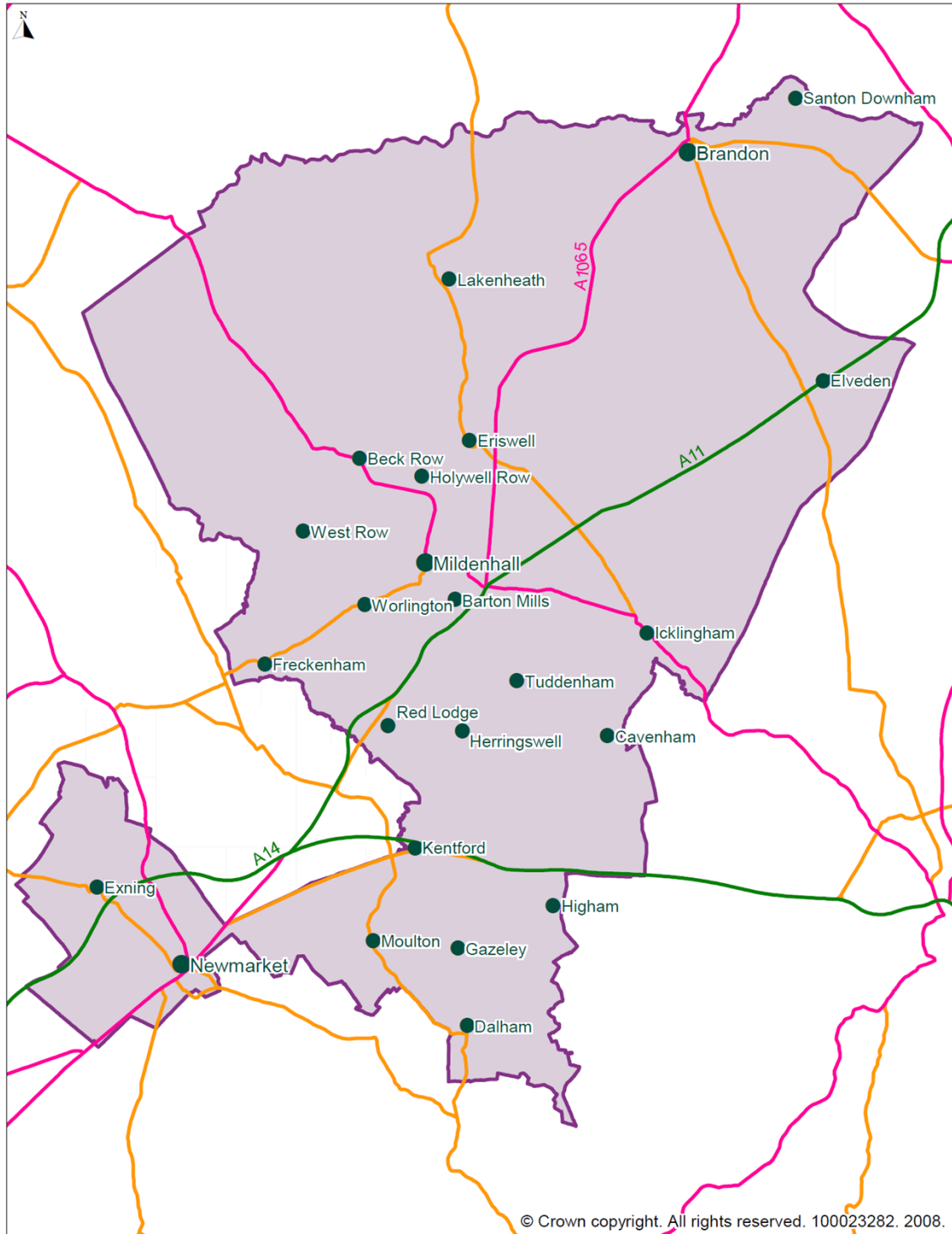
Most licensed premises are in the main towns, particularly in Newmarket – the Home of Horseracing – which attracts many visitors.

MYE2: Population estimates: Persons by single year of age and sex for local authorities in the UK, mid-2017

Name	All ages	age 0-14	age 15-64	age 65+	age 80+	% 0-14	% 15-64	% 65+	% 80+
ENGLAND	55,619,430	10,048,365	35,540,554	10,030,511	2,721,910	18%	64%	18%	5%
Suffolk	756,978	128,596	455,216	173,166	47,880	17%	60%	23%	6%
Forest Heath	65,523	13,015	40,834	11,674	3,231	20%	62%	18%	5%
St Edmundsbury	113,725	19,385	69,119	25,221	6,966	17%	61%	22%	6%
West Suffolk	179,248	32,400	109,953	36,895	10,197	18%	61%	21%	6%

Mid-Year Estimates for 2017 state that the population of Forest Heath was 65,523. Whilst the population is ageing, Forest Heath has a slightly more youthful profile than the rest of the region, with 62% of the population being working age (15-64] and 20% aged between 0-14 years. 18% of the population are aged 65+.

The district's population is also more transient than in many other rural areas, due to the United States Air Force in Europe (USAFE) bases in Mildenhall and Lakenheath and the number of migrant workers in the district's horse racing and agricultural industries.



2. Purpose of the licensing policy

2.1 The purpose of this licensing policy is to:

- inform the elected Members serving on the licensing committee of the parameters within which licensing decisions can be made;
- inform applicants, residents and businesses of the parameters within which the licensing authority will make licensing decisions;
- inform residents and businesses about how the licensing authority will make licensing decisions; and
- provide a basis for decisions made by the licensing authority if these decisions are challenged in a court of law.

2.2 This policy relates to the following licensable activities as defined in the Act:

- Retail sale of alcohol;
- The supply of alcohol by or on behalf of a club, or to the order of a member of the club;
- The provision of regulated entertainment, which includes:
 - a performance of a play;
 - an exhibition of a film;
 - an indoor sporting event;
 - a boxing or wrestling entertainment (indoors and outdoors);
 - a performance of live music;
 - any playing of recorded music;
 - a performance of dance;
 - entertainment of a similar description to that falling within the performance of live music, the playing of recorded music and the performance of dance;
 - the provision of late night refreshment.

2.3 It should be noted that the 2003 Act (Part 2 of Schedule 1) makes provision for exempt or unregulated activities or locations. Further information on some of these is available from the Department for Culture Media & Sport. Whether activities/locations may be entitled to benefit from an exemption would be assessed on a case-by-case basis.

2.4 The licensing authority will have due regard to the intention of the Act to contribute to the overall economy of the borough and in particular to the potential benefits of longer opening hours, which the Act foresees.

2.5 Where the Guidance published by the government under s.182 is revised at any time the licensing authority will have regard to it where it departs from the Licensing Statement of Policy.

2.6 In some cases, additional licences may be required under separate legislation; for example, sexual entertainment venues may also require a licence under schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, or the venue may also require Performing Rights Society (PRS) permissions.

3. Licensing objectives

- 3.1 This policy must be read in conjunction with the Licensing Act 2003 section 4 (the Act), secondary legislation and the latest guidance issued under s.182 of the Licensing Act 2003 (the Guidance).
- 3.2 Where revisions are made to the legislation or guidance issued by the Secretary of State, there may be a period of time when the local Statement of Licensing Policy is inconsistent with these revisions. In these circumstances, the licensing authority will have regard, and give appropriate weight, to the relevant changes, guidance and its own Statement of Licensing Policy.
- 3.3 In preparing this Statement of Licensing Policy, the licensing authority has consulted in accordance with the requirements of the Act, and has had due regard to the Guidance. **Guidance on the licensing objectives is available on the Government's website at <http://www.culture.gov.uk>.**
- 3.4 The licensing authority recognises that balancing the interests of owners, employees, customers and neighbours of licensed premises will not always be straightforward, but it has a duty to promote the four licensing objectives of the Act:
- The prevention of crime and disorder;
 - the prevention of public nuisance;
 - public safety; and
 - protection of children from harm.

These are the only four objectives in the Act and as such they are paramount to all licensing considerations. The Licensing Authority's approach to addressing these four objectives is set out in section 16.

- 3.5 In exercising its licensing functions, once its discretion is engaged, the Licensing Authority will consider the direct impact of the licensable activities on other persons.
- 3.6 The licensing authority wishes to proactively maintain and protect the amenity of residents and other businesses from the potential consequence of the operation of licensed premises whilst recognising the valuable cultural, social and business importance that such premises provide.
- 3.7 The aims of this Statement of Licensing Policy are to:
- help to encourage and support a strong and inclusive society that balances the rights of individuals and their communities;
 - integrate the licensing authority's aims and objectives with other initiatives and strategies that will:
 - reduce crime and disorder;
 - ensure the safety of the public engaging in licensable activities
 - encourage tourism and cultural diversity;
 - reduce alcohol misuse;
 - encourage the self-sufficiency of local communities; and
 - reduce the burden of unnecessary regulation on business.

- 3.8 This Statement of Policy does not seek to undermine the right of any individual to apply under the terms of the Act for a variety of permissions and to have such an application considered on its merits where the licensing authority's discretion has been engaged. It does not seek to override the right of any person to make representations on or about an application or seek a review of a licence or certificate where provision has been made for them to do so in the Act.
- 3.9 The licensing process can only seek to regulate those measures within the control of the licensee or certificate holder (and their staff/agents), and in the immediate vicinity of the premises involved in licensable activities, for example, on the pavement, in a beer garden or smoking shelter. Licensing law is not a mechanism for the general prevention of anti-social behaviour by individuals once they are away from such premises and beyond the direct control of the licence holder, nor is it the cure-all for all community problems.

4. The role of the licensing authority in the decision making process:

- 4.1 It is important for any person reading this Statement of Licensing Policy to note that the licensing authority's discretion and decision-making role, referred to throughout this statement of licensing policy, is only engaged following a relevant representation being lodged in respect of an application, and where that representation is not withdrawn. The application will then ordinarily be heard by a sub-committee of the Council's licensing and regulatory committee. However, it must be noted that, in contrast, the process and determination in respect of minor variations and community premises mandatory conditions 'alternatives' are exceptions to these usual arrangements, as referred to later in this document.
- 4.2 The Licensing Act 2003 provides for a mediation process between parties. Where it is appropriate for the Licensing Authority to do so, following a relevant representation being made, the authority shall make all reasonable efforts to facilitate mediation. In doing so, the licensing authority will be mindful of the legislative framework and any relevant government guidance.
- 4.3 In cases where a premises licence application or club premises certificate has been lawfully made, and no responsible authority or other person, has made a representation, the licensing authority must grant the application on the terms sought, subject only to conditions which are consistent with the operating schedule and relevant mandatory conditions in the Act. This should be undertaken as an administrative process by the licensing authority's officers who will translate the proposals contained within the operating schedule to promote the licensing objectives into clear and understandable conditions. As above, there are different arrangements in place for some minor processes under the Act.
- 4.4 The Police Reform and Social Responsibility Act 2011 created a further role for the licensing authority as a responsible authority thereby allowing it to make representations and/or seek a review of a premises licence or club premises certificate.

4.5 It is the intention of the licensing authority to work closely with licensees and their representatives, responsible authorities, other persons and partner authorities in order to promote the licensing objectives and minimise the burden on all involved to ensure that as far as possible the licensing arrangements work satisfactorily and successfully.

5. Other legislation, strategies and guidance

5.1 When carrying out its functions the licensing authority must comply with the following legislation:

- Crime and Disorder Act 1998;
- The European Convention on Human Rights, given effect by the Human Rights Act 1998;
- Race Relations Act 1976 (as amended by the Race Relations (Amendment) Act 2000);
- Anti-Social Behaviour, Crime and Policing Act 2014 (within this, PSPO 'Public Space Protection Order' which are active in West Suffolk);
- Violent Crime Reduction Act 2006;
- Environmental Protection Act 1990 (as amended);
- Health Act 2006;
- Noise Act;
- Health and Safety at Work Act;
- Clean Neighbourhoods and Environment Act 2005 (including powers for the local authority to issued fixed penalty notices to licensed premises emitting noise that exceeds the permitted level between 11pm and 7am).
- Policing and Crime Act 2009;
- Police Reform and Social Responsibility Act 2011;
- Sunday Trading Act 1994;
- Christmas day (Trading) Act 2004;
- safety at Sports Grounds 1975;
- public Health Act 2006 (section 10);
- any National Alcohol Strategy;
- the Council's published policy on Safeguarding Children;
- the Council's published procedure for dealing with petitions and its obligations under the Local Democracy, Economic Development and Construction Act 2009; Equality and diversity obligations; and
- **European Union Services Directive.**
- the Council's Enforcement Policy

5.2 The premises operators are normally responsible for compliance with any other statutory requirements which may apply, for example the Regulatory Reform (Fire Safety) Order 2005.

5.3 The licensing authority will seek to avoid duplication with other regulatory regimes when dealing with the licensing function. If other existing law already places certain statutory responsibilities on an employer or operator of premises, it cannot be appropriate or proportionate to impose the same or similar duties on the premises licence holder or club. Once the discretion of the licensing authority is engaged, it is only where additional and supplementary measures

are appropriate to promote the licensing objectives that proportionate conditions will be attached to a licence.

- 5.4 Other local authority and government policies, strategies, responsibilities, and guidance documents may also refer to the licensing function, and the licensing authority may liaise with the relevant authorities or its directorates with regard to these. Whilst some of these may not be directly related to the promotion of the four licensing objectives, they can indirectly impact upon them. For example, the licensing authority will liaise closely with the local Police Safer Neighbourhood Teams (SNT) and **Western Suffolk Community Safety Partnership (WSCSP)** and/or the Suffolk Safety Advisory Group (SAG) to ensure that the local authority can develop effective strategies that take full account of local crime and disorder issues.

It is the licensing authority's intention that it will, through its licensing committee monitor how the matters set out in this paragraph impact on the licensing authority's licensing and other functions, in order to integrate its licensing function with other relevant strategies.

The licensing authority will maintain a list of those strategies and policies with which it seeks to integrate its aims and objectives on the website, at www.westsuffolk.gov.uk.

- 5.5 The licensing authority wishes to encourage and promote live music, dance and theatre for the wider cultural and economic benefit of the community. It will seek to obtain a balance between the potential for limited neighbourhood disturbance and the benefits of cultural activities on residents and/or visitors to the area.
- 5.6 The Council may seek premises licences for public spaces in the community in its own name. With regard to those places, performers and entertainers may not need to obtain a licence or give a temporary event notice themselves in order to perform. Instead, they may require permission from the Council as the premises licence holder. The Council may use this method of licensing to encourage circus and street arts to our local communities.
- 5.7 Where it considers it appropriate to do so, and in order to seek proper integration of the licensing function, the licensing authority may share data with the local planning authority, the Council's locality and economic development officers for example in relation to growth, regeneration and local skills and employment matters. This may also include areas where alcohol-related crime and disorder is having an impact on a local area.

6. Relationship with planning process

- 6.1 Any premises for which a licence is required should have either:
- a) planning consent; or
 - b) lawful use under the planning legislation in order to operate lawfully under the conditions of any licence granted under the Act.

However, the lack of either (a) or (b) above will not prevent the licensing authority from considering and determining an application, although it clearly makes operational sense to ensure that planning and licensing are compatible.

- 6.2 The licensing authority will avoid treating licensing applications as a re-run of planning applications, because licensing matters will always be subject to consideration of the four licensing objectives, whereas planning matters are subject to different considerations.
- 6.3 The licensing and planning authorities are responsible for enforcing conditions attached under their respective licences and consents.
- 6.4 Where the terminal hour for the operation of a premises is stated on a planning consent, but differs from that specified on the licence, the licence holder must observe the earlier closing time to operate lawfully.
- 6.5 The licensing authority wishes to emphasise that the granting by the Licensing and regulatory committee sub-committee of any variation of a licence which involves a material alteration to a building would not relieve the applicant of the need to apply for planning permission or building control consent where appropriate.

7. Cumulative impact

- 7.1 The licensing authority recognises that the cumulative effect of licensed premises may have negative consequences which could include:

- an increase in crime against both property and persons;
- an increase in noise causing disturbance to residents;
- traffic congestion and/or parking difficulties; and/or
- an increase in littering and fouling,

and that enforcement action taken to ensure that conditions are complied with may not always resolve any problems experienced in the vicinity of licensed premises.

- 7.2 Licensing is only one means of addressing the problems identified above, and cannot in isolation provide a solution to many of the problems that may be experienced. Other mechanisms to address problems could include:

- planning controls;
- **positive measures to create a safe and clean town centre environment in partnership with local business, transport operators and other departments of the local authority using best practice schemes or BIDS**
- powers of local authorities or police to designate parts of the local authority area as places where alcohol may not be consumed publicly and confiscation of alcohol in these areas;
- **the confiscation of alcohol from adults and children in designated areas;**
- police powers to close down premises or temporary events for up to 48 hours on the grounds of preventing crime, disorder or nuisance;

- police enforcement of the general law concerning disorder and anti-social behaviour including the issuing of fixed penalty notices;
- prosecution of personal licence holders who sell alcohol to people who are drunk or underage;
- local Authority powers under section **Anti-Social Behaviour, Crime and Policing Act 2014 (which includes the adopted PSPO's and community protection notices)**;
- powers available to responsible authorities under the provisions of the Policing and Crime Act 2009 or Violent Crime Reduction Act 2006;
- Early Morning Restriction Orders (EMRO's).

- 7.3 The cumulative effect of licensed premises selling alcohol for consumption on the premises can have a disproportionate detrimental effect on neighbouring businesses and residents and the operation of a number of premises in a defined area has the effect of undermining the licensing objectives. The Licensing Authority recognises that a concentration of shops, stores and supermarkets selling alcohol for consumption off the premises does not normally lead to significant problems.
- 7.4 On 9 January 2008 the council agreed to implement a Cumulative Impact **Assessment** in respect of Newmarket town centre (See Appendix A). The area has a significant number of licensed premises of all types. Although they have staggered closing times, their concentration still leads to large numbers of people on the street and has an impact on the capability of the transport system to disperse these numbers rapidly with minimal impact on crime and disorder and public nuisance.
- 7.5 The licensing authority takes the view that the principle problem is caused by the number of people attending the licensed premises in this area, their movement to and from these premises and to and from hot food take-aways
- 7.8 The licensing authority wishes to encourage the provision of a wider range of entertainment in the area. West Suffolk Councils, the Police and other agencies work in partnership to implement a number of initiatives to reduce crime. Any future expansion of new or existing licensed premises/night time economy should be consistent with the wider regeneration and economic growth aspirations of the Council and its partners and should actively promote an inclusive town for all that is a safe and pleasant place to be in.
- 7.9 The proposals in respect of the town centre are intended to target those premises that will increase the numbers of customers in the area and those premises serving alcoholic drinks and/or takeaway food after 11:00pm that can act as a flash point for crime and disorder and public nuisance. It is not intended to constrain the development of other entertainment uses which do not add to the problems being experienced in this area.
- 7.10 It is the licensing authority's policy that there will be a rebuttable presumption that applications for new premises licences or club premises certificates, which are primarily drinking establishments and are premises used primarily or exclusively for the sale and consumption of alcohol, will be refused if relevant

representations are received about the cumulative impact on the licensing objectives.

- 7.11 It is the licensing authority's policy that there will be a rebuttable presumption that applications for material variations in respect of premises currently licensed will be refused if relevant representations are received about the cumulative impact on the licensing objectives.
- 7.12 It is the licensing authority's policy that there will be a rebuttable presumption that applications for new premises seeking a licence to provide hot food between 11:00pm and 05:00am and where the food purchased is to take-away from the premises will be refused if relevant representations are received about the cumulative impact on the licensing objectives.
- 7.13 It will be the responsibility of an applicant seeking either a new premises licence or club premises certificate or seeking a material variation to an existing licence to provide evidence that the additional licence would not have an adverse impact and the applicant would need to address the cumulative impact **assessment** within their operating schedules.
- 7.14 In respect of other areas within West Suffolk, the licensing authority would need to be provided with evidence-based information and each area would be considered on its own merits.
- 7.15 Where there are licensed premises that cause concern or are within an area of concern, the licensing authority would first consider imposing conditions.
- 7.16 Before any further impact **assessment** is implemented, there would need to be evidence-based information available to the licensing authority. This could be part of the information made available by the police, responsible authorities or other groups when they are reporting on matters affecting members of the public.
- 7.17 **Forest Heath District Council intends to consult on its current cumulative impact assessment due to be reviewed concurrently with the statement of licensing policy. The consultation will publish crime data supplied by Suffolk Constabulary and data from environmental health complaints in relation to noise.**
- 7.18 **The consultation will allow the licensing authority to obtain statements and questionnaires from local residents, parish and local councillors, police, relevant authorities and any other relevant interested parties. The available evidence will then be considered by the local authority in determining that it is satisfied that a CIA is to be published and reviewed within 3 years of its publication. Reasons why the CIA is to be published and types of premises it will relate to will also be listed, examples are night clubs, vertical drinking bars, restaurants with a vertical drinking facility after 2300, hot food take-aways serving after 2300 hours.**

8. Licensing Hours

- 8.1 The licensing authority, through the exercise of its licensing function, will not seek to restrict the trading hours of any particular premises unless this is appropriate to promote one or more of the licensing objectives. Each application will be considered individually on its own merits.
- 8.2 In the absence of any specific reasons linked to the licensing objectives, the licensing authority will not seek to restrict licensed retail outlets ability to sell alcohol for consumption off the premises throughout their general trading hours. A possible example of an occasion when a limitation could be considered would be following police representations that a shop was known to be a focal point for crime and disorder due to groups congregating there, causing crime and nuisance.
- 8.3 The consideration of hours of operation will be in the context of the particular circumstances of each application and the licensing objectives.
- 8.4 The licensing authority will aim, through the promotion of the licensing objectives, to reduce the potential for concentrations of patrons leaving the premises and achieve a slower dispersal of people from licensed premises through flexible opening hours.
- 8.5 Whilst no part of the District is at the time of this policy revision subject to any Early Morning Alcohol Restriction Order (EMRO), the Licensing Authority is aware of the power conferred on it as set out in sections 172A to 172E of the 2003 Act to make, vary or revoke an EMRO. The exercise of the licensing authority's functions may be delegated by its committee to a sub-committee, other than the decision to make, vary or revoke an EMRO (which is exercised by full council). This power enables a licensing authority to prohibit the sale of alcohol for a specified time period between the hours of 12am and 6am in the whole or part of its area, if it is satisfied that this would be appropriate for the promotion of the licensing objectives.
- 8.6 The licensing authority has a published Cumulative Impact Area in its Statement of Licensing Policy and will always consider the relationship between the CIA and proposed EMRO area and the potential overall impact on its local licensing policy.

9. Relevant representations

- 9.1 A relevant representation is one that is made in writing and:
- is about the likely effect of a licence on the promotion of the licensing objectives (for new applications representations may be probative/speculative and it will be for the Licensing Authority in each case to determine what weight to attach to representations and any supporting evidence);
 - has been made by a responsible authority, or other person or elected councillor as defined by the Act, within the relevant time period as prescribed by regulation;
 - has not been withdrawn; and
 - has not been determined by the Licensing Authority as frivolous, vexatious or repetitious (or repetitious in respect of a review).

- 9.2 Electronic representations will be administered in accordance with the requirements of the Licensing Act 2003 (Premises licences and club premises certificates) (Amendment) (Electronic Applications etc.) Regulations 2009 and are accepted by the licensing authority provided that the representation is received within the prescribed time limits. An electronic representation is not deemed to be received until it is opened, which will be within office hours, and if the e-mail is sent outside those hours and the consultation period finishes before the office is next open then the representation is late and will be refused.
- 9.3 In 'borderline' cases, the licensing authority will normally give the benefit of the doubt to the other person or responsible authority making the representation, and any subsequent hearing would provide an opportunity for the person or body making the representation to amplify or clarify it. However, the licensing authority could decide not to take any action in respect of the application if, for example, the representation could not be supported.
- 9.4 It will be for the licensing & regulatory sub-committee to determine whether any ordinary and reasonable person would consider the issue raised in a representation as either vexatious or frivolous (or repetitious in respect of a review). Therefore, the representation will be deemed to be accepted by the licensing authority until such decision is made. A person aggrieved by a rejection of his representation on these grounds may challenge the Licensing Authority's decision by way of judicial review.
- 9.5 Local councillors play an important role in their communities. They can make representations in writing and subsequently at a hearing as:
1. a member of the relevant licensing authority, i.e. elected councillors of the licensing authority for the area in which a premises is situated;
 2. on behalf of a named other person such as a resident or local business if specifically requested to do so; and
 3. as an individual in their own right.
- Their involvement in and/or participation in meetings to discuss matters is subject to a code of conduct under the Localism Act 2011.
- 9.6 The licensing authority seeks to consider each representation on its merits, and taking into consideration the following matters:
- location of the premises which is the subject of the application;
 - the nature of the surrounding area;
 - the direct impact of the activities proposed to take place; and
 - the likely distance that sound might travel.
- 9.7 Where representations are not considered to be frivolous or vexatious, and the other person expresses a real concern about the likelihood of intimidation or violence if their details are published, that the licensing authority may, consider withholding information from the public domain which would identify an individual.
- 9.8 Where a relevant representation is made in respect of:

- an application; or
- an existing licensed premises,

a hearing will be held, unless an agreement is reached between the licensing authority, the applicant and all of the parties who have made relevant representations, that a hearing is not required. It is not anticipated that a hearing will be held where the only representations received are in support of an application and without qualification.

- 9.9 The licensing authority will attempt mediation between the relevant parties wherever it may be practicable or appropriate to do so, so as to avoid unnecessary hearings. It may also extend the normal time limits for hearings where it is considered in the public interest to do so, for example where all parties are on the point of reaching agreement.
- 9.10 It should be noted that the usual hearing arrangements, following receipt of a relevant representation, do not apply to minor variations. For these processes the power to determine the application has been delegated to the licensing officers, and no hearing mechanism is involved. Relevant representations and statutory guidance will, however, be considered as part of this process, and applications shall be assessed individually and on merit by the relevant officer.

10. Administration, exercise and delegations of functions

- 10.1 The Council's published Scheme of Delegation for functions under the Licensing Act 2003 is set out in Section 4 of the Council's Constitution and is available on the Council website at www.westsuffolk.gov.uk or by contacting Customer Services at customer.services@westsuffolk.gov.uk.
- 10.2 Where an application has been made in accordance with the statutory requirements, and either no relevant representations have been received, or, relevant representations have been received and have all been withdrawn, the licensing authority will grant the application in accordance with the requirements of the Act under authority delegated to an officer. The exceptions to this usual administrative processes include applications for minor variations and community premises mandatory conditions disapplication requests as referred to earlier in this document.
- 10.3 Where an application does not meet the statutory requirements, it will be returned to the applicant with an explanation of the matters that need to be addressed in order to meet the statutory requirements.
- 10.4 Electronic applications will be administered in accordance with the requirements of the Licensing Act 2003 (Premises licences and club premises certificates) (Amendment) (Electronic Applications etc.) Regulations 2009.

11. Hearings

- 11.1 Where a hearing is held, any relevant representations will be put before the licensing & regulatory sub-committee. The representations, including the name and address of the person making them will be part of a public document.
- 11.2 The hearing will be conducted in accordance with the Licensing Authority's published procedure available via www.westsuffolk.gov.uk or directly from the licensing team upon request.
- 11.3 Where an application is determined at a hearing, the Licensing Act Sub-Committee will give appropriate weight to the:
- relevant representations ;
 - submissions and evidence presented by all parties;
 - steps appropriate to promote the licensing objectives;
 - the licensing authority's statement of policy; and
 - the guidance issued under s.182 of the Act (as may be amended from time to time).
- 11.4 The licensing authority may use the power given within the hearings regulations to extend time limits where it considers this to be in the public interest. Extending time limits in the public interest will be assessed individually on a case by case basis.
- 11.5 The Licensing Act 2003 provides for a mediation process between parties. Where it is appropriate for the licensing authority to do so, following a relevant representation being made, the Authority shall make all reasonable efforts to facilitate mediation. In doing so the licensing authority will be mindful of the legislative framework and any relevant government guidance. Any guidance provided by the authority will be available on the website, at www.westsuffolk.gov.uk.

12. Conditions

- 12.1 The Act makes provision for certain mandatory conditions (sections 18-20) which are summarised below:
- Where a premises licence authorises the sale or supply of alcohol, no supply may be made at any time when there is:
 - no designated premises supervisor in respect of the licence; or
 - at a time when the designated premises supervisor does not hold a personal licence or it is suspended.
 - Where a premises licence authorises the exhibition of films, the licence must include a condition requiring that the admission of children is restricted in accordance with the recommendation of the film classification body, or where varied, the film classification awarded by the Licensing Authority.
(n.b. The Licensing Authority recognise the British Board of Film Classification (BBFC), or any successor person or persons designated as the authority under section 4 of the Video Recordings Act 1984, as the relevant film classification body for these purposes. The licensing authority may also either award a classification to an unclassified film or vary the classification

of a film on application in accordance with its policy (www.westsuffolk.gov.uk).

- Where a licence includes a condition requiring that one or more individuals are present at the premises to carry out security activities, the licence must include a condition requiring such individuals to be licensed by the Security Industry Authority.
(n.b. this does not apply to:
 - premises with licences authorising plays or films,
 - premises used exclusively by a club with a club premises certificate
 - premises used under a temporary event notice or under a premises licence issued pursuant to the Gambling Act 2005); or
 - certain employees who benefit from any relevant exemption under the Private Security Industry Authority Act 2001 (the 2001 Act) or by virtue of any other legislation (for example the Violent Crime Reduction Act 2006).
- The licensing authority may not attach to a licence authorising the performance of plays any condition which restricts the nature or manner of performing those plays (other than on the grounds of public safety).

12.2 There are also mandatory conditions relating to a code of conduct for holders of ON licensed premises, via the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 - arising from the Policing and Crime Act 2009. The Secretary of State has powers to set further mandatory conditions and may use this power from time to time.

12.3 With the exception of the above mandatory conditions, the Licensing Authority will only attach conditions to a premises licence or club premises certificate or, in certain circumstances, a temporary event notice where these:

- are consistent with the additional steps identified in the operating schedule which the applicant submits in support of their application; or
- at a hearing following a relevant representation, the conditions are considered appropriate for the promotion of the licensing objectives and are proportionate and reasonable.

In these circumstances, it is the intention of the licensing authority to express any such conditions in unequivocal and unambiguous terms and such conditions will be tailored to the specific premises concerned.

12.4 In so far as conditions proposed by any applicant is concerned, the guidance states that it is not acceptable for the licensing authorities to simply replicate the wording from the operating schedule. The authority will endeavour to interpret any condition in accordance with the applicant's intention.

12.5 The Violent Crime Reduction Act 2006 amends the Licensing Act 2003 which enables the licensing authority, on the application of a senior police officer to attach interim conditions to licences pending a full review of the licence.

- 12.6 The Regulatory Reform (Fire Safety) Order 2005 provides that any conditions imposed by the licensing authority that are or could be imposed by the order automatically cease to have effect, with certain exceptions.
- 12.7 Although the guidance confirms that the conditions should be tailored to the specific premises, the Licensing Authority has produced an operating schedule tool kit that is regularly reviewed and updated which the applicant and others may draw upon as appropriate. In addition, the Home Office has produced supporting guidance in respect of pools of conditions and which can be located on the its website at www.homeoffice.gov.uk.
- 12.8 A committee or board of individuals with responsibility for the management of community premises ("the management committee") may apply to have an alternative licence condition included in a premises licence in place of the normal mandatory conditions. The alternative condition is that every supply of alcohol under the licence be made or authorised by the management committee.

13. Appeals

- 13.1 Entitlement to appeal against any decision of the Licensing Authority is set out in Schedule 5 of the Licensing Act 2003. The fee for such an appeal is £410.00. Cheques or postal orders should be made payable to HMCTS and payment sent to CENS Central Finance Unit, Bayley House, Sish Lane, Stevenage, Hertfordshire, SG4 0HN (or telephone Lowestoft Magistrates' Court on 01502 528211 to pay by card).
- 13.2 Please note that there are no provisions for appeals to the Magistrates Court in respect of applications for minor variations or disapplications for requirement for designated premises supervisor.
- 13.3 Should the discretion of the Licensing Authority be engaged following an application for a Summary Review under section 53A and Interim Steps are imposed by the licensing authority pending the review of the premises then there is no appeal as against that decision.

14. Enforcement

- 14.1 Where necessary, enforcement action will be considered in accordance with the compliance code, and the council's general enforcement policy (www.westsuffolk.gov.uk).
- 14.2 The emphasis will be upon a risk assessed approach to inspections, concentrating on those premises which either:
- present a greater risk; or
 - have a history of non-compliance with conditions or regulations; or
 - demonstrate poor management practice which undermines the licensing objectives.

- 14.3 **The Licensing Authority has adopted a joint enforcement protocol with partner authorities – available via the Council website at www.westsuffolk.gov.uk or upon request from the Licensing Team. Remove - outdated**
- 14.4 The Council will normally act as the enforcing authority in respect of offences under the Act, unless the circumstances of the particular case are such that it is appropriate for another responsible authority or Suffolk County Trading Standards to act instead.
- 14.5 The Suffolk Constabulary will retain responsibility as the enforcing authority in respect of the following offences under the Act:
- Section 97 Power to enter and search;
 - Section 143 Failure to leave;
 - Section 144 Keeping of smuggled goods;
 - Section 155 Confiscation of alcohol; and
 - Part 8 Offences with respect to closure of premises.
- Suffolk County Council Trading Standards will retain responsibility as the enforcing authority in respect of the following offences under the Act:
- Section 146 Sale of alcohol to children;
 - Section 147 Allowing the sale of alcohol to children;
 - Section 147A Persistently selling alcohol to children;
 - Section 154 Enforcement role for weights and measures authorities.
- 14.6 Where expedient for the promotion or protection of the interests of the inhabitants of their area, the Licensing Authority may also take action under Section 222 of the Local Government Act 1972 and other relevant provisions including Section 80 of the Anti-Social Behaviour, Crime and Policing Act 2014. The Council will also have due regard to section 17 of the Crime and Disorder Act 1998 whilst carrying out its functions.

15. Closure orders/notices

- 15.1 Part 8 of the Licensing Act 2003 provides for the arrangements relating to closure orders, and there are also powers available to the Local Authority and/or responsible authorities/court to close premises via other legislation on grounds of serious crime or disorder, persistent nuisance or protection of children - for example under the Violent Crime Reduction Act 2006, Criminal Justice and Immigration Act 2008 and Anti-Social Behaviour, Crime & Policing Act 2014.
- 15.2 Where the Magistrates' Court has determined to exercise any of its powers in respect of closure orders under any existing legislation, the licensing authority will:
- serve notices on the premises licence holder and responsible authorities and advertise the review in accordance with the regulations;
 - hold a hearing in accordance with the procedure outlined in section 11 above to review the premises licence; and

- determine the review at the conclusion of the hearing and within 28 days of receipt of the notice of the closure order from the Magistrates' Court.

15.3 When determining a review following the notice of a closure order, the licensing authority will consider:

- the closure order and any extension of it;
- any magistrates' directives in relation to the order; and
- any relevant representations;

and will take such steps as it considers appropriate to promote the licensing objectives as outlined in section 3.4 of this Statement of Licensing Policy.

15.4 The licensing authority will notify the licence holder, the Chief Officer of Police and any person who made relevant representations of the outcome of the review hearing and the reasons for the decision. The licensing authority may suspend the operation of its decision until the end of the period given to appeal, or until the appeal is disposed of (if not already suspended by the Magistrates' Court).

15.5 The Anti-Social behaviour, Crime & Policing Act 2014 makes provision for the closure of premises for up to 24 hours where the noise from any licensed premises is causing a public nuisance.

16. Late Night Levy

The Police Reform and Social Responsibility Act 2011 introduces the principle of a late night levy which is a power for licensing authorities to introduce a charge for premises that have a late alcohol licence. At the time of this policy adoption, there is no Late night Levy Order in place within West Suffolk councils.

17. Addressing the licensing objectives

17.1 General

17.1.1 In respect of each of the four licensing objectives, when completing their operating schedule, applicants should consider:

- the nature and style of the venue;
- the activities being conducted there;
- the location;
- any special effects or risks; and
- the anticipated or target clientele.

17.1.2 Applicants are encouraged to carry out a risk assessment before completing the operating schedule and identifying those additional measures appropriate to promote the licensing objectives. Any risk assessment completed would not need to be provided to the licensing authority as part of the application, although responsible authorities would find this information helpful when assessing whether or not to make a representation. Reference should be made

as to whether additional measures will be taken on an occasional or specific basis such as when a special event or promotion is planned, which is intended to, or likely to attract larger audiences.

- 17.1.3 Applicants should be aware that any measures included in their operating schedule will be converted into conditions consistent with these measures attached to the licence. For this reason, applicants should, where possible, identify measures which are specific and clear as to the action to be undertaken and who is responsible for that action.
- 17.1.4 Where a relevant representation is made and the discretion of the licensing authority is engaged, the proposed operating schedule submitted by the applicant may be amended by the licensing authority where it considers this appropriate and proportionate to address the licensing objectives.
- 17.1.5 Organisers of large, temporary outdoor events (such as music festivals, fairs, shows and carnivals) are strongly encouraged to engage as early as possible with the responsible authorities to ensure that their planned event is developed in a way likely to promote the licensing objectives. They should also seek the advice of the Suffolk Safety Advisory Group or any successor body.
- 17.1.6 In respect of each of the four licensing objectives, when completing their operating schedule applicants should consider what measures are appropriate relevant to the size, individual style and characteristics of their premises and events.

17.2 Prevention of Crime and Disorder

- 17.2.1 The Council is committed to further improving the quality of life in its area by continuing to help reduce crime and disorder and the fear of crime. To this end, the Licensing Authority strongly encourages applicants and licensees to ensure that relevant factors within their control which impact on crime and disorder have been considered, for example:
- underage drinking;
 - drunkenness on the premises;
 - drunkenness in public;
 - drugs;
 - violent behaviour;
 - criminal damage at the premises or in the immediate vicinity; and
 - anti-social behaviour.
- 17.2.2 **Section 17 of the Crime and Disorder Act 1998 imposes a duty on each local authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. REMOVE outdated Act**
- 16.2.3 In order to promote the prevention of crime and disorder objective, the licensing authority encourages licence holders to become active partners with

the licensing and responsible authorities. Applicants are encouraged to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to reduce or prevent crime and disorder on and in the vicinity of their premises.

17.2.4 Applicants may find it helpful to contact the local Police Safer Neighbourhood Team (SNT) or Police Community Safety Partnership in advance of making their application, as they may be able to offer expert advice and guidance on local crime and disorder issues and promotion of this licensing objective.

17.2.5 The following examples of control measures are given to assist applicants when developing their operating schedule, having regard to their particular type of premises and/or activities:

- a) Capacity limits (including prevention of overcrowding);
- b) Maintaining records of training and supervision of staff;
- c) Specific actions identified from best practice guidance (*e.g.* Safer Clubbing, the National Alcohol Harm Reduction Strategy Toolkit and other voluntary codes of practice such as The Point of Sale Promotions published by BBPA, and the Portman Group);
- d) Use of accredited 'proof of age' schemes (for example Challenge 21 or Challenge 25) where it is intended to operate more stringent measures than those contained within mandatory conditions;
- e) Signing up to and participating in a Crime Prevention partnership scheme where it is in operation;
- f) Provision and use of effective CCTV in and around premises;
- g) Employment of Security Industry Authority licensed door staff;
- h) Provision of toughened, polyethylene Terephthalate (PET) or plastic polycarbonate drinking glasses;
- i) decanting glass bottles into toughened, polyethylene Terephthalate (PET) or plastic polycarbonate drinking glasses;
- i) Provision of secure, deposit boxes for confiscated items ('*amnesty bins*');
- j) Provision of litter bins and other security measures, such as lighting, outside premises;
- k) Provision for the disposal of waste on the frontage of the premises;
- l) Provision of:
 - a dispersal policy;
 - A searching policy;
 - and/or
 - Risk assessment process to consider the crime and disorder implications of individual DJ's and promoters;
- m) control or prevention of customers entering and leaving with opened bottles/glasses – for example whilst they are observing smoke free regulations;
- n) demarcation, capacity control, supervision and monitoring of areas immediately in the vicinity of the premises, used by smokers.

17.2.6 Within the operating schedule for premises from which alcohol will be sold, a premises supervisor must be designated ('designated premises supervisor' DPS), unless a relevant community premises disapplication has been applied for/authorised. The licensing authority will expect the DPS to be the first point of contact for authorised officers. In exceptional circumstances, the Suffolk

Constabulary may object to the designation of a new premises supervisor where they believe that such appointment would undermine the crime prevention objective.

- 17.2.7 Where the Suffolk Constabulary object to an individual being appointed as a designated premises supervisor, or object to an application made by community premises management committee for the inclusion of the alternative licence condition, the Licensing Authority will arrange for a hearing at which the issue can be considered and both parties may put their arguments. This will be held in accordance with the procedure outlined in section 11 above.
- 17.2.8 The licensing & regulatory sub-committee considering the matter will confine their consideration to the issue of crime and disorder.
- 17.2.9 Certain temporary events (see section 20 below) must be notified to the licensing authority using the temporary event notice procedure. Depending on the nature and location of such events these may, on occasion, have serious crime and disorder implications. Organisers of these events are encouraged to submit their notification as soon as reasonably practicable before the event, in line with existing statutory requirements, to enable the Suffolk Constabulary, the environmental health department of West Suffolk councils and the licensing authority to work with them to identify and reduce the risk of crime and disorder.

17.3 Public Safety

- 17.3.1 The licensing authority is committed to ensuring that the safety of any person visiting or working in licensed premises is not compromised. To this end, applicants will be encouraged to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to ensure public safety.
- 17.3.2 When addressing the issue of public safety, an applicant should demonstrate that those factors that impact on the standards of public safety have been considered. These may include, but are not limited to:
- a) the occupancy capacity of the premises (including staff and performers). Note: If a capacity has been imposed/set through other legislation, for example under Fire Safety legislation, it may not be appropriate to reproduce it in a premises licence. Anticipated maximum capacity/attendance for large, temporary outdoor events should be made clear.
 - b) the age, design and layout of the premises, including means of escape in the event of fire;
 - c) the nature of the licensable activities to be provided, in particular the sale or supply of alcohol, or provision of any special effects in conjunction with, or as part of regulated entertainment and including whether those activities are of a temporary, occasional or permanent nature;

- d) the hours of operation (differentiating the hours of opening from the hours when licensable activities are provided, if different);
- e) customer profile (such as age, disability or culture); and
- f) the use of special effects such as lasers, pyrotechnics, smoke machines, foam machines, etc.;
- g) demarcation, capacity control, supervision and monitoring of areas immediately in the vicinity of the premises, used by smokers.

17.3.3 The following examples of control measures are given to assist applicants when preparing their operating schedules, having regard to their particular type of premises and/or activities. These are not exhaustive, but include:

- a) suitable and sufficient risk-assessments. Some applicants may wish to consider a commitment in their operating schedule to providing the relevant authorities with a full risk assessment prior to the commencement of licensable activities (this may be particularly relevant to large temporary outdoor events);
- b) provision of a sufficient number of people employed or engaged to secure the safety of the premises and patrons;
- c) appropriate instruction, training and supervision of those employed or engaged to secure the safety of the premises and patrons;
- d) Specific actions identified from best practice guidance (for example, Safer Clubbing, the National Alcohol Harm Reduction Strategy Toolkit and other voluntary codes of practice);
- e) provision and use of effective CCTV in and around premises;
- f) provision of toughened, Polyethylene Terephthalate (PET) or plastic polycarbonate drinking glasses and decanting glass bottles into toughened, polyethylene Terephthalate (PET) or plastic polycarbonate drinking glasses
- g) implementation of crowd management measures;
- h) monitoring arrangements such as door staff, ticketing, attendance clickers or maintenance of attendance records; and
- i) regular/periodic review and testing (and certification where appropriate) of procedures, appliances, systems etc. pertinent to safety (e.g. fire extinguishers, fire warning systems, emergency installations and building control certificates)

17.3.4 The design and layout of premises are important in determining capacity, as is the availability and size of exits within recommended travel distances. Other factors should also be considered when assessing the appropriate capacity for premises or events. These include, but are not limited to:

- the nature of the premises or event;
- the nature of the licensable activities being provided;
- the provision or removal of such items as temporary structures, (for example, stages, or furniture);
- the number of staff available to supervise customers both ordinarily and in the event of an emergency;
- instruction, training and supervision of staff;
- the age of the customers;
- the attendance by customers with disabilities, or whose first language is not English;

- availability of suitable and sufficient sanitary accommodation; and
- nature and provision of facilities for ventilation.

17.3.5 Where the applicant identifies a capacity limit for a premises or events, this should not be interpreted as a requirement to also provide permanent monitoring arrangements. The licensing authority recognises that the person in charge at the premises can often readily assess the capacity of premises without resort to such measures. However, where the capacity is likely to be reached (such as on known busy evenings) and particularly where a special event or promotion is planned, the applicant will be expected to detail the additional arrangements that will be put in place to ensure that the capacity of the premises is not exceeded.

17.4 Prevention of public nuisance

17.4.1 Licensed premises may have a significant potential to impact adversely on communities through public nuisances that arise from their operation.

17.4.2 Subject to case law, the licensing authority interprets “public nuisance” in its widest sense, and takes it to include such issues as noise (whether music or speech), light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in the vicinity of a premises.

17.4.3 Applicants and licensees are encouraged to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance, relevant to the individual style and characteristics of their premises and events.

17.4.4 The licensing authority expects the licensee to apply a high standard of control to minimise the potential for and mitigate the effects of any public nuisance that may arise from their operation of the premises, particularly where:

- they are situated in a residential or noise sensitive area; or
- where extended opening hours are proposed.

The licensing authority recognises that beyond the immediate vicinity of the premises the control that a licence holder can exert over its patrons diminishes, and individuals who engage in anti-social behaviour are accountable in their own right.

17.4.5 When addressing the issue of prevention of public nuisance, the applicant is encouraged to carry out a risk assessment to identify whether there are any factors which impact on the likelihood of public nuisance, and, if so, to address these in their operating schedule. These may include, but are not limited to:

- the location of premises and proximity to residential and other noise sensitive premises, such as hospitals, hospices, care homes and places of worship;
- the hours of operation, particularly between 23.00 and 07.00;

- the nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside;
- the design and layout of premises and in particular the presence of any noise limiting features;
- the occupancy capacity of the premises;
- the availability of public transport, taxi and private hire services to assist the speedy dispersal of patrons after events;
- the hours during which licensable activities take place and closure of the premises;
- last admission time;
- a dispersal policy; and
- provision for the disposal of waste on the frontage of the premises.

17.4.6 The following examples of control measures are given to assist applicants when preparing their operating schedules, having regard to their particular type of premises and/or activities. These are not exhaustive, but include:

- appropriate instruction, training and supervision of those employed or engaged to prevent incidents of public nuisance;
- control of operating hours for all or parts (such as garden areas) of premises, including such matters as deliveries or the collection or disposal of glass ware;
- impact on neighbours due to customers opening doors/going outside to observe smoke free regulations;
- adoption of best practice guidance (such as the Good Practice Guide on the Control of Noise from Pubs and Clubs, produced by Institute of Acoustics, Safer Clubbing, the National Alcohol Harm Reduction Strategy Toolkit and other industry codes of practice);
- installation and effective maintenance of soundproofing, air conditioning, acoustic lobbies and sound limitation devices;
- management of people, including staff, and traffic (*and resulting queues*) arriving and leaving premises (arrival and dispersal policy);
- liaison with public transport, taxi and private hire service providers;
- siting of external lighting, including security lighting;
- effective ventilation systems to prevent nuisance from odour;
- any adverse noise created by any ventilation or air conditioning system or any other machinery positioned outside the building.

17.5 Protection of children from harm

17.5.1 A child is an individual under the age of eighteen (or any subsequent age of majority determined by the Government) and the current Forest Heath District Council's safeguarding children's policy can be found at www.westsuffolk.gov.uk.

17.5.1 The move towards giving accompanied children greater access to licensed premises made possible by the Act may bring about a social change in family friendly leisure. This relaxation places additional responsibilities upon licence holders, but it is also recognised that parents and others accompanying

children also have responsibilities. The vast majority of adults will naturally behave appropriately with children and recognise sensible boundaries. Licensees should be aware that children will normally see licensees and their staff as responsible adults – and that children are particularly vulnerable to adults who are “responsible” and “in authority” if those adults use their position to develop inappropriate relationships or otherwise abuse children’s trust.

17.5.2 The protection of children from harm includes the protection of children from moral, psychological and physical harm and, in relation to the exhibition of films, or transmission of programmes or videos, this includes the protection of children from exposure to strong language and sexual expletives or acts. In certain circumstances children are more vulnerable and their needs require special consideration. This vulnerability includes their susceptibility to suggestion, peer group influences, inappropriate examples, the unpredictability of their age and their lack of understanding of danger.

Whilst it is not possible for the licensing authority to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature, examples would generally include topless bar staff, striptease, lap-dancing, table-dancing, pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language, whether regularly or occasionally. It should be noted that premises deemed as ‘sexual entertainment venues’ under the Policing and Crime Act 2009 will in most cases to require an additional licence under the Local Government (Miscellaneous Provisions) Act 1982. The Council has adopted a policy on the licensing of sex entertainments venues which may be found at www.westsuffolk.gov.uk.

17.5.3 Where its discretion is engaged following a relevant representation, the licensing authority, when considering an Application for a premises licence and any options appropriate to prevent harm to children, will take into account the nature of the activities proposed to be provided and the history of a particular premises, which may include, but is not limited to:

- the purchase, acquisition or consumption of alcohol;
- exposure to drugs, drug taking or drug dealing;
- exposure to a strong element of gambling (but not, for example, the presence of a small number of cash prize gaming machines);
- exposure to activities of an adult or sexual nature;
- exposure to incidents of violence or disorder; and
- where there have been convictions of members of the current staff at the premises for serving alcohol to minors, or premises with a reputation for underage drinking.

17.5.4 Where its discretion is engaged following a relevant representation, the licensing authority will not:

- impose conditions restricting or prohibiting the admission of children to any licensed premises; or

- limit the access of children to licensed premises, or parts thereof, unless appropriate for their protection from harm.

The licensing authority considers that, unless restriction of access is appropriate to protect children from harm, this is a matter for the discretion of the licensee.

- 17.5.5 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to protect children from harm.
- 17.5.6 In these circumstances, where included in the operating schedule, or where the discretion of the Licensing Authority's discretion is engaged, conditions may be attached to any licence to:
- a) limits on the hours during which children may be present;
 - b) limiting or excluding the presence of children under certain ages when particular activities are taking place;
 - c) limits on the parts of premises to which children might be given access;
 - d) age limitations (below 17);
 - e) requirements for accompanying adults; and
 - f) full exclusion from those under 18 from the premises when any licensable activities are taking place.
- 17.5.7 The following examples of control measures are given to assist applicants when preparing their operating schedules, having regard to their particular type of premises and/or activities. These are not exhaustive, but include:
- a) provision of a sufficient number of people employed or engaged to secure the protection of children from harm;
 - b) appropriate instruction, training, supervision and background checks of those employed or engaged to secure the protection of children from harm;
 - c) specific actions identified from best practice guidance;
 - d) limitations on the hours when children may be present in all or parts of the premises;
 - e) limitations or exclusions by age when certain activities are taking place;
 - f) imposition of requirements for children to be accompanied by an adult;
 - g) the presence of an adequate number of adult staff to control the access and egress of children and to protect them from harm whilst on the premises;
 - h) an adequate number of adult staff to be responsible for the child performers; and
 - i) use of accredited 'proof of age' schemes and/or photo-id driving licences where it is intended to operate more stringent measures than those contained within mandatory conditions.
- 17.5.8 Where film exhibitions are given at premises, licensees must ensure that children are restricted from viewing age-restricted films classified according to the British Board of Film Classification, or by the licensing authority. The Council's policy on film classification can be found on its website at www.westsuffolk.gov.uk. The current system of film classification implemented by the British Board of Film Classification (BBFC) can be found on its website at www.bbfc.co.uk.

- 17.5.9 The licensing authority recognises the Suffolk Area Child Protection Committee, or its designated nominee for the time being as being competent to advise on matters relating to the protection of children from harm. The contact details are set out in the guidance to applicants.
- 17.5.10 Suffolk County Council Trading Standards service and the Suffolk Constabulary, in conjunction with other appropriate agencies may, through making purchases, test the compliance of retailers with the prohibition on under age sales of alcohol.

18. Personal licences

- 18.1 The licensing authority will grant a personal licence if the applicant has met the requirements set out in the Act and no objection notice is received from the Suffolk Constabulary.
- 18.2 Where an applicant is found to have an unspent conviction for a relevant offence or a foreign offence, and the Suffolk Constabulary object to the application on crime prevention grounds, the application will be referred to the licensing & regulatory sub-committee.
- 18.3 Any hearing will be held in accordance with the procedure outlined in section 11 above.
- 18.4 All personal licence holders should ensure they are aware of the offences relating to personal licences, for example the duty of the holder to advise the Court of the existence of their personal licence if charged with a relevant offence and to advise the licensing authority of changes to name or address.
- 18.5 The licensing authority considers that, when establishing whether or not an authorisation has been given for the retail sale of alcohol, the following factors are relevant:
- there should be an overt act of authorisation, (this could, for example, a specific written statement given to the individual being authorised);
 - the person(s) authorised to sell alcohol at any particular premises should be clearly identified;
 - the authorisation should specify the acts which may be carried out by the person authorised;
 - there should be in place sensible arrangements for the personal licence holder to monitor the activity authorised on reasonably regular basis; and
 - training records should be kept relevant to the training provided to each individual authorised by the personal licence holder
- 18.6 **Individuals applying for a personal licence must be entitled to work in the UK. The Immigration Act 2016 amended the Licensing Act 2003 with effect from 6 April 2017 to assist in the prevention of illegal working in the UK. The licensing authority must be satisfied that an applicant has the right to work in the UK and**

will require applicants to produce a document listed at Annex A to demonstrate their entitlement to work in the UK.

- 18.7 The list of documents which an applicant may provide to demonstrate their entitlement to work is published on gov.uk. This also applies to persons who apply for premises licences.

19. Applications for Premises Licences

- 19.1 The Department for Culture Media & Sport (DCMS) provides a written guide to making an application, and this is available free of charge by contacting the licensing team or visiting the government website at www.culture.gov.uk . Local guidance information, such as contact details for responsible authorities and other guidance documents, is available on the Council website at www.westsuffolk.gov.uk or by contacting the Licensing Team.
- 19.2 Pre-application discussions with responsible authorities are encouraged to assist applicants to develop their operating schedule in a way which is likely to promote the licensing objectives.
- 19.3 The licensing authority may make provision for a negotiation procedure to mediate between the applicant, responsible authorities and interested parties where relevant representations are made, within the restrictions of the statutory time limits and in accordance with any relevant government guidance. It may also extend the normal time limits for hearings where it is considered in the public interest to do so (for example where all parties are on the point of reaching agreement, or so as to ensure that it is possible for a party to attend the hearing).
- 19.4 An application may be made to the licensing authority for any place within its area to be used for licensable activities or recognised club activities. The application must be accompanied by:
- The prescribed fee;
 - An operating Sschedule, which may be supported by any appropriate risk assessments the applicant has undertaken;
 - A plan of the premises, in accordance with the regulations. The Council may reduce plans submitted to a scale suitable for publishing on the public register; and
 - If it is intended that the premises be authorised to sell alcohol, a form of consent given by the person the applicant wishes to have specified in the premises licence as the designated premises supervisor, or else request to disapply this usual requirement if for an eligible 'community premises'.
 - **A document from Schedule A showing the applicants right to work in the UK (if required).**
- 19.5 The operating schedule must include a statement of:
- the relevant licensable activities;
 - the times during which the applicant proposes that the relevant licensable activities are to take place;

- any other times during which the applicant proposes that the premises are to be open to the public;
- where the applicant wishes the licence to have effect for a limited period, that period;
- where the relevant licensable activities include the sale by retail of alcohol, the name and address of the individual whom the applicant wishes to have specified as the designated Premises Supervisor and a consent form signed by that person in the prescribed form, (or else a 'community premises' disapplication request may be applicable);
- where the relevant licensable activities include the sale by retail of alcohol, whether such sales are proposed to be for consumption on the premises or off the premises, or both;
- the steps which the applicant proposes to take to promote the licensing objectives; and
- any other prescribed matters.

19.6 Where relevant representations are received about an application and those representations are not withdrawn, the application will be referred to a licensing & regulatory sub-committee which will be held in accordance with the procedure outlined in section 11 above.

19.7 Where a premises licence application is being applied for to authorise a large scale outdoor event of a temporary nature (for example a music concert, street fair or carnival) the licensing authority strongly recommends that applicants contact the responsible authorities well in advance of making their application in order to seek expert advice and guidance on formulation of their operating schedule to ensure that they are able to identify appropriate measures to promote the licensing objectives.

20. Club premises certificates

20.1 Paragraphs 19.1 to 19.3 above apply.

20.2 An application for a club premises certificate must be accompanied by:

- the relevant fee;
- the club operating schedule, which may be supported by any appropriate risk assessments the applicant has undertaken;
- A plan of the premises, in accordance with the regulations. The Council may reduce plans submitted to a scale suitable for publishing on the public register;
- a copy of the rules of the club; and
- evidence that the club is a qualifying club (see the Guidance to Applicants).

20.3 The club operating schedule must contain the following:

- details of the recognised club activities to which the application relates;

- the times during which it is proposed the recognised club activities take place;
- any other times during which it is proposed the premises are open to members and their guests;
- the steps which it is proposed to take to promote the licensing objectives; and
- any other prescribed matters.

20.4 Where relevant representations are received in respect of an application, and those representations are not withdrawn, the application will normally be referred to the licensing & regulatory committee or one of its sub-committees which will be held in accordance with the procedure outlined in section 11 above.

21 Temporary Events Notices (TEN)

- 21.1 The Act sets out the terms and conditions under which an application for a TEN may be made. Where reference is made to the minimum period for the giving of a standard TEN, the licensing authority understands this to mean 10 days exclusive of the day on which the event is to start and exclusive of the day on which the notice is given. Should any statutory modifications be made to the TEN system, for example relating to service requirements, then the licensing authority shall have due regard to these and publicise any such changes including via its website www.westsuffolk.gov.uk.
- 21.2 There is provision for making an application for a late TEN. Such application may be made no earlier than 9 working days before the event and no less than 5 working days before the event. Again, the licensing authority understands this to mean 9 or 5 days exclusive of the day on which the event is to start and exclusive of the day on which the notice is given.
- 21.3 Where either a standard TEN or late TEN is given and one or more of the relevant statutory limits are exceeded, the licensing authority will serve a counter-notice on the notice giver in accordance with section 107 of the Licensing Act 2003 to prevent the licensable activities from going ahead. There is no provision under the Act to appeal against the issue of a counter-notice.
- 21.4 Where a TEN complies with the statutory requirements, the licensing authority will record the notice in its register and send an acknowledgement to the premises user. The event may then proceed in accordance with the submission in the temporary event notice unless the person who gave the notice is subsequently notified that it is the belief of the licensing authority that the notice was not served in accordance with the legislation or an objection notice was subsequently received from either the Suffolk Constabulary or environmental health.
- 21.5 Where either the Suffolk Constabulary or environmental health issue an objection notice to a standard TEN, the licensing authority will normally consider this at a hearing (unless the objection notice is withdrawn before the

hearing date). The hearing will be held in accordance with the procedure outlined in section 11 above.

- 21.6 If the TEN is submitted, and there is an objection notice for an event that is a premises that has either a premises licence or club premises certificate for all or part of the premises then the licensing authority can add conditions to the TEN provided such conditions are appropriate for the promotion of the licensing objectives and are consistent with the carrying out of the licensable activities under the TEN.
- 21.7 Where either the Suffolk Constabulary or environmental health issue an objection notice to a late TEN, there is no provision either for the Licensing Authority to consider a hearing or add conditions.
- 21.8 The Licensing Authority will notify the applicant of its decision at least 24 hours before the beginning of the event period specified in the temporary event notice.

22. Provisional statements

- 22.1 The Act sets out the terms and conditions under which an application for a Provisional Statement may be made.
- 22.2 Where a provisional statement has been issued and a person subsequently applies for a premises licence in respect of the premises, in accordance with the provisions of the Licensing Act and:
- given the information in the application for a provisional statement the person objecting could have made the same, or substantially the same, representations about the application but failed to do so without reasonable excuse; and,
 - there has been no material change in circumstances relating either to the relevant premises or to the area in the vicinity of those premises,

then representations made by a person to the licensing authority will not be taken into account.

23. Variations of licences

- 23.1 An application for the variation of a premises licence or a club premises certificate will be required for any circumstances set out in the Act and where any change to the premises has an impact on any of the four licensing objectives, for example:
- varying the hours during which a licensable activity is permitted;
 - adding or removing licensable activities;
 - amending, adding or removing conditions within a licence; and
 - altering any aspect of the layout of the premises which is shown on the plan.

- 23.2 It should be noted that there is no provision in the Act for a variation application to be made in respect of a substantial variation. The licensing authority understands this to mean any proposed increase in the size of the premises of greater than 50% of the existing licensed area, although each proposed application will be considered on its merit. Where there is a substantial variation, an application for a new premises licence should be made.
- 23.3 In certain circumstances, there is provision for a limited consultation where the proposed changes are unlikely to adversely impact on the licensing objectives. This is known as a minor variation. Some guidance and information on fees may be found on the web site www.westsuffolk.gov.uk. The licensing authority will normally consider the following proposals as suitable for an application for a minor variation:-
- minor changes to plans;
 - removal of extant conditions to include those carried through from the Licensing Act 1964;
 - changes to the operating schedule to promote the licensing objectives as the result of discussions with any responsible authority.
- 23.4 The Legislative Reform (Supervision of Alcohol Sales in Church and Village Halls etc.) Order 2009 (SI 2009/1724) amends the 2003 Act to allow certain 'community premises' which have, or are applying for, a premises licence that authorises alcohol sales to also apply to include the alternative licence condition in sections 25A(2) and 41D(3) of the 2003 Act in the licence instead of the usual mandatory conditions in sections 19(2) and 19(3) of the 2003 Act. These new provisions took effect from 29 July 2009.
- 23.5 The Act and Guidance set out the terms, conditions and considerations under which an application for a minor variation, or request from the management of 'community premises' to dis-apply the usual mandatory conditions, may be made. Minor variation processes may be applied for in some circumstances, subject to some specific exclusions, to reduce the normal service, advertising and consultation requirements (and associated financial impacts in cost and time).
- 23.6 The minor variation process is intended for some small variations to licences/certificates that will not adversely impact on promotion of the licensing objectives (for example small variations to layout or some minor alterations to activities, timing or conditions). In each case, the licensing authority will consult the relevant responsible authorities and make a decision on whether the variation could impact adversely on the licensing objectives. This process also makes a more limited provision for interested parties to make comment on the proposals. In determining these applications, under his/her delegated authority on behalf of the licensing authority, the Licensing Officer shall carefully assess each application on a case-by-case basis in the light of government guidance and all relevant factors. The licence/certificate holder may wish to seek advice from responsible authorities, in advance of submitting an application, as to whether the licensing objectives are likely to be affected by the proposals.

23.7 At its discretion, the Licensing Authority may determine a Premises Licence or Club Premises Certificate so that different conditions may apply to:

- different parts of the premises concerned; and
- different licensable activities.

23.7 Where the Suffolk Constabulary submit an objection to:

- an application to vary a designated premises supervisor, or
- an application to vary the usual mandatory conditions,

because they consider that the circumstances are such that granting it would undermine the Crime and Disorder Objective, a hearing will be held in accordance with the procedure outlined in section 11 above.

24. Transfer of premises licences

24.1 Where an application is made under the Act for a transfer of a licence for any reason and the Suffolk Constabulary submit an objection to an application, the licensing authority will hold a hearing in accordance with the procedure outlined in section 11 above. This hearing will be confined to consideration of the crime and disorder objective and the application may be rejected where the Licensing Authority considers it appropriate for the promotion of the crime prevention objective to do so.

25. Reviews

25.1 The review of a premises licence or club premises certificate is a key protection for local communities where problems associated with one or more of the licensing objectives are occurring and these are linked to the operation of the licensed premises.

25.2 Where relevant representations are made about an existing licence, the licensing authority will normally hold a hearing which will be held in accordance with the procedure outlined in section 11 above to consider them unless:

- the representation is considered to be a repetition (that is, identical or substantially similar to a ground specified in an earlier application for a licence, provisional statement or review); or
- the licensing authority, the applicant and everyone who has made representations agree that the hearing is not necessary.

25.3 A review of the premises licence will normally also follow:

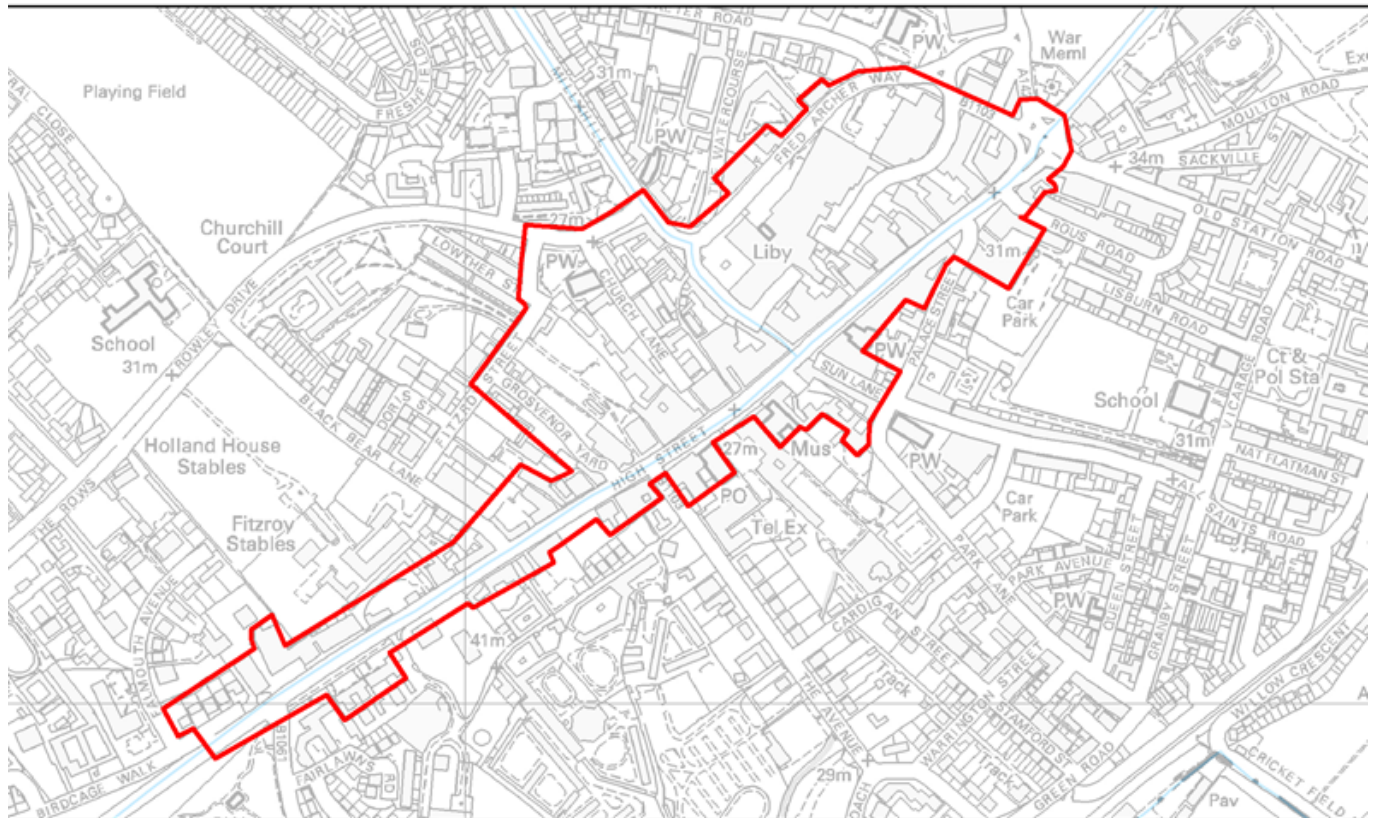
- any action by the Suffolk Constabulary or local authority to close down the premises for up to 48 hours on grounds of disorder or public nuisance;
- summary review powers of the police pursuant to section 21 (regarding serious crime and disorder) of the Violent Crime Reduction Act 2006 ; or

- any exercise of the closure order powers available to the Magistrates' Court.

- 25.4 Where a responsible authority seeks review of a premises licence or club premises certificate, the licensing authority will only take into account noncompliance with other statutory requirements where it considers that the noncompliance has or continues to undermine one or more of the licensing objectives.
- 25.5 In determining a review application, the licensing authority will take such steps as it considers appropriate to promote the licensing objectives, which may include:
- modifying the conditions of the licence (by inclusion, amendment or omission);
 - excluding a licensable activity from the scope of a licence;
 - removing a designated premises supervisor;
 - suspending the licence for a period not exceeding three months; or
 - revoking the licence.
- 25.7 Where the police make application for summary review under section 53A of the Licensing Act 2003, the relevant licensing authority will normally consider whether it is necessary to take interim steps pending the determination of the review applied for. Such consideration may take place without the holder of the premises licence having been given an opportunity to make representations to the relevant licensing authority. The interim steps the relevant licensing authority must consider taking are:
- (a) the modification of the conditions of the premises licence;
 - (b) the exclusion of the sale of alcohol by retail from the scope of the licence;
 - (c) the removal of the designated premises supervisor from the licence; and
 - (d) the suspension of the licence.
- Should a summary review be instigated, the licensing authority shall follow the procedures as set out in the Licensing Act 2003 (Summary Review of Premises Licenses) Regulations 2007.
- 25.8 Applications may also be made for the review of licences which are held by a management committee in respect of community premises, and which include the alternative licence condition instead of the normal mandatory conditions. In relation to such applications, the licensing authority may determine that the normal mandatory conditions should apply instead of the alternative condition if it considers this to be appropriate for the promotion of the licensing objectives. Such a determination may be reached following the usual procedure for review applications set out in sections 51 to 53 of the Act.
- 25.9 The outcome of the hearing will not have effect until such time as the period given for appealing (*21 days*) expires or an appeal is disposed of.

APPENDIX 1
Newmarket Town Centre Cumulative Impact Area
Expires January 2019 (under consultation)

Cumulative Impact Policy Area



Prepared by: Community Safety Unit, Suffolk County Council	
Crown Copyright Suffolk County Council 100023395	
Source: Suffolk Constabulary 2010	Date: July 2010
© Research & Information Information Requests	



Appendix 2

Crime Statistics and complaints to Support consultation of Newmarket Cumulative Impact Assessment

Joint Performance and Analysis Department

ASB, Crime, Public Safety, Transport incidents in Newmarket

Version 2

Emma Finbow - Researcher



JOINT PERFORMANCE AND ANALYSIS DEPARTMENT

OFFICIAL

1

Introduction



The purpose of this assessment is to support the application of the Community Impact Policy in Newmarket which is due to expire. This information will assist in determining whether an extension could be justified. The importance of the CIP and this assessment is it allows the objection of applications for new licensed premises or extensions based on crime, disorder and ASB.

The data is inclusive of the following streets:

- Newmarket High Street
- Guineas Centre
- Fred Archer Way
- Grosvenor Yard
- Wellington Street
- Palace Street
- Kingsway Passage
- Sun Lane

Data Broken into key time categories:

- 05:00-19:00 – *Daytime*
- 00:00-04:00 – *Late Evening*
- 19:01-23:59 – *Evening*
- 04:01-04:59 – *Early Morning*

Date Parameter: 01/11/2014 – 01/11/2017

Event Type Included: ASB, Crime, Public Safety, Transport

JOINT PERFORMANCE AND ANALYSIS DEPARTMENT

OFFICIAL

2

ASB, Crime, Public Safety, Transport incidents in specific streets
in Newmarket



Date Parameter: 01/11/2014 – 01/11/2017

Event Type Included: ASB, Crime, Public Safety, Transport

Street Name	Year				Grand Total
	2014	2015	2016	2017	
Fred Archer Way	4	36	41	40	121
Grosvenor Yard		1	3		4
Guineas Centre		1	2		3
Guineas Centre / Fred Archer Way	2	14	39	45	100
High Street	33	165	150	158	506
Palace Street		5	9	3	17
Sun Lane		5	3	2	10
Wellington Street	3	14	17	17	51
Grand Total	42	241	264	265	812

- Nil Return for Kingsway Passage – Kingsway has NOT been included in the data as all Kingsway data found from Storm had the title of Mildenhall Police Station

Event Type	Year				Grand Total
	2014	2015	2016	2017	
ASB	10	36	40	44	130
Crime	21	123	135	130	409
Public Safety	11	63	75	80	229
Transport		19	14	11	44
Grand Total	42	241	264	265	812

Time Categories	Year				Grand Total
	2014	2015	2016	2017	
Daytime	33	174	193	224	624
Early Morning	1	2	4	2	9
Evening	5	35	44	27	111
Evening			1		1
Late Evening	3	30	22	12	67
Grand Total	42	241	264	265	812

NEWMARKET NOISE COMPLAINTS 2014-2018		
Resident rang to report intense heat from extractor fan, burning tree in her garden.	CP03 - Commercial Smoke	30/08/2017
Resident lives close by to pub, at the weekend due to the races being on the noise and music was very loud going on until 3am in the morning. Also outside television can be on until 12 am in week with no one watching it.	CN14 - Noise/Music	08/05/2017
Car fumes from taxi engines parked outside my place of work. Engines left running fumes fill the shop and the trapped inside.	CP10 - Smell-Industrial	08/11/2016
Loud recorded music affecting him while staying at the Rutland Arms -- please see attached email and the linked licensing worksheet	CN14 - Noise/Music	01/09/2016
Resident reporting burglar alarm at the White Lion has been going off for 24 hours - still going off now	CN06 - Noise/Security Alarm	19/07/2016
Description: This is a constant alarm ringing all the time. Thought was De Niro's nightclub they checked and wasn't. . Other:	CN7E - Alarms-Commercial	11/07/2016
security alarm for the old de Niro's building has been going for the last 3 weeks	CN06 - Noise/Security Alarm	11/07/2016
Residents irate, they were woken at 4.30 this morning by the dustbins being put out beside their fence & then being collected.	CN04 - Noise/Commercial	23/06/2016
noise from Innocence - until 4am, DJ bellowing and loud music, family couldn't sleep	CN14 - Noise/Music	20/06/2016
Resident phoned in to complain about bins being used noisily at 2am in the morning.	CN04 - Noise/Commercial	27/10/2015
Resident complaining of next doors business installed 2 portaloos to the side of their building & next to his fence, near his kitchen window has smells & hygiene concerns. Also they have 2 large waste bins here which are attracting rats & he is affect by noise when they close the bins.	CP12 - Smell-Commercial	17/09/2015
Alarm has been going off since Monday from somewhere around where the old KFC was.	CN06 - Noise/Security Alarm	17/06/2015
Alarm has been going off since Monday from somewhere around where De Neros was	CN06 - Noise/Security Alarm	17/06/2015
complained of the noise coming from the builders at Pizza Express occurring at night	CN19 - Noise/Construction	05/06/2015
nightclub acoustic complaint	CN04 - Noise/Commercial	21/05/2015
Every Saturday night the music is very loud in the nightclub until 4am Sunday mornings, last Saturday there was a bus parked to the side in The Avenue with its engine running from 7pm - 4.30am, also stated it was on double yellow lines	CN04 - Noise/Commercial	01/10/2014
Business employees talking "very loudly" on their mobile phones just outside their premises back door which is situated under our windows causing disturbance.	CN18 - Noise/Other	16/09/2014
When patrons leave they are very vocal, leave rubbish and glasses on the wall outside property and use offensive language. Chips thrown on car. Males have been seen urinating against the wall. called Police due to fights twice	ASB - Anti Social Behaviour	09/09/2014
Loud music every weekend - also ASB fighting, urinating in gardens, things being thrown into gardens etc.	ASB - Anti Social Behaviour	08/09/2014

Appendix 3

Loud music every weekend (tried speaking to landlord but they are not interested) - (also ASB fighting, urinating in gardens etc.	CN14 - Noise/Music	08/09/2014
Since the new owners of the establishment have taken over there has been consistent problems, arguments with both the couple who own the pub and locals.	CN04 - Noise/Commercial	29/07/2014
Noise from people using the gardens until 4am shouting and singing, could also hear music in the background but not as loud as the people in the garden.	CN18 - Noise/Other	28/07/2014
Takeaway Premises exceeding licensed hours	CL07 - Request - Advice/Help	19/03/2018
Resident from hotel says there was loud music from a nearby pub which went on beyond their licensed hours	CL27 - Licensing - Other	30/08/2016
Complaining about bouncers who control people leaving the clubs/pubs at the rank. Saturday he was in middle of rank & bouncers stopped someone getting in his car saying they should use the one at the front.	CL24 - Hackney & Private Hire	23/09/2014
Called and complained about noise from nearby pub over the weekend. They are breaking the conditions of the premises licence - audible music inside bedrooms until 4am last Friday (27/6/14), Windows and doors open	CL13 - Premises Licence	01/07/2014
Would like to bring to our attention that condition 4 of the licence (provide adequate litter bins) have not been met and what steps have the officers taken to ensure that the conditions are being met, premises display 2 A boards that do not have planning	CL13 - Premises Licence	02/06/2014

Draft West Suffolk Housing Strategy 2018 – 2023



Contents

Foreword	3
1. Introduction	4
Executive summary	4
2. Our vision	5
Wider benefits of housing	6
3. The West Suffolk context	7
Links to strategies and plans	7
Wider links to health	8
Housing tenure	8
Housing market area	9
Key data	9-10
4. Housing priorities 2018-2023	11
Housing priority one: plan for housing to meet the needs of current and future generations throughout their lifetimes, that is properly supported by infrastructure, facilities and community networks.	11
Housing priority two: Improve the quality of housing and the local environment for our residents	20
Housing priority three: Enable people to access suitable and sustainable housing	23
5. Governance and implementation of the strategy	26
Appendix A - Housing Tenure	
Appendix B - Evidence Base	
Appendix C - Implementation Plan	
Appendix D - Equality Analysis	

Foreword

When we talk about housing, what we are really talking about are people's homes. They should be a place of sanctuary, a place of comfort, a place of safety and stability where people can live as part of a wider supportive community.

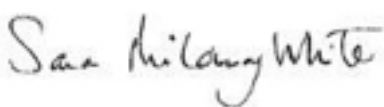
The place that people call home can have a huge impact on their lives not least in terms of their physical and mental health and wellbeing. Poor housing is estimated to cost the NHS £1.4 billion a year in terms of treating the resultant conditions and patients unable to return to suitable homes.

Housing also underpins the success and growth of our local economy – without the availability of homes that people can afford, businesses may struggle to attract new employees and to keep the staff that they have.

Put simply the importance of housing – of homes in all their many forms – cannot be understated.

Home is where the start is. It is important that new housing is built, that we make the best use of the homes we have and that empty homes are brought back into use. By doing this we can ensure that young people can afford to stay in the area if they wish, that companies can continue to compete by attracting and retaining their workforce, and that housing is available and adaptable to meet the requirements of our aging population.

This Housing Strategy sets out our vision for improvement in the quality and delivery of housing to meet local needs, not just now, but for decades to come. The Council is of course, just one partner in all of this but through this Strategy, which will be supported through a range of other plans, we will play a significant role in delivering new homes and making the best use of existing ones. It's a role that supports our residents, our local families and communities including our many businesses – and which will ensure that West Suffolk not only continues to be a place where people want to live, but also a place where they can.



Councillor Sara Mildmay-White
Cabinet Member for Housing




Councillors Susan Glossop and Lance Stanbury
Cabinet Members for Planning and Growth

1. Introduction

Executive summary

At West Suffolk councils we know that good housing plays an important role in the health and wellbeing of people in our area. Our residents need access to suitable housing that is affordable in order to establish a settled home and achieve their ambitions for family life, career development, a fulfilling retirement and other goals. The right housing options are also vital to realising our ambitions for inclusive economic growth.

Providing appropriate housing for our residents can only be achieved by using a number of delivery routes, whether that be at a local level through our own plans and policies, with partners or through our use of legislation. We are committed to using all the powers and levers we have available to enable the delivery of housing and to achieve our housing priorities. This relies on providing new build housing but also making the most of our existing stock through improvement, adaption and bringing empty properties back into use.

We will continually seek to improve the quality and supply of new housing being built, to provide greater choice of the types, location and prices of new homes to meet residents' aspirations and needs. This will include ensuring that there is appropriate housing to meet the needs of older people, young people, vulnerable people and those who are disadvantaged are also delivered alongside our partners.

This supports the health and wellbeing of residents, families and communities, both in our towns and in our rural areas because a decent home can improve quality of life. Our work is aligned with the aims of the Health and Wellbeing Strategy for Suffolk and the Suffolk Growth Strategy. To respond to this challenge the [Homelessness Reduction Strategy 2018-2023](#) was adopted.

Through this Housing Strategy we are also responding to the revised National Planning Policy Framework (NPPF) 2018 which seeks to boost the supply of land for housing development in the right places and ambitions to increase the rate of housing delivery.

2. Our vision

West Suffolk councils are committed to increasing the supply, range and quality of housing for our current and future residents.

This Housing Strategy sets out how we, along with our partners, will respond to the housing challenges we are facing in order to provide a range of housing options so that we can respond to and plan for the growing need for additional housing in West Suffolk. We are doing this through a period of change, brought about not only through new legislation but also the significant financial challenges and increased demands on public services. Furthermore, the government has an ambitious target to deliver more than 300,000 new homes each year by 2025.

Our Strategic Framework 2018-2020 sets out our vision for the local area and contains strategic priorities that we are committed to in order to deliver this vision. Our strategic priority which specifically focuses on housing is to:

Increase and improve the provision of appropriate housing in west Suffolk in both our towns and rural areas.

To deliver this strategic priority, we will use our role as a local housing and planning authority, a regulatory, an investor and local influencer to:

Housing priority one:

Plan for housing to meet the needs of current and future generations throughout their lifetimes, that is properly supported by infrastructure, facilities and community networks.

Housing priority two:

Improve the quality of housing and the local environment for our residents.

Housing priority three:

Enable people to access suitable and sustainable housing.



Wider benefits of housing

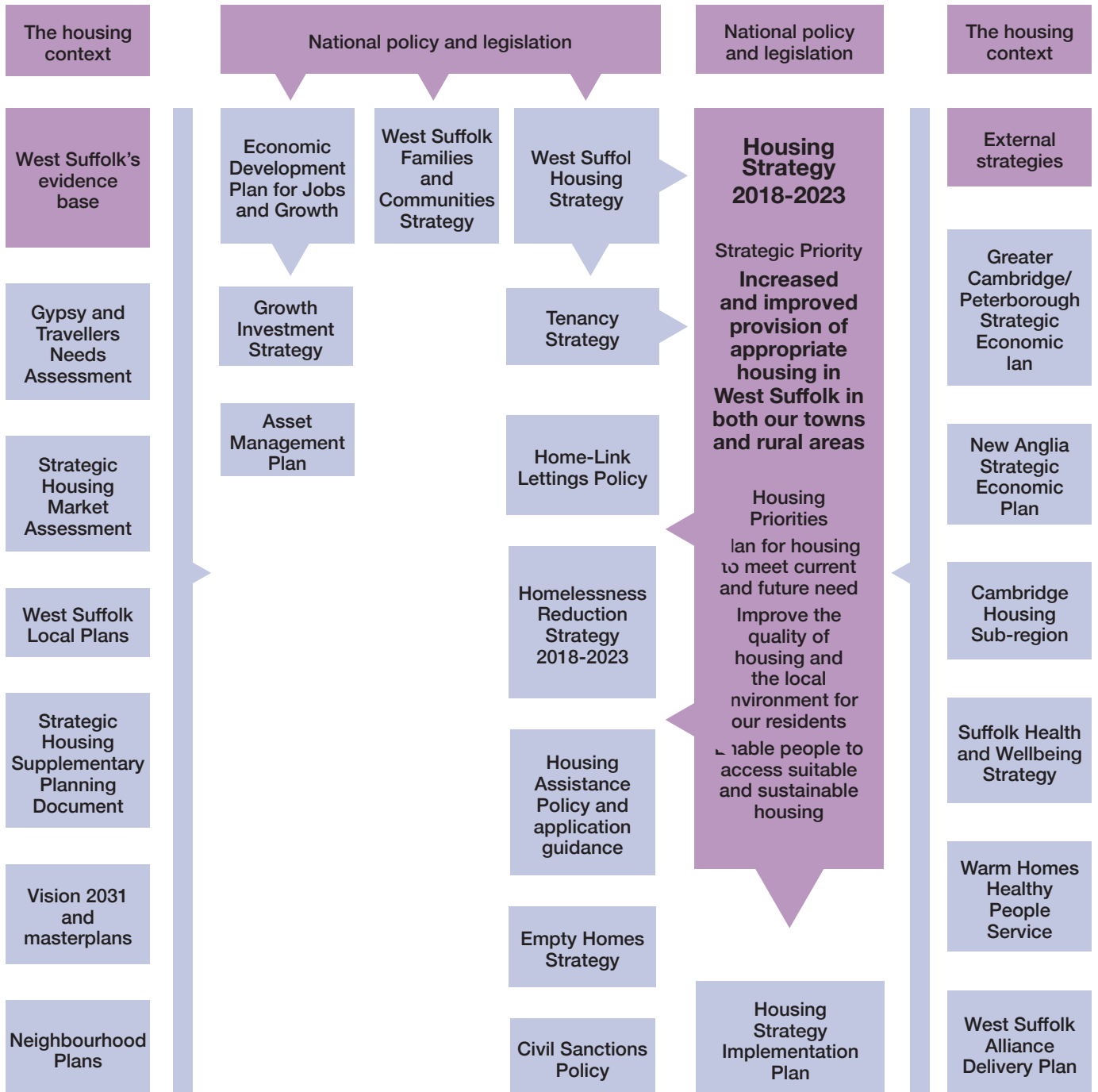
The benefits of improved housing in West Suffolk are far reaching, as demonstrated in the diagram below. Our aspiration to address the challenges we face are therefore fundamental to the achievement of a range of other priorities both within West Suffolk and in partner organisations. We cannot deliver this strategy alone and it is dependent upon joint working with a number of other organisations and on the achievement of West Suffolk's Strategic Framework 2018-2020 and our Medium Term Financial Strategy.



3. The West Suffolk context

Links to strategies and plans

The diagram below identifies the key documents that inform and underpin this Housing Strategy in the context of West Suffolk.



Wider links to health

Good quality housing is critical to health and wellbeing. A safe and settled home is the cornerstone on which individuals and families can thrive. In financial terms, a well-housed population helps to reduce and delay demand for NHS services. It is estimated that the cost of poor housing to the NHS is £1.4 billion per year.¹

NHS organisations and local government across Suffolk are working together to improve the health and care of our communities. Partnerships such as the Suffolk Health and Wellbeing Board have identified health and housing as a key focus and we are working with colleagues to tackle issues such as improving energy efficiency in homes and ensuring there is support for people to maintain tenancies. The Housing and Health Charter for Suffolk is part of the health and wellbeing agenda. The charter was developed to ensure a shared approach and understanding of the issues across Suffolk and to facilitate partnership working and sharing resources. The charter is focusing on areas such as specialist housing for older people, tackling homelessness, supply and access to affordable housing and increased access to decent homes.

Housing tenure

When considering housing it is important to bear in mind that there are different types and tenure of housing available. Our role is to ensure that there is a wide a choice as possible so that people have options as to the housing best suited to their circumstances. Appendix A provides an illustrative summary of the types of housing as well as our role in supporting the delivery and availability of each of these options.

1 Kings Fund, 2018

Housing market area

The Cambridge Sub-region Housing Market Area² comprises the local authority areas of Cambridge, East Cambridgeshire, Fenland, Forest Heath, Huntingdonshire, South Cambridgeshire and St Edmundsbury, as shown in the map below:

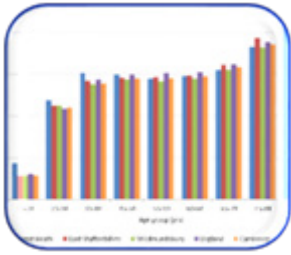


Key data

Key facts relating to West Suffolk's population and housing are provided on the following page. Further data which was used to support the development of this strategy is included in the evidence base attached as Appendix B.

² In 2013, a Strategic Housing Market Assessment was undertaken for the Cambridge Sub-region and this analysed a range of economic and housing market indicators to define a Cambridge Sub-region Housing Market Area comprising all of Cambridgeshire and the Western part of Suffolk.

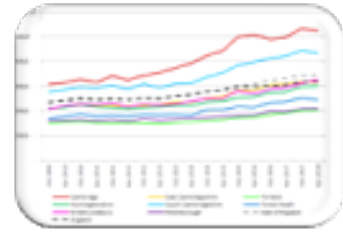




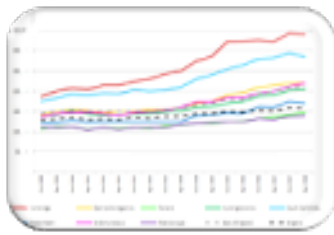
West Suffolk's population.
179,200 (Nomisweb 2017)



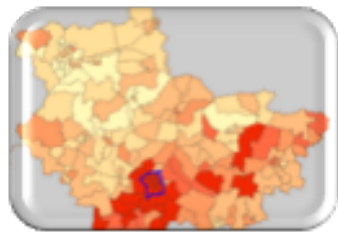
New homes needed by 2031:
18,280 in West Suffolk



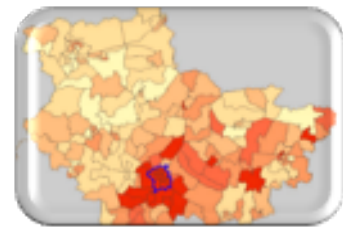
Average house price across
West Suffolk: £284,363 (April 2018)



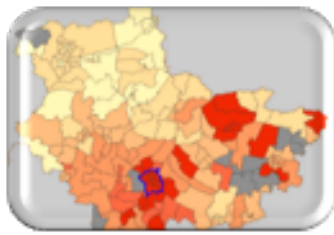
Lower quartile house price:
£195,000 (April 2018)



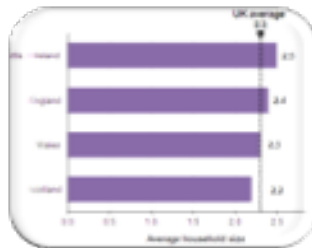
Ratio of median house prices
to median incomes for
West Suffolk: 7.7



Ratio of lower quartile house
prices to lower quartile incomes
for West Suffolk: 10.6

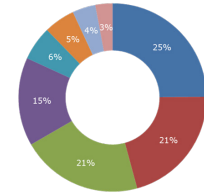


Weekly median private rents:
1 bed = £144; 2 beds = £217;
3 bed= £230; 4 bed = £320



Average household size:
2.4 people

Household Composition (2011)



Proportion of West Suffolk
households aged 75 and over:
8.5%



Approx. number of households
on social housing register: 2,313



There are 4918 homes with
planning permission which
have not started or are
currently under construction
(March 2017)



Number of affordable housing
completions in West Suffolk
in the past five years: 842

Unless otherwise stated, all data was taken from the [Housing Market Bulletin](#), published in June 2018 and using data from April 2018.

4. Housing priorities 2018-2023

This five year strategy covers the period 2018-2023, and seeks to further strengthen the partnership working in place in West Suffolk and to increase the supply of, and access to, suitable housing. This will help to improve the health and wellbeing of local people, strengthen the resilience of families and communities, and realise our ambitions for inclusive economic growth. This will be achieved through the adoption of the following three priorities. Key actions across each of the three priorities are detailed in the implementation plan attached as Appendix C.

Housing priority one: plan for housing to meet the needs of current and future generations throughout their lifetimes, that is properly supported by infrastructure, facilities and community networks.

We have a real opportunity to explore new ways of increasing the rate of housing delivery and be more creative in encouraging the development of new types of housing that meet the current and future needs and aspirations of our residents.

It is clear that the rate of housing delivery lags well behind the number of planning applications that are being approved. Nationally nine out of ten planning applications are passed and there are twice as many unfulfilled approved applications than those that are currently being built.

We know no-one can live in a planning permission. We need to find new innovative ways to help developers speed up the rate that they build new homes, through making the planning system as efficient as it can be, supporting the provision of required infrastructure and using all the powers we have to act where housebuilding has been significantly delayed or slow to come forward.



This section sets out our key actions in the following areas:

- 1.1** Understanding our local housing market – key challenges for investment and growth
- 1.2** Planning policies that support the delivery of new homes
- 1.3** Increasing the rate of housing delivery
- 1.4** Ensuring the provision of infrastructure needed to support new homes
- 1.5** Building sustainable communities

1.1 Understanding our local housing market - key challenges for investment and growth

Overall housing requirements

The current [Objectively Assessed Housing Need](#) report provides evidence and an assessment for development needs for housing, both market and affordable. The adopted St Edmundsbury and emerging Forest Heath local plans together plan for 18,280 new homes over a twenty year plan period to 2031 to meet the projected demands for new homes. As at 31 March 2017 West Suffolk has delivered 3268 homes since 2012 when the local plans started.

Housing need will in the future be assessed using the standard method, the full details of this will be published in the National Planning Policy Guidance (NPPG) alongside the NPPF 2018. The implications for West Suffolk will be considered when the details are available and this new method will inform the preparation of the West Suffolk Local Plan.

Land supply for housing

We therefore know from this assessment that we need to build more homes each year in order to meet the needs and aspirations of people either currently living in West Suffolk or people who might want to move into the area. Data relating to the number of house completions is available in the evidence base at Appendix B.

West Suffolk has a number of environmental constraints with approximately 35% of the area having special designations, plus the presence of two large United States Air Force (USAF) airbases and horse racing restrictions around Newmarket. Further information relating to the Strategic Housing Land Availability Assessment (SHLAA) is available in the evidence base at Appendix B.

Work is underway to prepare a Local Plan for West Suffolk. Through the new Local Plan we will ensure that the supply of housing meets the needs of the current and future population of West Suffolk.

Affordable housing requirements

Affordable housing includes social rent, affordable rent and intermediate accommodation, such as shared ownership (part rent/part buy). These terms, and affordable housing generally, are defined in [Annex 2 of the National Planning Policy Framework 2018](#).

In 2016 West Suffolk had an identified need for 6,407 (or 320 per year) new affordable homes up to 2031. This need was based on a previous definition of affordable homes which has since been broadened for example by including starter homes and affordable private rent. From March 2013 to March 2018, 842 new affordable homes have been delivered in West Suffolk. Data relating to the number of affordable homes delivered each year since 2013 can be found in the evidence base at Appendix B.

Rural housing

Approximately 43% of West Suffolk's population live outside of the major towns. The provision of rural housing is therefore vital for the creation and maintenance of sustainable communities.

Outside the five main settlements in West Suffolk, house prices for all property types are well above the West Suffolk median at £284,363, compared to the median of £247,741 for the five main settlements³. In addition, the availability of affordable properties for rent in rural areas is much lower than in our towns. The NPPF 2018 also introduces entry-level exception sites to support development of sites suitable for first time buyers.

In order to address these issues we will:

1. Identify potential barriers and develop ways to accelerate delivery on sites which are currently allocated in our local plans, through the commissioning of a Housing Delivery Plan.
2. Through the creation of a new West Suffolk local plan, identify sufficient land to meet our current and future housing needs to give certainty for residents and developers.



3 Land Registry update, September 2018

3. Identify solutions to respond to specific housing needs such as first time buyers, key workers, affordable housing, self-build, Co-Housing, Community Land Trusts and specialist housing.

1.2 Planning policies that support the delivery of new homes

Our [Local Plans](#) highlight our ambitions for the area which seek to deliver significant economic and housing growth.

West Suffolk councils rely significantly on the market to provide a mix of open market and affordable housing, both open market and affordable, through landowners' Section 106 obligations. All practical steps are taken to ensure there is a timely delivery of housing in accordance with the supply forecasts which will be detailed within West Suffolk's Housing Delivery Plan.

Demand for affordable housing

There continues to be an increased demand for affordable housing from those whose housing needs cannot be met by the open market, particularly young people, families on low incomes, vulnerable and older people.

[West Suffolk's current policy requirement](#) is for 30% affordable housing to be provided on all residential developments of 10 units or more. There are two main ways of delivering affordable homes: (i) by private developers through Section 106 agreements; and (ii) registered providers (RPs) building their own schemes through their development programmes.

The housing sector continues to operate in a climate of uncertainty and heightened risk, leading to more challenges over the financial viability of schemes. As a consequence there is risk that reduced levels of affordable housing is being delivered through Section 106 agreements. These financial uncertainties have also lead to a number of registered providers (RPs) reducing their own development programmes.

In order to address these issues we will:

1. Promote, develop and review planning policies to support affordable housing provision.
2. Work with developers to ensure that they are meeting the full affordable housing obligations through S106 agreements
3. Support the development of neighbourhood plans to encourage local communities to identify solutions to address local housing needs.

1.3 Increasing the rate of housing delivery

Housing Delivery Plan

We are playing a direct role in increasing the rate of housing delivery, which was demonstrated with the creation of the Councils' own housing development company, Barley Homes (Group) Limited in March 2016. Barley Homes is developing its first site.

We have commissioned an assessment of the past and current rates of housing delivery across West Suffolk. This information will be used to develop a Housing Delivery Plan. The plan will set out a wide range of interventions that West Suffolk can use in an enabling role to increase the rate of housing delivery on existing and emerging sites and local plan housing allocations. We recognise that we will need to do this in partnership with both the private sector and other public sector partners, in order to speed up the rate of housing delivery, in the short, medium and long-term.

Small to Medium Sized Enterprises and Self-Build

With the government setting ambitious targets to accelerate the rate of housing delivery, there is a recognised lack of capacity within the larger and mainstream house builders. We will explore new ways of delivery, such as modern methods of construction and continue to work with Small to Medium Sized Enterprise (SME) builders.

The development of new homes using self-build in both the UK and West Suffolk has been very low compared to the rates in Europe. We will take positive action to support and advise SME builders and self-builders. There are a number of options we can pursue including bringing forward small sites and making them available to smaller builders, "de-risking" sites and making the planning process as straight forward as possible or offering sites with outline planning permission or planning in principle. This will be facilitated



by using the Council's self-build register and brownfield sites register. Where appropriate we may also offer financial assistance from West Suffolk's Growth Innovation Fund.

Whilst the speed of delivery is important, this must not be at the expense of good design or quality and we will encourage developers to have due regard to the concepts set out in the emerging Suffolk Design Guide.

In order to address these issues we will:

1. Work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes.
2. Explore opportunities to encourage SME builders to work collaboratively to bring forward the development of housing sites.
3. Work with site owners and developers to identify ways to restart or bring forward development on sites where the rate of build has significantly slowed or stalled.
4. Use the councils' housing company Barley Homes (Group) Limited to bring forward housing development, including working with other public sector partners.

1.4 Ensuring the provision of infrastructure needed to support new homes

Effective planning and funding for infrastructure can unlock land for development, enable growth and enhance our local area. Good planning for infrastructure increases certainty, creates efficiencies, reduces costs and helps to manage the phasing of development. Infrastructure delivery depends on many different public and private sector partners and funding often comprises a mix of investment solutions.

For the private sector, the role of infrastructure costs in establishing development viability is critical. Sharing of information and being transparent about requirements and costs is essential. We take guidance from the NPPF and NPPG regarding viability. <https://www.gov.uk/government/collections/planning-practice-guidance>

West Suffolk will have a proactive flexible approach to providing solutions to make development work and will explore further opportunities to assist on difficult sites. This may include using our [Growth Investment Strategy](#) directly investing to de-risk sites by addressing environmental and infrastructure issues or by securing outline planning permission.

In order to address these issues we will:

1. Ensure the necessary infrastructure is available to ensure the appropriate number of houses can be delivered and that they are located in high quality sustainable locations.
2. Attract a variety of high quality developers and housing investment to deliver high quality development and secure the delivery of appropriate housing across all tenures to meet need and demand.

1.5 Building sustainable communities

West Suffolk is committed to supporting the development and maintenance of balanced sustainable communities that support our residents. We will work with developers and RPs to encourage high quality and sustainable developments, which incorporate the concepts of quality design. This work is linked to section 2.4 in this document (communities that provide a better place to live).

Some of our residents are unable to afford their own home and rely on homes provided by RPs or from private landlords. Others may find themselves living in a home that does not meet their changing needs as they grow older or where they have requirements for specialist housing. We can help to address this situation.

Affordability

Affordable Rent was introduced by central Government in 2011 to replace Social Rents, to provide a way in which RPs could deliver new affordable homes without public subsidy. Affordable Rents are generally set at 80% of market rents, which is the upper limit, as opposed to social rents, which are generally nearer to 65% of market rents. For some individuals and families even the Affordable Rent is unaffordable. This is particularly the case for larger homes, such as four bedroom houses. It is our intention that new, larger homes, and in particular four bedroom homes, are set below 80% of market rents and ideally at social rents.

We acknowledge this may affect the financial viability of schemes, so any decisions about rent levels will be taken with this consideration in mind. In any event, through our Tenancy Strategy and Section 106 agreements we will seek to ensure that all new Affordable Rented homes are capped at no more than the Local Housing Allowance (LHA) levels. We will also work with RPs to explore the possibility of developing new social rented homes, particularly in areas where private rents are very high and well



above LHA levels, which may involve direct funding from the councils.

Ageing population and people with care and health needs

Appropriate housing that meets the decent standards plays a fundamental role in the health and wellbeing of residents.

West Suffolk's total population is expected to increase by 10% by 2039, compared with 11% across England. The growth in population for those residents aged 75 and over is expected to be much larger. For residents in West Suffolk aged 75 and over we are expecting to see 84% growth with resident numbers rising from 16,600 to 30,600. The growth of this age group across England is expected to be 76%.

The number of residents in the groups between 20 and 59 years of age is expected to decrease by 2039. The 60 to 74 age group will increase by 1%. Further details relating to population forecasts can be found in the evidence base at Appendix B.

In West Suffolk we mirror the national picture in that there is a real shortage of the right type of housing such as extra care housing, bungalows or smaller accessible homes to assist with down-sizing to meet the changing needs of our ageing population. Working with partners, providers and older people we will seek to ensure more housing choices become available to support the increasing ageing population or those with specialist housing needs.

Private Renting

Private rental rates in West Suffolk have increased significantly in recent years, reflecting the fact that demand is greater than supply. We are seeing this situation because home ownership is now out of reach for many, in particular young people.

Furthermore there is a high demand for private rented accommodation, in 2015 37.2% of Forest Heath's and 25.54% of St Edmundsbury's total housing stock was privately rented⁴. This is partly fuelled by many residents being unable to buy housing on the open market due to the inability to be able to access mortgage finance (including the need for large deposits) and because of the high house prices in the area, when compared to average earnings. The average house price in West Suffolk for December 2017 was

4 <https://cambridgeshireinsight.org.uk/wp-content/uploads/2018/06/hmb-edition-37.pdf>

£284,363⁵. The cost of private renting in certain parts of West Suffolk is also very high, largely influenced by the presence of two USAFE air bases that inflate rental levels.

Whilst we will seek to address this by taking concerted action to ensure there is a timely delivery of housing generally, and by focusing on the supply of more affordable homes, we are also exploring opportunities to encourage developers to provide affordable private rent homes.

In order to address these issues we will:

- 1.** Contribute to diversifying the housing stock for all residents across West Suffolk and meeting housing needs by achieving the right tenure, size and mix of provision on new developments.
- 2.** Review the impact of affordable rents on demand and develop an approach to rent setting for affordable homes to ensure properties are affordable for those most in need.
- 3.** Ensure that all new accommodation for older people is adaptable so that their accommodation remains suitable as older people become less mobile.
- 4.** Set an ambition that all new housing built will meet either building regulations accessible and adaptable or wheelchair user standards.

⁵ <https://cambridgeshireinsight.org.uk/wp-content/uploads/2018/06/hmb-edition-37.pdf>



Housing priority two: Improve the quality of housing and the local environment for our residents

We are committed to maximising the use of the existing housing stock and to improving its quality and suitability. This can be achieved through our own actions and by working with partners. We have an important role to play in the prevention of poor health and the impact of poor health on the wider health and care system. We know that living in a decent home can significantly improve quality of life.

This section outlines our key actions in the following areas:

- 2.1** Suitable homes for disabled, vulnerable and older residents
- 2.2** Bringing homes back into use
- 2.3** Making homes safe in the private sector
- 2.4** Safe and vibrant communities
- 2.5** Improving energy efficiency and addressing fuel poverty

2.1 Suitable homes for disabled, vulnerable and older residents

Residents will be supported to live independently in their own homes, whether in their existing property or a more suitable one. Living independently may mean that adaptations need to be made to peoples' homes, through a Disabled Facilities Grants or other schemes relating to minor works and equipment.

In order to address these issues we will:

- 1.** Put the needs of residents first and work with health, social care and housing partners to help people maintain independence.
- 2.** Review the way in which we deliver support for maintaining independence in the home

2.2 Bringing homes back into use

There are still too many long-term empty homes, therefore we will use all available tools to encourage and compel owners to bring their homes back into use.

In order to address these issues we will:

1. Provide support, encouragement and funding to help owners of empty homes bring them back into use. Use enforcement powers as an option if negotiations fail.

2.3 Making homes safe in the private sector

Our [Civil Sanctions Policy](#) is key to driving up standards in the private rented sector. Whilst we recognise that the majority of private sector landlords provide decent, safe and warm homes, we will target the landlords who do not meet the required standards.

Extended licensing of houses in multiple occupation (HMOs) will provide us with more opportunities to be proactive. Well managed HMOs provide much needed, affordable rented accommodation and we use these to relieve pressures from housing demand.

We have a Housing Assistance Policy designed to support vulnerable residents to live in a decent home.

In order to address these issues we will:

1. Improve standards in the private rented sector by working with landlords to deliver best practice and target 'rogue landlords'.
2. Improve much needed accommodation provided through HMOs. Work in line with licensing laws that raise the management and standards of HMOs.
3. Deliver our programme to improve fire safety of flats above commercial premises.
4. Review the purpose and scope of our Housing Assistance Policy.



2.4 Safe and vibrant communities

The quality of the environment is also important to our residents and it is a key driver to what makes people feel happy, safe and secure. We ensure that individuals and communities are properly protected from environmental impacts such as noise, odour or smoke. We also want to use planning to support sustainable communities and well-designed places through the emerging Suffolk Design Guide (referenced in Housing Priority One).

In order to address these issues we will:

1. Take a more targeted approach to investigating complaints of nuisance, which can have an adverse impact on quality of life.
2. Work with partners to reduce anti-social behaviour and crime.
3. Use our [Families and Communities Strategy](#) to support and encourage resilient families and communities.
4. Protect the amenity of the local environment through our consultation work in the planning process.
5. Respond to the Suffolk Design Guide that aims to raise the quality of design being delivered in communities and neighbourhoods and ensure that good growth takes place across Suffolk.

2.5 Improving energy efficiency and addressing fuel poverty

Heating and powering homes in West Suffolk currently accounts for around 21% of total energy consumption and 23% of CO₂ emissions. Buildings and particularly homes are seen by many as the sector which councils and their partners are best able to influence in terms of improving energy efficiency and helping to deliver low and zero carbon energy. An estimated 8.6% of households in West Suffolk are in fuel poverty.

As set out in our Home Energy Conservation Report and Energy Framework, we wish to cut greenhouse gas emissions and secure affordable warmth for households and communities in West Suffolk.

In order to address these issues we will:

1. Target vulnerable households to help improve energy efficiency and the household's circumstances, maximising the use of local and national funding including Energy Company Obligation (ECO) funding.
2. Work with RP partners and private landlords to secure energy improvement in their property.
3. Provide home energy advice and support to residents and community groups on the benefits of energy efficiency and lower carbon energy generation for heating and power supply.

Housing priority three: Enable people to access suitable and sustainable housing

We want to help people access suitable and sustainable housing. This can mean providing advice and support to find suitable accommodation or to help them stay in their current home. We work with partners to assist as soon as problems arise and respond when people find themselves in crisis situations, for example homelessness.

This section outlines our key actions in the following areas:

- 3.1 Homelessness prevention and reduction
- 3.2 Housing allocations

3.1 Homelessness prevention and reduction

West Suffolk is committed to preventing and reducing homelessness, tackling the main causes of homelessness and supporting those in need. [West Suffolk Homelessness Reduction Strategy 2018 – 2023](#) sets out in detail the actions we will take to prevent and reduce homelessness. All the detail is available in the strategy but in summary our vision is to:

Deliver a focused and accessible service to prevent homelessness and assist homeless people to find a settled home.



The main objectives are to:

1. Provide a service with a focus on preventing or relieving homelessness ensuring those people have access to effective support services.
2. Ensure that homeless people are supported to secure a settled home
3. Work collaboratively in finding housing solutions for those people threatened with homelessness.

In order to achieve these objectives, we have identified five priorities to deliver.

- Homelessness priority one: Homelessness prevention
- Homelessness priority two: Tackling rough sleeping
- Homelessness priority three: Supporting vulnerable households
- Homelessness priority four: Increasing accommodation options
- Homelessness priority five: Supporting the implementation of welfare reforms

A [delivery plan](#) accompanies the Homelessness Reduction Strategy and sets out in detail the key actions that we will take to achieve our priorities.

3.2 Housing allocations

In West Suffolk, as in many parts of the country, social and affordable housing is scarce and demand far outstrips supply. We cannot house everyone that applies to, and is accepted on, our housing register (known as Home-Link). Our [Lettings Policy](#) sets out how we prioritise the allocation of social and affordable rented homes across West Suffolk and the Cambridge sub-region. The Lettings Policy ensures that applicants on the housing register, with the highest level of housing need and/or urgent need to move are prioritised for housing/rehousing. As the supply of social and affordable housing remains scarce, it is a priority for the Council to allocate homes fairly, and in line with our Lettings Policy.

Having a settled home enables people to access support services, integrate into their local community and to obtain and sustain work and training. We will manage the expectations of customers and ensure that we maximise access and availability not only to social rented accommodation but to other housing options. We discuss the availability of private rented housing and opportunities for rent through our [West Suffolk Lettings Partnership](#). We support people to explore their housing options and help meet their aspirations.

In order to address these issues we will:

- 1.** Operate an effective Home-Link service to provide access to affordable and social housing to those most in need.
- 2.** Review the Lettings Policy, in conjunction with colleagues across the Cambridge sub-region, to ensure that it is fit for purpose.
- 3.** Ensure that people are provided with effective advice, preventative and information services on a range of accessible housing options so they are supported to make the best choice for them and their families.
- 4.** Increase access to the private rented sector, including through our West Suffolk Lettings Partnership.



5. Governance and implementation of the strategy

The Councils are committed to ensuring that together with partners, we have the skills, structures and infrastructure in place to be able to implement the actions to deliver on the strategy's priorities over the next five years.

The actions in this Housing Strategy will be achieved using the implementation plan (Appendix C) that identifies the main tasks needed to increase and improve the provision of appropriate housing over the next five years. Given the context of rapid change, the implementation plan will be reviewed every year to ensure that the tasks remain relevant and are revised where appropriate. A mid-term review is also planned for 2020.

Progress towards the Housing Strategy implementation plan (Appendix C) will be monitored with feedback, if necessary, on the barriers to delivering the Housing Strategy.

Draft West Suffolk Housing Strategy
2018 – 2023









Appendix A

Housing tenure











Housing tenure

1. Types of accommodation in West Suffolk

<p>General housing (owner occupied)</p> 	<ul style="list-style-type: none"> • Open market • Key worker and other specialist • Park homes • Modular homes • Self Build
<p>Private rental</p> 	<ul style="list-style-type: none"> • Private rental • Lodgings • Shared housing (including HMOs) • Tied housing (for example, agriculture, military, horseracing, hospital accommodation)
<p>Social housing</p> 	<ul style="list-style-type: none"> • Affordable rents • Social rents • Shared ownership • Shared Equity
<p>Supported housing</p> 	<ul style="list-style-type: none"> • Provided by registered providers and VCS through SCC contracts • Central referral system and allocation • Mixed level of support – low support needs to high risk • Specialist provision for young people, mental health, probation • Some private / charitable supported accommodation
<p>Specialist housing</p> 	<ul style="list-style-type: none"> • Older Person Housing including Extra Care and sheltered housing • Housing with care • Specialist and adapted housing • Student accommodation • Publically provided Gypsy & Traveller accommodation • Alms Houses
<p>Temporary accommodation</p> 	<ul style="list-style-type: none"> • RP owned and managed • Council owned and externally leased / managed • Mixture of selfcontained and shared accommodation • Mixed level of support provide
<p>B&B and emergency</p> 	<ul style="list-style-type: none"> • Private providers of B&B • RP and VCS provide emergency beds (SCC contract) • Use of hotels
<p>Severe weather provision</p> 	<ul style="list-style-type: none"> • Emergency provision between October and March • Provided by registered provider with some support of VCS









2. Current position in West Suffolk

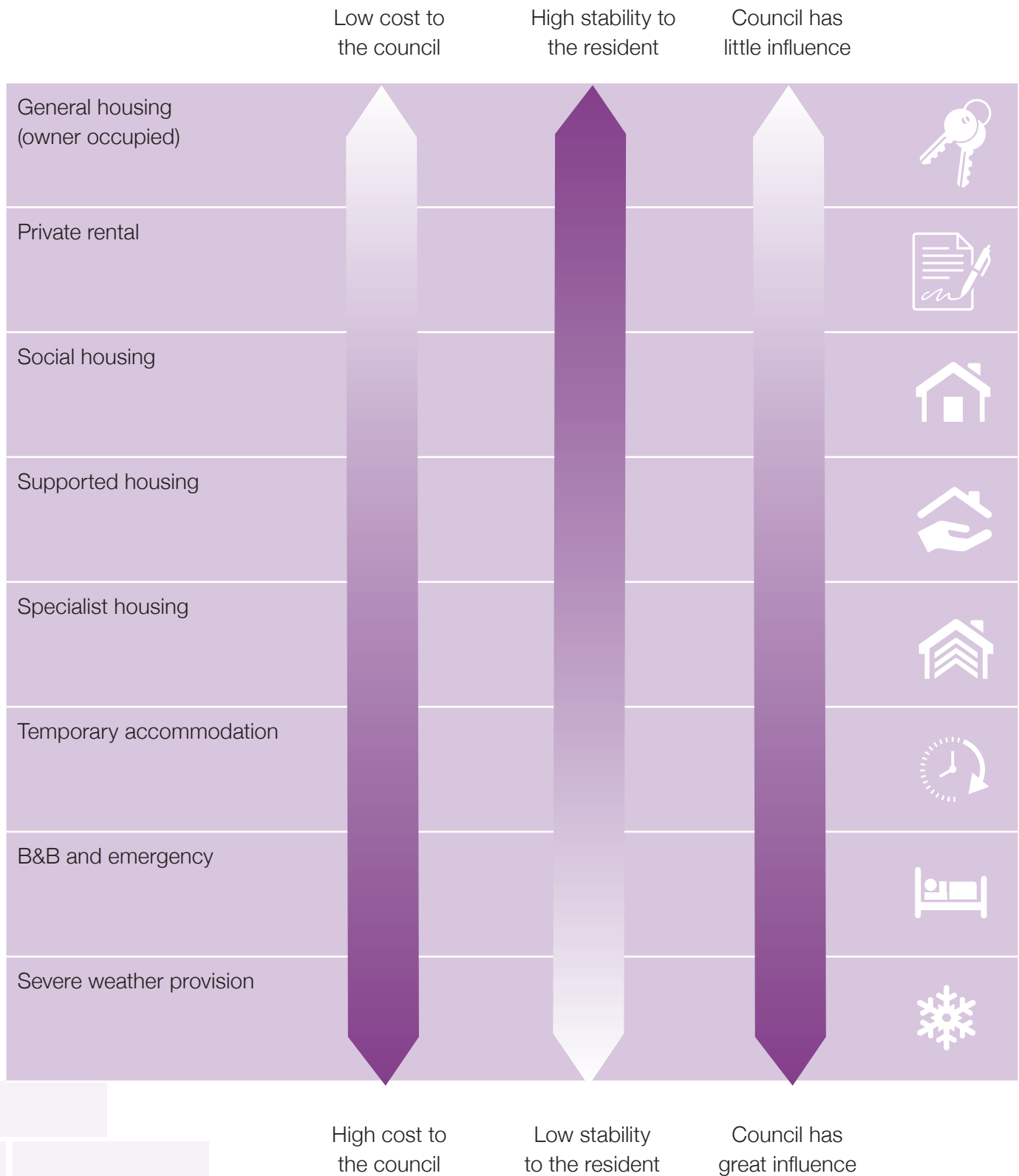
<p>General housing (owner occupied)</p> 	<ul style="list-style-type: none"> • Prohibitive cost of buying ratio of income to house price • Lack of access for vulnerable and low income • Under occupation in some properties • Downsizing opportunities limited • Some empty properties
<p>Private rental</p> 	<ul style="list-style-type: none"> • Prohibitive cost of renting • Lack of access for vulnerable and low income • Loss of AST largest contributor to homelessness • Limited options for shared housing and lodging schemes in particular • 59 landlords using WSLP • 62 properties on WSLP list • 47% of properties to rent above LHA. Those under LHA harder to let
<p>Social housing</p> 	<ul style="list-style-type: none"> • 2500 on housing register • Average re-let and new build per year 625 • Average homeless acceptances per year 250 • Total number RP owned properties 12,802 • Average number of new affordable properties built over past five years 427
<p>Supported housing</p> 	<ul style="list-style-type: none"> • 157 supported housing bed spaces • 193 waiting list
<p>Specialist housing</p> 	<ul style="list-style-type: none"> • Currently 4557 places for older people • Includes 1663 sheltered, extra care and age exclusive housing places • 1316 residential care home places • 1578 supported and specialist places for older people
<p>Temporary accommodation</p> 	<ul style="list-style-type: none"> • 70 beds / units (some temporary for one year only) • Average length of stay 15 weeks
<p>B&B and emergency</p> 	<ul style="list-style-type: none"> • 20 units B&B • £140,479 cost of B&B • 30% approx cost not recovered via HB • 12 emergency beds (SSEA) 6 funded by SCC the remainder are funded through housing benefit claims made directly with providers
<p>Severe weather provision</p> 	<ul style="list-style-type: none"> • 14 beds currently. Suggest 7-10 in future • 100% of costs incurred by council. No HB subsidy • Approx £50,000 per year to the councils

3. Councils' role

<p>General housing (owner occupied)</p> 	<ul style="list-style-type: none"> • Enable through planning process – establish future housing needs • Effective s106 negotiation • Encourage / enforce housing standards • Accelerate housing delivery (subject to commissioned work) • Direct provision through Barley Homes
<p>Private rental</p> 	<ul style="list-style-type: none"> • Encourage / enforce housing standards • Incentivise landlords – WSLP • Could use a third party lodging scheme (can be expensive) • Purchase housing, via Barley Homes, to rent on AST (subject to agreement)
<p>Social housing</p> 	<ul style="list-style-type: none"> • Secure percentage of all new builds through s106 negotiation • Monitor through Tenancy Strategy • Effective s106 negotiation • Analysis of need – type and number • Encourage registered providers to adopt different models – shared accommodation, 6 month tenancies • Protocols in place to refer tenants who are at risk of losing tenancy • Direct provision via Barley Homes
<p>Supported housing</p> 	<ul style="list-style-type: none"> • Influence commissioners (and building case for need / demand) • Enable providers (top up funding as an option) • Direct relationship with providers (not rely on commissioners) • Specialist provision via Barley Homes (long term) • Building capacity and skills in the support / VCS sector • Accessing additional funding to increase provision
<p>Specialist housing</p> 	<ul style="list-style-type: none"> • Help to promote independent living and provide opportunities for older people to move to more appropriate accommodation as their needs change • Work with partners and relevant agencies to deliver a range of housing schemes to meet the identified housing needs for West Suffolk • Help to secure funding to deliver specialist housing schemes
<p>Temporary accommodation</p> 	<ul style="list-style-type: none"> • Manage reduction in demand – including tighter approvals for TA decisions • Ensure effective move-on • Direct purchase of properties for use as TA – capital investment • Consider use of council-owned stock • Ensure quality and standard of accommodation • Actively manage arrangements in place (some on long term with RPs and peppercorn agreements)
<p>B&B and emergency</p> 	<ul style="list-style-type: none"> • Minimise use of B&B and emergency accommodation • Ensure limited / no use of B&B for families • Ensure quality and standard of accommodation • Provide effective move on options
<p>Severe weather provision</p> 	<ul style="list-style-type: none"> • Duty to provide SWEP arrangements • Establish a sustainable longterm provision for winter shelter • Consider options for a year round shelter • Secure funding, including best option for Housing Benefit subsidy • Increase capacity of voluntary sector • Identify ways of increasing skills base / availability of support workers

4. Gaps / priority action

<p>General housing (owner occupied)</p> 	<ul style="list-style-type: none"> • Revise and update Strategic Housing Market Assessment and West Suffolk Local Plan • Introduce minimum space standards on new build housing • Work with private developers to diversify housing offer • Direct intervention in market through Barley Homes supplying additional housing • Speed up rate of housing delivery on larger strategic sites
<p>Private rental</p> 	<ul style="list-style-type: none"> • Increase incentives for private landlords – explore options and liability for councils (business case needed) • Encourage / invest in lodging schemes (business case needed) • Purchase / lease of private sector accommodation (subject to business cases)
<p>Social housing</p> 	<ul style="list-style-type: none"> • Continue challenge where private developers claim viability in order to reduce social housing obligations • Development of rural exception sites and Community Land Trusts • Influence registered providers – rent levels / affordability capped to LHA • Encourage RPs to offer different tenancy options, including shared accommodation for under 35s
<p>Supported housing</p> 	<ul style="list-style-type: none"> • Ensure access to external funding – bidding rounds • Monitor existing contracts • Provide support to establish evidence base for new HRS contracts (April 2020) change in government funding
<p>Specialist housing</p> 	<ul style="list-style-type: none"> • Work closer with partners and developers to ensure that the delivery of housing is sufficient to the needs of the council. • Stimulate innovative ideas, approaches and best practice to respond to identified housing needs • Promote informed choices and planned moves to support independent living
<p>Temporary accommodation</p> 	<ul style="list-style-type: none"> • Refurbish existing council owned property (subject to business cases) • Assess properties on the market for investment (subject to business cases and Asset Management Strategy) • Effective monitoring of existing contracts • Monitor impact of use of TA following new Act
<p>B&B and emergency</p> 	<ul style="list-style-type: none"> • Effective management of cases to reduce the need for emergency accommodation • Increase option of other accommodation to reduce use and effective move on (links to other types of housing)
<p>Severe weather provision</p> 	<ul style="list-style-type: none"> • Establish arrangements for beyond winter 2018/19 • Implement the No Second Night Out partnership • Reduce level of rough sleepers • Increase support (and funding) from other agencies • Implement actions in the Homelessness Strategy



Appendix B

Housing Strategy Evidence Base

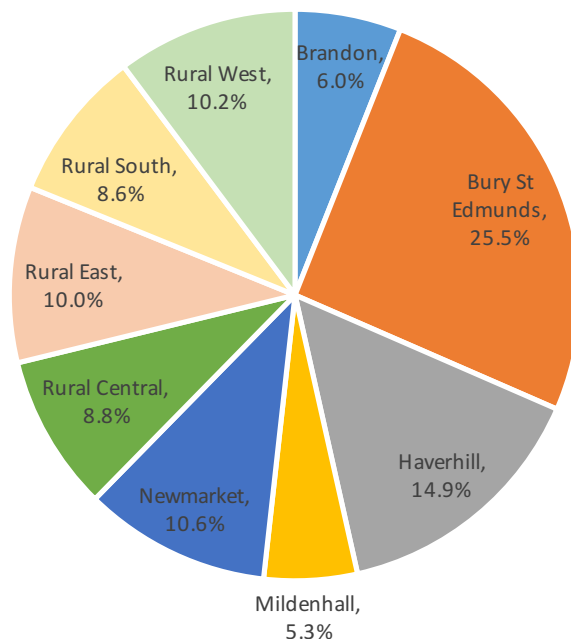


Household location

West Suffolk’s households are spread across a large rural area, plus 5 main settlements.

(source: Census 2011)

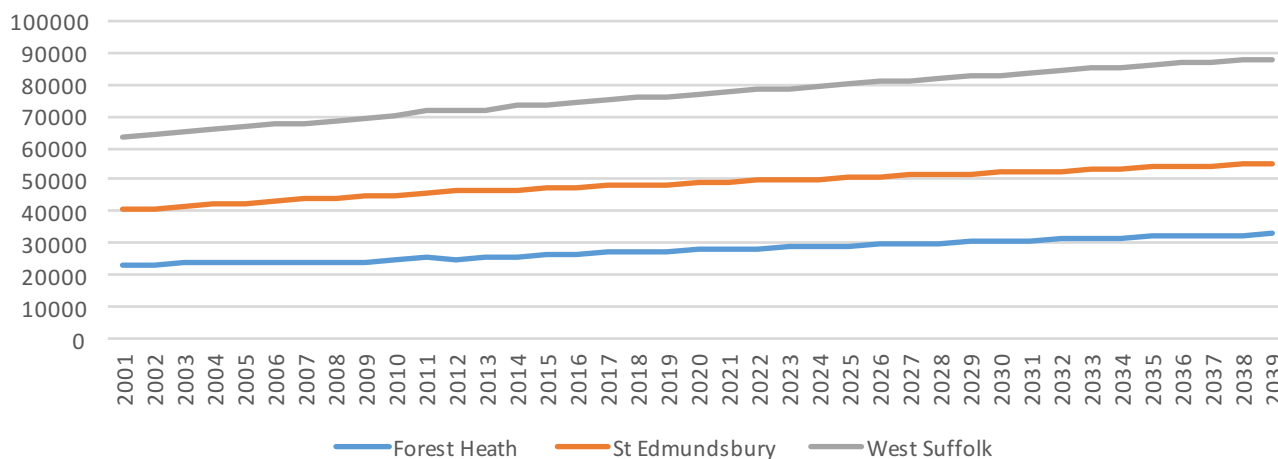
The location of households are shown across West Suffolk’s nine geographies (right).



Growth in number of households

Between 2011 and 2018, the number of households in West Suffolk increased by 6% (7% in Forest Heath and 5% in St Edmundsbury) compared to 7% in England. By 2039 the number of houses in West Suffolk is expected to increase further with a 16% increase from 2018 to 2039, compared to an 18% increase in England (21% increase in Forest Heath and 14% increase in St Edmundsbury).

(Source: ONS Household projections 2014 based)

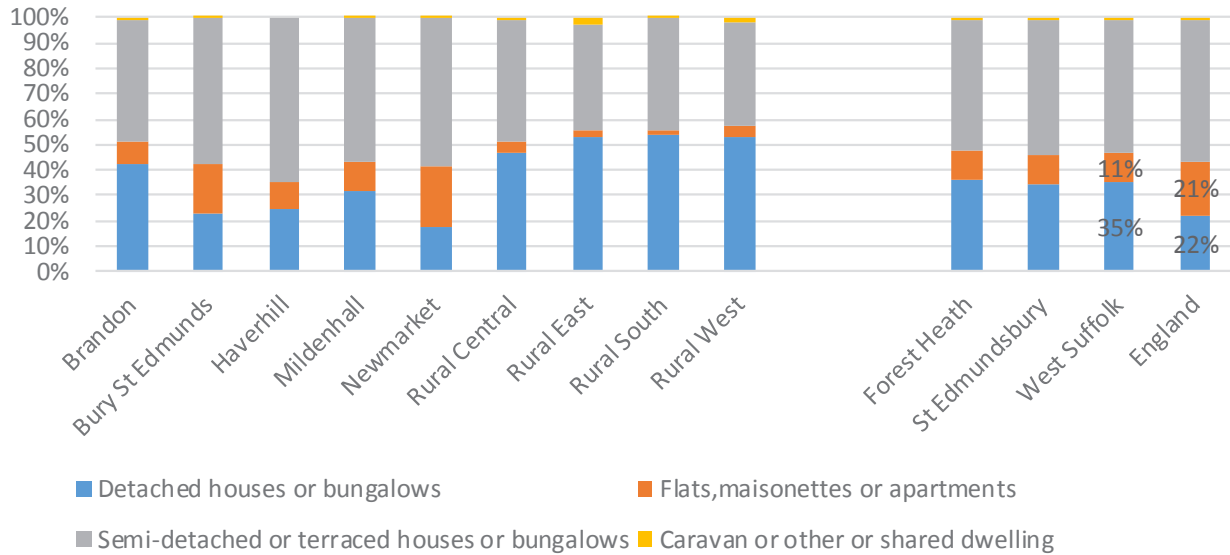


Projected no of households	Projected no of households			% increase		
	2011	2018	2039	2011-18	2011-2039	2018-2039
English	22103878	23696830	28003598	7%	27%	18%
Suffolk	311669	327730	375245	5%	20%	14%
Forest Heath	25456	27330	33046	7%	30%	21%
St Edmundsbury	46014	48326	54870	5%	19%	14%
West Suffolk	71470	75656	87916	6%	23%	16%

Dwelling type

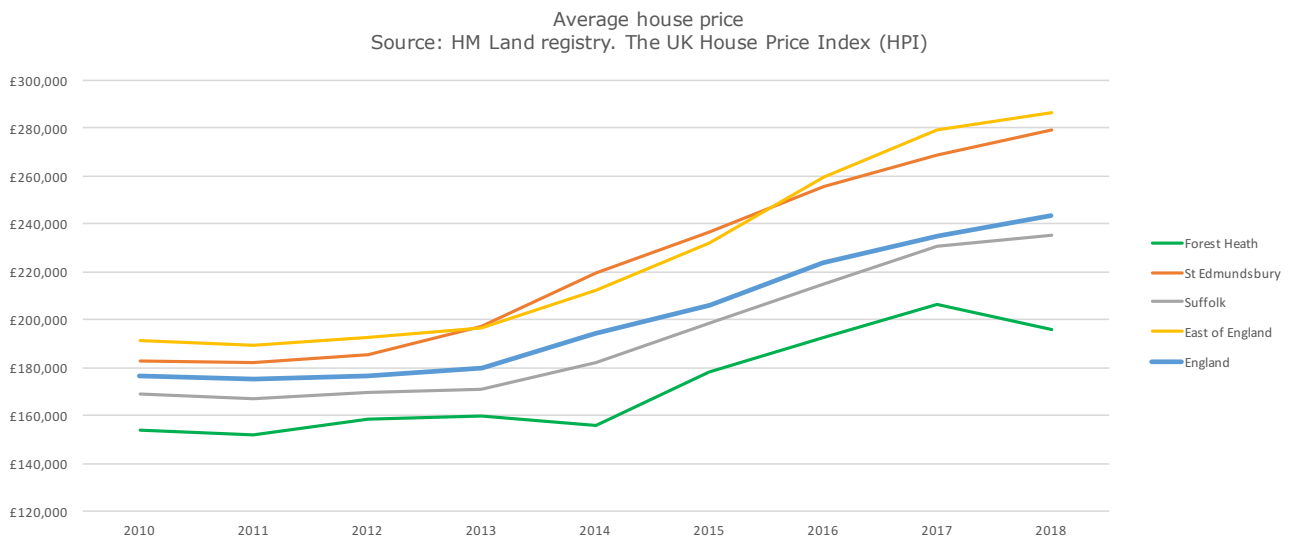
West Suffolk has a higher percentage of dwellings that are detached houses and bungalows and a lower proportion of flats, maisonettes and apartments than the England average.

(source: Census 2011)



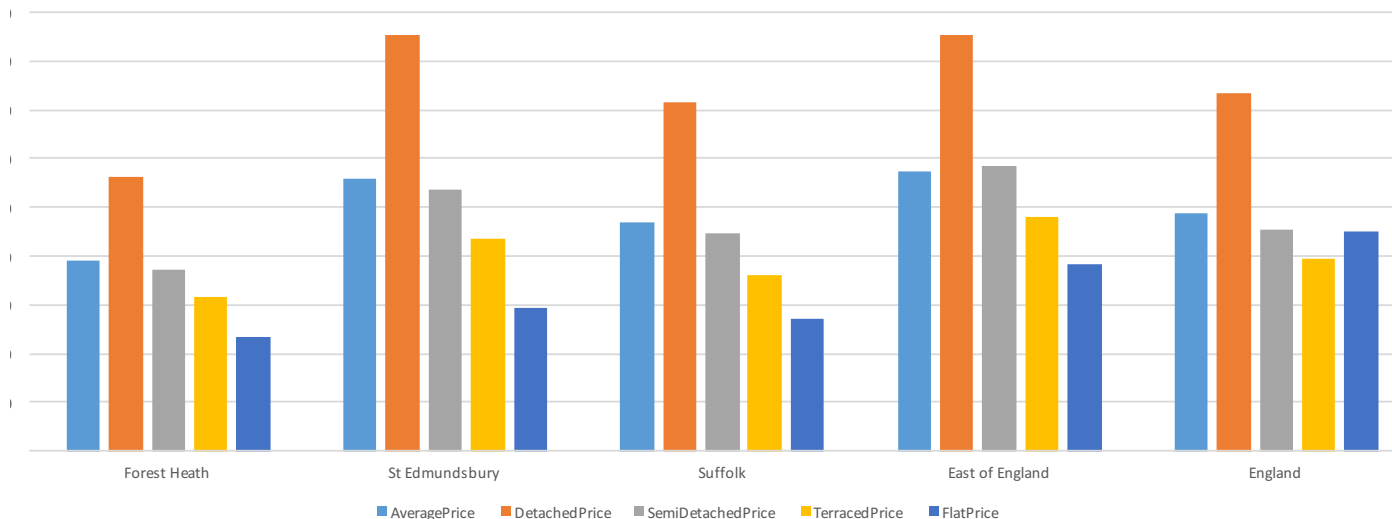
House price – average house price

Data from the Land Registry’s House Price Index shows how average house prices in Suffolk fell dramatically in 2008, before a recovery in late 2009 and a further increase of 7.4 during 2013/14.



House price by property type

House price by property type.
Source: HM Land Registry. The UK House Price Index (HPI) April 2018



Affordability ratios: median quartile

This table shows the median house price to median income ratio between March 2016 and April 2018 when buying a property. The ratios show how many “times” income the local house prices represent. It is usually accepted that house prices of 3 to 3.5 times income are considered affordable.

Source: Housing Market Bulletin June 2018

	Mar 16	Jun 16	Sep 16	Dec 16	Mar 17	Jun 17	Sep 17	Dec 17	Apr 18	Jun 18
Forest Heath	6.6	6.7	6.9	7.2	7.1	6.9	7	7.1	7.4	7.4
St Edmundsbury	8	8.1	8.1	8.2	7.7	7.3	7.5	7.7	7.9	7.9
East of England	8	8	8.2	8.5	8.2	8	8.2	8.2	8.4	8.4

Affordability of buying and renting housing: lower quartile

Ratio of lower quartile house price to lower quartile gross annual workplace-based earnings

HM Land Registry's measure of affordability of housing is the ratio between an area's earnings and house prices. A person in Suffolk, on the lower quartile salary, would need to pay over 10 times their salary to afford a house with the lower quartile price.

This may be due to Forest Heath's proximity to Cambridge and the use of the private rented sector by USAFE personnel.

Cost of renting a property (£)

	FHDC	SEBC	East of England	England
1 bed	144	144	158	173
2 bed	173	173	196	178
3 bed	242	219	233	207
4 bed	319	321	323	353

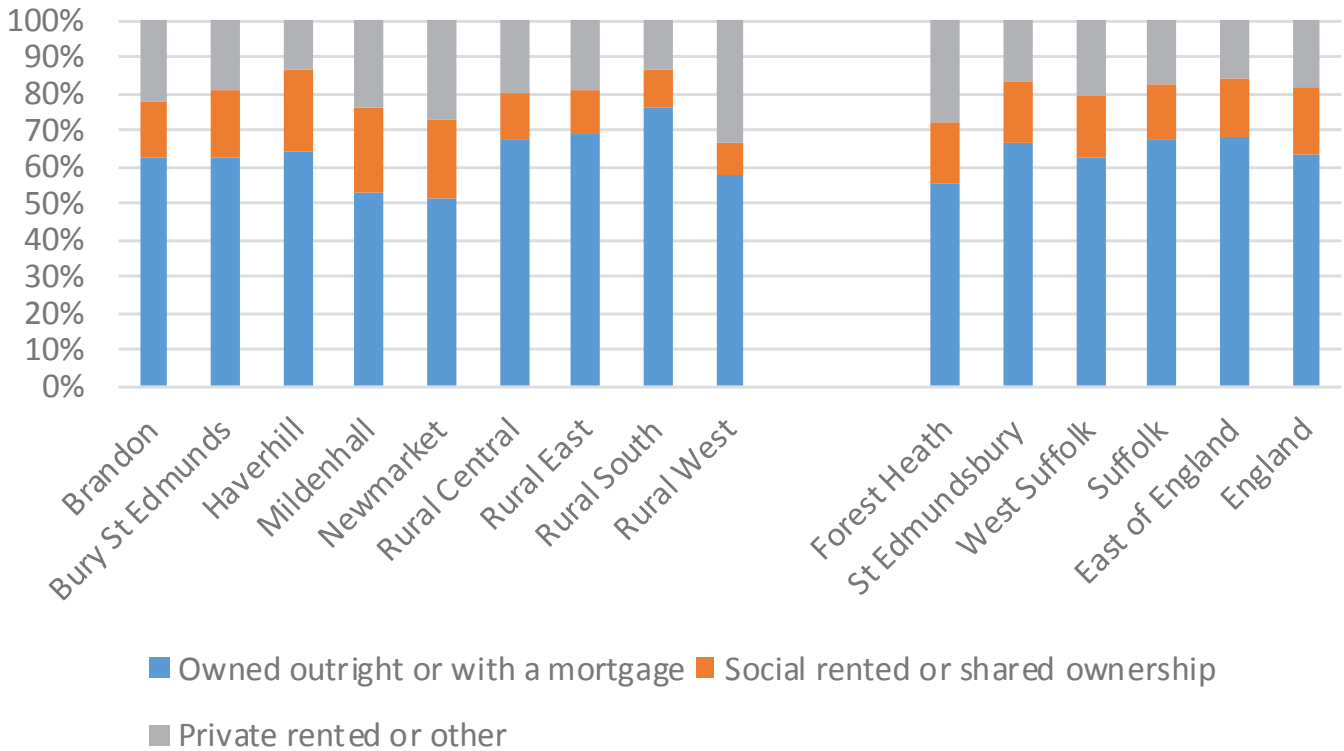
Buying a property

	June 2018
Forest Heath	10.3
St Edmundsbury	11
East of England	11



Housing tenure

West Suffolk's tenure mix has a lower than average proportion of social housing than the national average. St Edmundsbury has a higher proportion of owner occupied, and Forest Heath has a higher proportion of private rented properties than average.



Land supply for housing

Through the Strategic Housing Land Availability Assessment (SHLAA) we assess potential sites for future housing development and have identified land for 21,272 new homes on Greenfield and Brownfield sites over the next 15 years - 8,990 are in Bury St Edmunds, 5,947 in Haverhill, 606 in Newmarket, 1,470 in Mildenhall and 3,369 in rural West Suffolk.

www.westsuffolk.gov.uk/planning/Planning_Policies/upload/Main-body-of-report.pdf

		2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	2016/2017	2017/18	Total
Forest Heath	Completions	332	363	246	182	188	344	380	2035
	Target	340	340	340	340	340	340	340	2380
	Difference	-8	23	-94	-158	-152	4	40	-345
	Difference (%)	97.65%	106.76%	72.35%	53.53%	55.29%	101.18%	111.7%	85.5%
St Edmundsbury	Completions	134	133	238	414	441	388	235	1983
	Target	481	481	481	481	481	481	577	3463
	Difference	-347	-348	-243	-67	-41	-93	-342	-1480
	Difference (%)	27.86%	27.65%	49.48%	86.07%	91.48%	80.67%	40.7%	57.26%



Affordable homes delivered

Across West Suffolk, 842 affordable homes have been delivered over the past five years.

	Forest Heath	St Edmundsbury
2013/14	51	68
2014/15	49	96
2015/16	15	185
2016/17	33	109
2017/18	61	175
2018/19	209	633

The following table shows the number of affordable houses delivered in towns and rural areas over the last three years:

	Forest Heath		St Edmundsbury	
	Town	Rural	Town	Rural
2015/16	0	15	69	116
2016/17	16	17	85	24
2017/18	54	121	22	39

Empty homes 2017

Data from the Empty Homes Agency show that the percentage of homes in Forest Heath that were empty and long term empty in 2011 was higher than the county, regional and national averages.

Source: gov.uk/livatables on dwelling stock

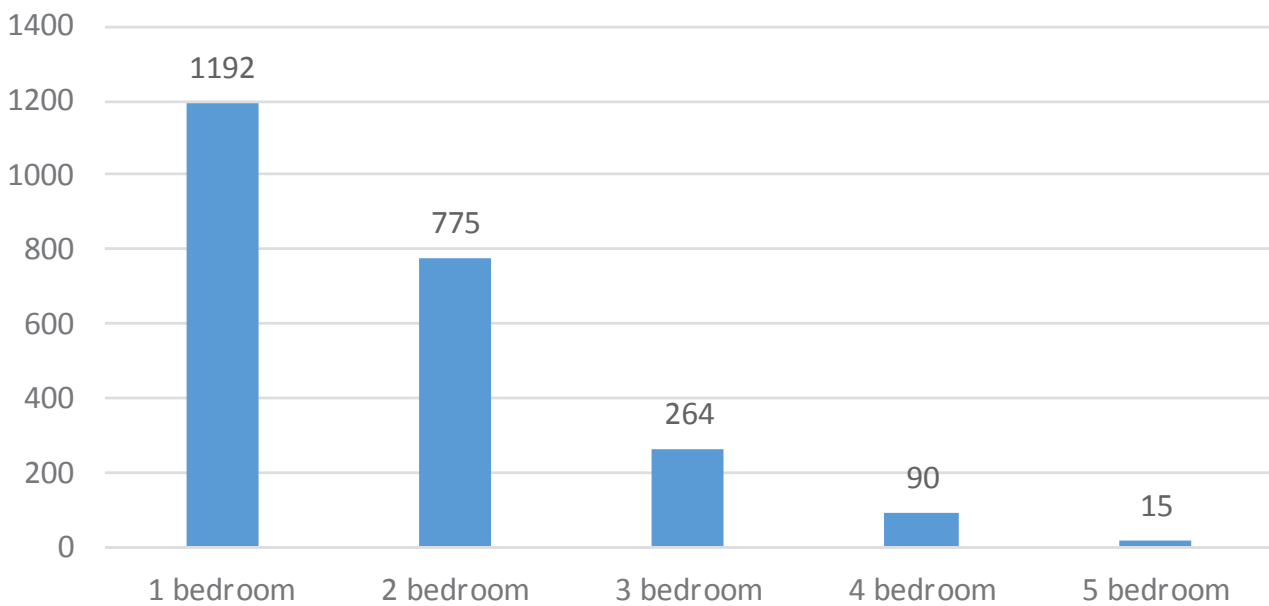
	% of all homes that are empty	% of all homes that are long term empty
Forest Heath	2.90%	0.85%
St Edmundsbury	1.99%	0.57%
West Suffolk	2.33%	0.68%
Suffolk	2.26%	0.71%
East of England	2.23%	0.70%
England	2.53%	0.86%

Housing size – need and demand on housing

Source: Housing Register database

The majority of households currently on the Housing Register in West Suffolk are waiting for a 1 or 2 bed home.

Current demand for property sizes in West Suffolk, 1 July 2018



Who is on the housing register – 1st July 2018

Single	41%
Couples	12%
Family with children	45%
Other HH types	2%
	100%



Household size

Data on average household size is calculated by looking at the number of projected households and Subnational Population Projections.

	Average household size 2011	Average household size 2018	Average household size 2039
Forest Heath	2.3	2.42	2.39
St Edmundsbury	2.4	2.35	2.25
West Suffolk		2.38	2.3
Suffolk	2.3	2.29	2.19
East of England	2.4	2.36	2.27
England	2.4	2.37	2.26

Age profile: population growth

The table below shows the expected population growth between 2016 and 2039. From 2016 to 2039 the population is expected to grow by 11% in England and 10% in West Suffolk. The growth in population for those residents aged 75+ is much larger. For residents in West Suffolk aged 75+ we can expect to see 84% growth with resident numbers rising from 16,600 to 30,600

The table below shows the percentage growth from 2016 to 2039

	England	West Suffolk
All ages	11%	10%
0-14	2%	3%
15-19	11%	13%
20-24	5%	4%
25-34	2%	-2%
35-44	-1%	-3%
45-59	2%	-6%
60-74	22%	16%
75+	76%	84%

Source: Subnational population projections 2016 (published May 2018)

Age profile: percentage population by age

The table below shows the percentage of population by age band for 2016 and 2039.

Currently in West Suffolk 1 in 11 residents are aged 75 and over. By 2039 it is predicted that 1 in 6 residents will be aged 75 and over.

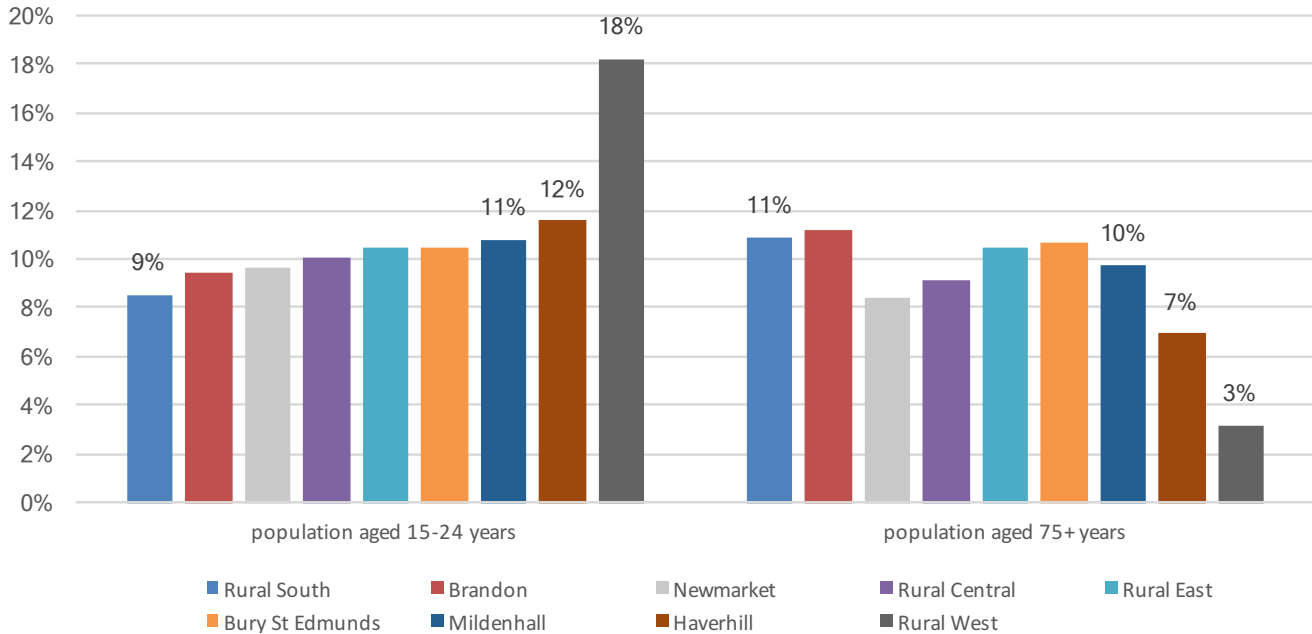
	2016	2039	2016	2039
Age band	England		West Suffolk	
0-14	18%	16%	18%	17%
15-19	6%	6%	5%	5%
20-24	6%	6%	6%	5%
25-34	14%	13%	14%	13%
35-44	13%	11%	12%	10%
45-59	20%	18%	20%	17%
60-74	15%	17%	17%	18%
75+	8%	13%	9%	16%

Source: Subnational population projections 2016 (published May 2018)



Age profile – differences across the region

Some areas of West Suffolk, for example Mildenhall, Haverhill and Rural West have a more youthful population. 18% of the population in Rural West is aged between 15-24 years with only 3% of their population aged 75 and over. In comparison, Rural South has an older population with only 9% aged between 15-24 years and 11% aged 75 plus.



Source: Mid-year estimates 2016
(published Oct 2017)

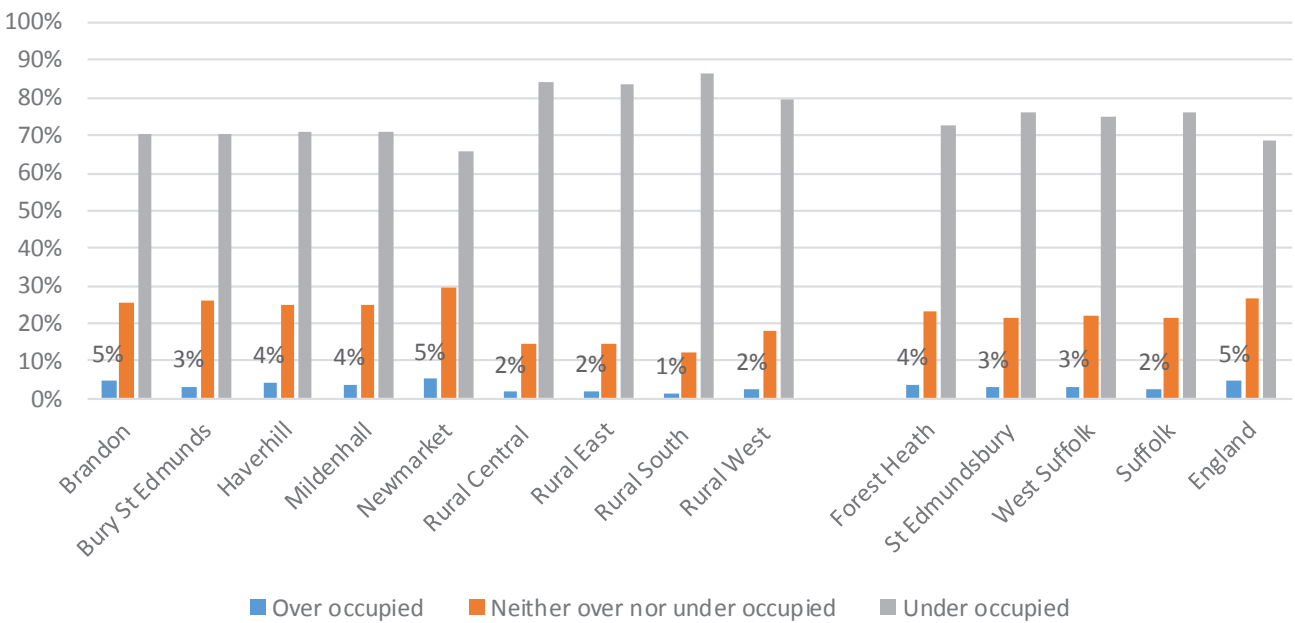
Rural South	Rural West
Cavendish	Eriswell and the Rows
Chedburgh	Exning
Clare	Lakenheath
Hundon	Manor
Kedington	South
Wickhambrook	
Withersfield	

Overcrowding/under occupancy

A slightly higher proportion of homes in West Suffolk are under occupied when compared to the national average (i.e. they have 1 or 2 more bedrooms per household than needed). The percentage of under occupied homes increases in the rural areas. In West Suffolk 3% of homes are over occupied but this increases to 4% and 5% in Haverhill, Mildenhall, Brandon and Newmarket.

NB. These figures are from before the Spare Room Subsidy was introduced.

Source: Census 2011



Housing register applicants

West Suffolk		
	01-Jul-18	%
Band A	264	11
Band B	658	28
Band C	605	26
Band D	809	35
Total	2336	
Homeseeker	1640	70
Transfer	696	30

333 of the 2336 applicants on the housing register (14%) are aged over 65. 39% of applicants were placed in Bands A or B (high need)

Source: Housing Register database



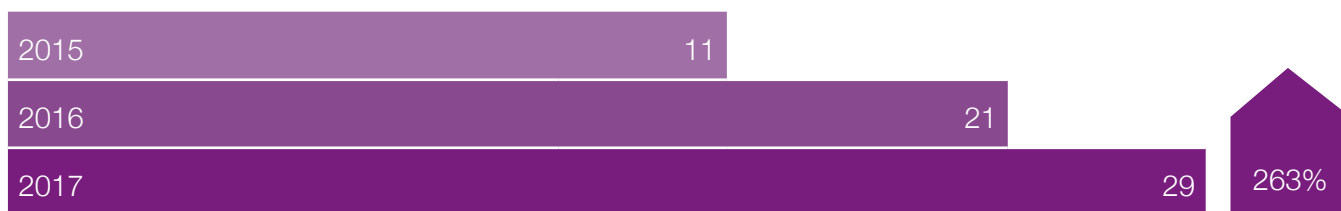
Homelessness (revised data)

	Homelessness per 1000 households (2017/18)
Forest Heath	3.8
St Edmundsbury	2.9
West Suffolk	3.2
Suffolk	2
East of England	2.4
England	2.4

Source: MHCLG.gov.uk/livatables on homelessness

The chart below shows that the number of rough sleepers across West Suffolk has increased dramatically.

Number of rough sleepers in West Suffolk



Useful links

Further information about housing can be found at the following links:

- Strategic Housing Market Assessment: <https://cambridgeshireinsight.org.uk/housing/local-housing-knowledge/our-housing-market/shma/>
- Cambridge sub-region housing market bulletin: <https://cambridgeshireinsight.org.uk/wp-content/uploads/2018/09/hmb-38.pdf>

Appendix C: Housing Strategy – Implementation plan

This plan has been developed so that we can deliver against the priorities and actions set out in the Housing Strategy. It will be regularly reviewed and updated as we make progress in our priorities and as circumstances change.

Housing priority one: Plan for housing to meet the needs of current and future generations throughout their lifetimes, that is properly supported by infrastructure, facilities and community networks

1.1 Understanding our local housing market – key challenges for investment and growth

No	Action	Key milestones	Outcomes and monitoring	Resource implications	Service area	Key partners
1.1.1	Identify potential barriers and develop ways to accelerate delivery on sites which are currently allocated in our local plans, through the commissioning of a Housing Delivery Plan.	<p>Approval of Asset Management Strategy and Plan February 2019.</p> <p>Housing Delivery Plan to be adopted March 2019.</p> <p>Development of Implementation Plan September 2019.</p>	<ul style="list-style-type: none"> Increased rate of housing delivery Monitored through Annual Monitoring Report Increased delivery through modern methods of construction Increase supply of high quality homes in a range of sizes, types and tenures to meet the diverse needs and aspirations of our communities Identify opportunities to create additional housing land through our Asset Management Plan and One Public Estate. Focus on 'stalled' sites with planning consent, and if necessary use a range of 	Grant aid to be sought wherever possible	Planning and Growth	Developers, land owners, agents, registered providers, Homes England Suffolk County Council, One Public Estate partners, utility companies local enterprise partnerships

No	Action	Key milestones	Outcomes and monitoring	Resource implications	Service area	Key partners
			<p>powers to bring forward development</p> <ul style="list-style-type: none"> Identify a range of options to increase the rate of housing delivery by working with public sector partners, Homes England, private developers and registered providers 			
1.1.2	Through the creation of a new West Suffolk local plan, identify sufficient land to meet our current and future housing needs to give certainty for residents and developers.	<p>Deliver the number of homes identified using the new NPPF standard method for assessing local housing need (currently 18,600 new homes) across West Suffolk for the plan period to 2031.</p> <p>Adopt Local Development Scheme, setting the timetable for West Suffolk Local Plan preparation and Adoption. Meet the key milestones set out within the adopted Local</p>	<ul style="list-style-type: none"> Identify and allocate sufficient development land to meet future housing need Where possible utilise brownfield land Consider development where appropriate on land that no longer performs its original function Review existing allocations and sites and consider new sites for allocation as part of the Local Plan preparation process Prepare policies which seek to deliver a range of housing types and size to meet the existing and future population need Allocate a range of site sizes to encourage smaller scale developments which would assist SMEs' 	Within existing resources	Planning and Growth	Homes England, local enterprise partnerships, development partners, landowners, developers

No	Action	Key milestones	Outcomes and monitoring	Resource implications	Service area	Key partners
		Development Scheme.				
1.1.3	Identify solutions to respond to specific housing needs such as first time buyers, key workers, affordable housing, self-build, Co-Housing, Community Land Trusts and specialist housing.	30% affordable housing achieved on all sites of 10 units and above. Seek to secure 5% of self-build plots on future strategic sites Work with parish council and land owners to secure affordable housing exception sites in rural areas.	<ul style="list-style-type: none"> • Work closely with other public landowners to encourage them to prioritise affordable housing delivery on their surplus or under-utilised sites • Monitor the self-build register and look to identify land opportunities which match their need • Work with parish councils to facilitate housing for local people in rural areas • Work with the Suffolk County Council and other partners to develop a range of specialist housing schemes 	Within existing resources	Planning and Growth	Suffolk County Council, Barley Homes, parish councils, Community Land Trust association, community groups

1.2 Planning policies that support the delivery of new homes

No	Action	Key milestones	Outcomes and monitoring	Resource implications	Service area	Key partners
1.2.1	Promote, develop and review planning policies to support affordable housing provision.	<p>Adopted revised Affordable Housing Supplementary Planning Document, September 2019.</p> <p>Establish a Housing Supply Implementation Group, made up of representatives from key service areas to oversee the delivery of a range of potential housing solutions.</p>	<ul style="list-style-type: none"> Encourage innovation such as mixed use schemes in order to balance competing demands on well positioned sites Ensure that West Suffolk's emerging Local Plan contains robust planning policies and our Affordable Housing Supplementary Planning Document supports these 	Within existing resources	Planning and Growth	Private developers, registered providers, Homes England, Barley Homes
1.2.2	Work with developers to ensure that they are meeting the full affordable housing obligations through S106 agreements.	<p>Agree use of commuted sums to subsidise open market costs.</p> <p>Develop protocol arrangements between Housing Enabling and Development Management to facilitate the provision of additionality.</p>	<ul style="list-style-type: none"> Be creative and flexible in securing the levels of affordable housing needed and consider many forms and types of affordable housing within the context of new government policy, including affordable home ownership, affordable private rent, starter homes, discounted market sales housing. Explore potential for empty properties being 	Within existing resources	Planning and Growth	Private developers, registered providers, Homes England, Barley Homes

No	Action	Key milestones	Outcomes and monitoring	Resource implications	Service area	Key partners
			refurbished and let at affordable rents			
1.2.3	Support the development of neighbourhood plans to encourage local communities to identify solutions to address local housing needs.	Engagement with Neighbourhood Plan Groups. Monitoring the number of neighbourhood plans adopted.	<ul style="list-style-type: none"> • Member training and engagement activities identified which will be carried out on an annual basis. • Local neighbourhood groups supported to develop local plans • Identification of local/community led housing schemes 	With existing resources Local groups supported to secure external funding	Planning and Growth Strategic Planning Strategic Housing	Parish and town councils

1.3 Increasing the rate of housing delivery

No	Action	Key milestones	Outcomes and monitoring	Resource implications	Service area	Key partners
1.3.1	Work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes.	Housing Delivery Plan to be adopted March 2019. Development of Implementation Plan September 2019.	<ul style="list-style-type: none"> Increased rate of housing delivery achieved on larger strategic sites 	Within existing resources	Planning and Growth Strategic Housing Strategic Planning	Private developers, Homes England
1.3.2	Explore opportunities to encourage SME builders to work collaboratively to bring forward the development of housing sites.	Housing Delivery Plan to be adopted March 2019. Development of Implementation Plan September 2019. Establish an SME forum for builders.	<ul style="list-style-type: none"> Adopt an enabling role to develop conversations and support SMEs and self or custom builders. 	Within existing resources	Planning and Growth	Small scale private developers, New Anglia Local Enterprise Partnership
1.3.3	Work with site owners and developers to identify ways to restart or bring forward development on sites where the rate of build has significantly slowed or stalled.	Re-establish a developers and agents forum to improve dialogue.	<ul style="list-style-type: none"> Adopt an enabling role to develop conversations and support developers Seek to support housing delivery using a range of pro-active interventions and mechanisms 	Within existing resources	Planning and Growth	Homes England, development partners, landowners, developers

No	Action	Key milestones	Outcomes and monitoring	Resource implications	Service area	Key partners
1.3.4	Use West Suffolk's housing company Barley Homes (Group) Limited to bring forward housing development, including working with other public sector partners.	Approval and adoption of second Business Plan September 2019.	<ul style="list-style-type: none"> • Agree funding requirements to support Barley Homes to deliver more open market and affordable homes • Be proactive in seeking opportunities to create additional housing land through our Asset Management Plan and the One Public Sector Estate programme 	Within existing resources	Planning and Growth	One Public Estate partners, Homes England, Suffolk County Council

1.4 Ensuring the provision of infrastructure needed to support new homes

No	Action	Key milestones	Outcomes and monitoring	Resource implications	Service area	Key partners
1.4.1	Ensure the necessary infrastructure is available to ensure the appropriate number of houses can be delivered and that they are located in high quality sustainable locations.	Preparation of an Infrastructure Delivery Plan as part of the development of the new West Suffolk Local Plan.	<ul style="list-style-type: none"> • Work with partners and stakeholders to accelerate the delivery of housing and infrastructure in and around West Suffolk. • Where appropriate, work with developers and public sector partners to directly provide funding through our Growth Investment Fund or help to secure financing or grants for vital infrastructure such as Infrastructure funding and Get Britain Building Funding from Homes England. 	Within existing resources	Planning and Growth Strategic Planning Strategic Housing Economic Development	Private developers, Suffolk County Council, New Anglia Local Enterprise Partnership, Cambridgeshire Combined Authority, specialist housing providers, utility agencies
1.4.2	Attract a variety of high quality developers and housing investment to deliver high quality development	Housing Delivery Plan to be adopted March 2019. Adoption of the Suffolk Design Guide.	<ul style="list-style-type: none"> • Ensure everyone has access to a suitable home and residents are able to live as healthily, safely, independently as possible. • Ensure strong relationships with residents, developers and partners that enable us to deliver housing and 	Within existing resources	Planning and Growth	Suffolk Growth and Programme Board, private developers, registered providers, local enterprise partnership partners, planning agents,

No	Action	Key milestones	Outcomes and monitoring	Resource implications	Service area	Key partners
	and secure the delivery of appropriate housing across all tenures to meet need and demand.	Development of new West Suffolk Local Plan.	<p>services effectively, and to innovate where appropriate.</p> <ul style="list-style-type: none"> • Monitor housing completions to ensure a variety of homes are delivered to meet demand and need 			landowners and agents, neighbourhood plan groups, parish councils

1.5 Building sustainable communities

No	Action	Key milestones	Outcomes and monitoring	Resource implications	Service area	Key partners
1.5.1	Contribute to diversifying the housing stock for all residents across West Suffolk and meeting housing needs by achieving the right tenure, size and mix of provision on new developments.	<p>Produce new Strategic Housing Market Assessment.</p> <p>Where appropriate undertake research to identify the needs of specialist groups</p>	<ul style="list-style-type: none"> • Work with partners including the Clinical Commissioning Group and Suffolk County Council to identify the future need for specialist housing, including housing for the elderly, people with disabilities, Gypsy and Travellers and keyworkers • Explore innovative ways for how we can work with private developers and registered providers to help older people who may wish to downsize. • Explore opportunities for the creation of co-housing schemes which support inter-generational living. • Use planning powers to ensure that new homes contribute to a zero carbon future, including applying the zero carbon target to all major developments and promoting cleaner heating solutions within the draft West Suffolk Plan. 	<p>Within existing resources</p> <p>Seeking external funding opportunities</p>	Planning and Growth	Private Developers, registered providers, specialist housing providers, West Suffolk Clinical Commissioning Group

No	Action	Key milestones	Outcomes and monitoring	Resource implications	Service area	Key partners
1.5.2	Review the impact of affordable rents on demand and develop an approach to rent setting for affordable homes to ensure properties are affordable for those most in need.	<p>Adoption of new Tenancy Strategy in 2018.</p> <p>Review of affordability levels for all new affordable rented properties particularly in relation to larger homes.</p> <p>Include the requirement that rents on all new affordable rented properties must not exceed LHA levels.</p>	<ul style="list-style-type: none"> Regular monitoring of adherence by registered providers to priorities set out in the Tenancy Strategy. Explore opportunities to develop new social rented homes, involving providing direct funding to facilitate the development in areas where private rents are well above LHA levels. 	Within existing resources	<p>Planning and Growth</p> <p>Strategic Housing</p> <p>Housing Options</p>	Registered providers, private developers
1.5.3	Ensure that all new accommodation for older people is adaptable so that their accommodation remains suitable as older people become less mobile.	Increase the amount and range of housing with care available for older and disabled people, improve the quality of life for people with accommodation needs and support people to remain living.	<ul style="list-style-type: none"> Explore the potential for incorporation of specific requirements into a Supplementary Planning Document Negotiate into S106 agreements Work with Suffolk County Council to establish a consistent position across the county through development 	<p>Existing Staff Resource/time</p> <p>Seek external grant funding where appropriate</p> <p>Homes England</p>	<p>Growth</p> <p>Strategic Housing</p>	Suffolk County Council, West Suffolk Commissioning Group, specialist housing providers

No	Action	Key milestones	Outcomes and monitoring	Resource implications	Service area	Key partners
		independently, avoiding admission to hospital and/or residential care where possible.	<p>of a Housing with Care Strategy</p> <ul style="list-style-type: none"> • Work with Suffolk County Council to identify sites their ownership that can be used for extra care housing • Work with registered providers to encourage and assist with the building of housing for older people 			
1.5.4	Set an ambition that all new housing built will meet either building regulations accessible and adaptable or wheelchair user standards.	Jointly commission a new Strategic Housing Market Assessment (SHMA). This will capture the needs of older people and identify a target population of new housing that should be developed for older people on suitable well-connected sites close to local amenities.	<ul style="list-style-type: none"> • On Home-link we will regularly review the specific accommodation needs of households (under 65) and families with disabilities so that we can cater for their needs on a site by site bases through our s106 negotiations and through our own pipeline of new affordable housing 	<p>Within existing resources</p> <p>Seek external grant funding where appropriate</p> <p>Homes England</p>	<p>Planning and Growth</p> <p>Strategic Housing</p> <p>Strategic Planning</p>	<p>District housing and planning authorities across the Cambridge-Sub Region, Suffolk County Council</p> <p>West Suffolk Clinical Commissioning Group</p>

Housing priority two: Improve the quality of housing and the local environment for our residents

2.1 Suitable homes for disabled, vulnerable and older residents

No	Action	Key milestones	Outcomes and monitoring	Resource implications	Service area	Key partners
2.1.1	Put the needs of residents first and work with health, social care and housing partners to help people maintain independence.	<p>Allocate sufficient funds for non-Disabled Facilities Grants schemes through Better Care Fund</p> <p>Meet the needs of residents through schemes including adaptations, equipment/minor works funded by Disabled Facilities Grants allocation</p>	<ul style="list-style-type: none"> • Ensure the needs of residents are met to maintain independence in the home • Target in Balanced Scorecard for 2018/19 is 350 residents supported per quarter • Help to prevent hospital admissions and facilitate quicker discharge 	<p>Better Care Fund/Home Improvement Agency contract</p> <p>Suffolk Partnership</p>	Housing Standards	Home Improvement Agency, Suffolk County Councils, local authorities across Suffolk, NHS (admission prevention team)
2.1.2	Review the way in which we deliver support for maintaining independence in the home.	Review current Home Improvement Agency contract and identify future option(s).	<ul style="list-style-type: none"> • The most efficient system to meet the needs of residents, V4M, cost effective & efficient • Maximise funding 	Within existing resources	Housing Standards	All Suffolk partners

No	Action	Key milestones	Outcomes and monitoring	Resource implications	Service area	Key partners
			<ul style="list-style-type: none"> Recommended method for delivering Disabled Facilities Grants 			

2.2 Bringing homes back into use

No	Action	Key milestones	Outcomes and monitoring	Resource implications	Service area	Key partners
2.2.1	Provide support, encouragement and funding to help owners of empty homes bring them back into use. Use enforcement powers as an option if negotiations fail.	<p>Allocate priority empty homes for interventions.</p> <p>Ensure sufficient associated funding for repairs to rent.</p> <p>Utilise all available enforcement tools.</p> <p>Maximum council tax levy/charge.</p>	<ul style="list-style-type: none"> Meet the quarterly targets in the Balanced Scorecard. In 2018/19 this is to reduce 52 Long Term Empty Homes cases and bring empty homes back into use Utilise the Housing Assistance Policy 	Within existing resources	Housing Standards	Anglia Revenues Partnership, West Suffolk Lettings Partnership, Empty Homes Network

2.3 Making homes safe in the private sector

No	Action	Key milestones	Outcomes and monitoring	Resource implications	Service area	Key partners
2.3.1	Improve standards in the private rented sector by working with landlords to deliver best practice and target 'rogue landlords'.	Landlords Forums. Adequate information/ Website. Civil Sanctions Policy Explore ways to incentivise better Landlords.	<ul style="list-style-type: none"> • Meet the quarterly targets in the balanced scorecard. In 2018/19 this is to help 350 households and resolve 80% of service requests relating to poor housing standards per quarter. • Intelligence led investigations • Civil Penalty Notices rather than prosecutions • Effective recovery of fines • Links to West Suffolk Lettings Partnership, accreditation, grants for innovative and best practice 	Within existing resources	Housing Standards	Eastern Landlords Association, West Suffolk Lettings Partnership
2.3.2	Improve much needed accommodation provided through Houses in Multiple Occupation. Work in line with licensing laws that raise the management	Implementation of Houses in Multiple Occupation legislation (extended licensing). Inspection programme (risk rated).	<ul style="list-style-type: none"> • Links to Balanced Scorecards intervention target and service request resolution 	Within existing resources	Housing Standards	Fire Service, local authorities, central Government

No	Action	Key milestones	Outcomes and monitoring	Resource implications	Service area	Key partners
	and standards of Houses in Multiple Occupation.	Enforcement action to ensure compliance.				
2.3.3	Deliver our programme to improve fire safety of flats above commercial premises.	Towns and timescales to be agreed for inspections.	<ul style="list-style-type: none"> • Numbers inspected and compliance • Links to balanced scorecard inspection target 	Within existing resources	Housing Standards	Suffolk Fire and Rescue
2.3.4	Review the purpose and scope of our Housing Assistance Policy.	Undertake an extensive review to ascertain the most effective use of local funding.	<ul style="list-style-type: none"> • Supporting the most vulnerable residents • Scope of the policy (home owners/Empty Home owners/Landlords) • Links to Warm Homes Healthy People/Energy efficiency obligations • Explore innovative ways to utilise funding to improve standards and increase the supply of decent housing 	Within existing resources	Housing Standards	Form group with representative partners

2.4 Safe and vibrant communities

No	Action	Key milestones	Outcomes and monitoring	Resource implications	Service area	Key partners
2.4.1	Take a more targeted approach to investigating complaints of nuisance, which can have an adverse impact on quality of life.	Identify hot spots and trends. Plan to reduce noise complaints.	<ul style="list-style-type: none"> • GIS mapping for patterns and concentration of noise • Planning application responses to control noise nuisance • In the balanced scorecard, quarterly target of 80% resolution of noise complaints in 2018/19 	Within existing resources	Housing Standards	Families and Communities Team, Ant-social behaviour group, Suffolk police
2.4.2	Work with partners to reduce anti-social behaviour and crime.	Ongoing through the anti-social behaviour group.	<ul style="list-style-type: none"> • Address high risk, repeat or vulnerable cases of anti-social behaviour determined through use of Risk Assessment Matrix • Resolve cases referred to reduce the detrimental effect for those impacted by the behaviour • Ensure all individuals are known/referred to appropriate services through any gaps identified • Monitor through use of a case management system 	Within existing resources	Families and Communities Team	Anti-social behaviour group, County Lines, Families and Communities Team, Public Health and Housing, Waste Management, Suffolk Police, registered providers, Youth Justice Service (formally Youth Offending Service), Children and Young Peoples Service, Adult and Community

No	Action	Key milestones	Outcomes and monitoring	Resource implications	Service area	Key partners
						Services, child exploitation
2.4.3	Use our Families and Communities Strategy to support and encourage resilient families and communities.	Ongoing through delivery of the Families and Communities Strategy.	<ul style="list-style-type: none"> • Safe and vibrant local areas that lead to improved outcomes for communities. • Individuals and households that feel safe and secure. 	Within existing resources	Families and Communities Team	Environmental Health, Suffolk Health and Wellbeing Board, police, voluntary and community groups
2.4.4	Protect the amenity of the local environment through our consultation work in the planning process.	Planning application responses.	<ul style="list-style-type: none"> • Meet the quarterly targets as defined for Planning and Regulation Services. For 2018/19 this is 95% of planning and licensing consultations responded to within the required time period. 	Within existing resources	Strategic Planning	
2.4.5	Respond to the Suffolk Design Guide that aims to raise the quality of design being delivered in communities and neighbourhoods and ensure that good growth	<p>Adoption of the Suffolk Design Guide</p> <p>Ensure development in West Suffolk is undertaken in line with the principles set out in the guide</p>	<ul style="list-style-type: none"> • New developments that will contribute to Suffolk's unique identity, that it is appropriate and in keeping with the local area. 	Within existing resources	Planning and Regulatory Services	Central Government, local authorities across Suffolk, private sector partners

No	Action	Key milestones	Outcomes and monitoring	Resource implications	Service area	Key partners
	takes place across Suffolk.					

2.5 Improving efficiency and addressing fuel poverty

No	Action	Key milestones	Outcomes and monitoring	Resource implications	Service area	Key partners
2.5.1	Target vulnerable households to help improve energy efficiency and the household's circumstances, maximising the use of local and national funding including Energy Company Obligation (ECO) funding.	Support delivery of the Suffolk Warm Homes Healthy People programme.	<ul style="list-style-type: none"> Number of households assisted through the programme Number of measures carried out to improve the home or assist the householder Monthly report from central Government. 	<p>Delivered within existing resources</p> <p>Any external funding opportunities will be explored by partners in the programme</p>	Environmental Health	Suffolk local authorities, Public Health Suffolk and installers.
2.5.2	Work with registered provider partners and private landlords to secure energy improvement in their property.	Support and promote energy efficiency programmes aimed at improving private rented accommodation.	<ul style="list-style-type: none"> Number of households assisted through the programme Number of measures carried out to improve the home or assist the householder 	<p>Delivered using existing resources</p> <p>Any external funding opportunities will be explored by partners in the programme</p>	Environmental Health	Suffolk local authorities, Public Health Suffolk and installers.
2.5.3	Provide home energy advice and support to residents and community groups on the	Support and promote Suffolk Energy Action to residents and communities in West Suffolk as	<ul style="list-style-type: none"> Number of households participating in energy programmes developed by the Suffolk Climate Change Partnership. 	<p>Delivered using existing resources</p> <p>Any external funding</p>	Environmental Health	Suffolk local authorities as part of the Suffolk Climate Change Partnership

No	Action	Key milestones	Outcomes and monitoring	Resource implications	Service area	Key partners
	benefits of energy efficiency and lower carbon energy generation for heating and power supply.	part of our role in the Suffolk Climate Change Partnership.	<ul style="list-style-type: none"> Number of communities engaged in West Suffolk. 	opportunities will be explored by partners in the programme		

Housing priority three: Enable people to access suitable and sustainable housing

3.1 Homelessness prevention and reduction

For section 3.1, please see the delivery plan for the [Homelessness Reduction Strategy](#) for the latest information about how we are delivering against our priorities.

3.2 Housing allocations

No	Action	Key milestones	Outcomes and monitoring	Resource implications	Service area	Key partners
3.2.1	Operate an effective Home-Link service to provide access to affordable and social housing to those most in need.	Explore provision of new IT provider for the Home-Link system, including an option for mutual exchange – from December 2018.	<ul style="list-style-type: none"> Weekly monitoring of Home-Link activity Introduce measures for customer satisfaction/feedback – following new system installation, June 2019 	Within existing resources (annual cost of system within core budget)	Housing Options and Homelessness	Home-Link partners (local authorities and registered providers across Cambridge sub-region, customer services)
3.2.2	Review the Lettings Policy, in conjunction with colleagues across the Cambridge sub-region, to ensure that it is fit for purpose.	Review policy alongside the approval and installation of a new Home-Link system – from December 2018 onwards.	<ul style="list-style-type: none"> Monitored via the Home-Link Operations Group and Board Continue monitoring to respond to legislative and case law changes 	Within existing resources	Housing Options and Homelessness	Home-Link partners (local authorities and registered providers across Cambridge sub-region)
3.2.3	Ensure that people are provided with effective advice, preventative and information services on a	<p>Quarterly monitoring of prevention statistics.</p> <p>Quarterly monitoring of</p>	<ul style="list-style-type: none"> Successful homeless preventions Increased use of online resources (website and Home-Link site) 	Within existing resources	Housing Options and Homelessness	Customer Services

No	Action	Key milestones	Outcomes and monitoring	Resource implications	Service area	Key partners
	range of accessible housing options so they are supported to make the best choice for them and their families.	website and customer service data.	<ul style="list-style-type: none"> Monitoring customer contact to establish if online and self-help has affected the amount or frequency of contact Monitoring to identify emerging best practise and self-help tools. In the balanced scorecard, monthly target to provide advice and prevent homelessness cases. 			
3.2.4	Increase access to the private rented sector, including through our West Suffolk Lettings Partnership.	<p>Quarterly Landlord Forums.</p> <p>Regular landlord new bulletins.</p> <p>Review of effectiveness of partnership – from September 2018.</p>	<ul style="list-style-type: none"> Effective support is in place to enable more households to retain short hold tenancies Monitoring through the private sector offer available in the area. Monitoring number of households housed through the Lettings Partnership Increase levels of satisfaction amongst private sector landlords housed through the Lettings Partnership 	Within existing resources	Housing Options and Homelessness	Public Health and Housing, Anglia Revenues Partnership, West Suffolk Landlords Forum

Equality analysis

An equality impact assessment (EqIA) has been undertaken on this strategy to ensure that there are no adverse effects for any particular group. The strategy contains priorities and actions which will be delivered to provide a range of housing options so that we can respond to and plan for the growing need for additional housing in West Suffolk.

It is anticipated that all residents in West Suffolk could benefit from the proposals. The strategy intends to increase the supply of affordable housing and improve the quality of existing housing throughout West Suffolk, to help meet the needs of current and future populations.

In terms of how it will impact on those with a protected characteristic, the strategy sets out how West Suffolk intends to improve housing provision for the following groups:

- those with a disability;
- elderly people and younger people;
- those living in rural isolation;
- and those on a low income.

This page is intentionally left blank

West Suffolk

Local Development Scheme (LDS)

December 2018



Contents page

1. Introduction	3
2. What is the Local Plan?	3
3. Neighbourhood Plans	4
4. Community Infrastructure Levy (CIL)	4
5. West Suffolk Local Plan documents	4
6. Timetable for the West Suffolk Local Plan	5
7. Risk Assessment	7
8. Further information	8
Annex 1: LDS timeline	9
Annex 2: Glossary of Terms	10

1. Introduction

The Council sees the Local Plan as positive tool in supporting delivery of our corporate priorities.

The Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) requires local planning authorities to prepare, maintain and publish a Local Development Scheme (LDS) which sets out what development plan documents are to be produced, their subject matter and broad timetable for their preparation including consultation, examination and adoption.

A revision to the 2016 joint St Edmundsbury and Forest Heath LDS is now required in order to reflect recent changes to the planning system, to update progress on the development plan documents currently in preparation and to roll the programme forward to 2023 for the preparation of a West Suffolk Local Plan.

From April 2019 St Edmundsbury Borough's and Forest Heath District's functions and services will be transferred to a single new council, to be known as West Suffolk Council. This LDS covers the period 2018-2021 and provides information on the new West Suffolk Local Plan and related documents. The new West Suffolk Local Plan will ultimately replace the adopted and emerging development plan documents of St Edmundsbury and Forest Heath (hereafter referred to as West Suffolk Councils).

2. What is the Local Plan?

Local Plans are a statutory requirement for each council area (or can be produced jointly if working together). A Local Plan can be a single document or a suite of documents which can cover specific policies. The 2018 NPPF states that a local plan can consist of either strategic or non-strategic policies, or a combination of both.¹ The documents which form a Local Plan are called Development Plan Documents.

There are a number of supporting documents to a Local Plan, including;

- **Local Development Scheme** – the timetable for the preparation of local development plans;
- **Statement of Community Involvement** – sets out the Council's approach to engaging with local communities during plan preparation, the assistance given to communities in the preparation of Neighbourhood Plans and when consulting on planning applications;
- **Authority Monitoring Report** – sets out the progress in terms of producing development plan documents and implementing policies;
- **Supplementary Planning documents** – documents which add further detail to policies in a Local Plan. These do not form part of the LDS.

¹ Strategic policies are those policies and site allocations which address strategic matters. Non-strategic policies are those in a Neighbourhood Plan, or those in a local plan which are not strategic.

The Local Plan will also include a Policies Map which illustrates the geographic extent of policies and proposals on a map base.

3. Neighbourhood Plans

Neighbourhood Plans are not compulsory. However, when duly made/adopted they are a statutory document that forms part of the development plan. In parished areas such as ours, these are prepared by a parish or town council or councils. They must be in general conformity with the strategic policies of a council's local plan. Details of those parish/town council's currently preparing neighbourhood plans can be seen on the council's website at www.westsuffolk.gov.uk/neighbourhoodplanning

4. Community Infrastructure Levy (CIL)

CIL is a mechanism introduced under the Planning Act 2008 to provide a standard tariff approach to determining financial contributions from new development towards local infrastructure provision. CIL is a form of securing planning obligations to supplement and co-exist with s106 contributions. It has been designed to be generally paid up front and is a levy calculated on the size and type of development.

Although CIL is not currently in use in West Suffolk, work has begun to explore its introduction but at this time no final decision has been made to introduce it. Production of a CIL charging Schedule is therefore not included in this LDS.

5. West Suffolk Local Plan documents

On the publication of this LDS, the development plans for West Suffolk Councils comprise:

St Edmundsbury

- St Edmundsbury Core Strategy (2010)
- Bury St Edmunds Vision 2031 (2014)
- Haverhill Vision 2031 (2014)
- Rural Vision 2031 (2014)

Forest Heath

- Forest Heath Core Strategy (2010)
- Saved policies of the 1995 Forest Heath Local Plan (1995)

West Suffolk Councils

- Joint Development Management Policies Document (2015)

Neighbourhood Plans

- Hargrave Neighbourhood Plan (July 2018)

The Forest Heath Single Issue Review of Core Strategy Policy CS7 and the Site Allocations Local Plan have been through Examination and the Inspectors' reports are expected by the end of 2018. At this point the documents will be

taken to Council for adoption and will become part of the development plan until superseded by the West Suffolk Local Plan.

6. Timetable for the West Suffolk Local Plan review

West Suffolk Councils are commencing work on a review of the current and emerging Local Plans and associated documents. The Government does not set out precise details of how a plan should be prepared, but rather considers Councils are best placed to decide the exact process and how to engage with their communities. However, the Regulations do prescribe certain stages where the public are to be consulted.

The Council is committed to early and meaningful engagement, collaborating with neighbourhoods, local organisations and businesses is essential. This commitment is echoed by Government. The Regulations include a requirement for public participation at an early stage in plan preparation before the plan is finalised with the detail left for councils to determine. The Regulations also stipulate that the final document should be published for formal consultation prior to it being submitted for independent examination. The various stages of development plan document preparation are summarised in the table below:

Development Plan Document Stage	Stage
Early tasks	This stage involves the Council gathering evidence, including concerns and proposals the community may wish to make regarding planning issues. This stage also involves consultation on the Sustainability Appraisal Scoping Report.
Pre-submission (regulation 18)	The Council will have a minimum of one consultation on issues and options in the early stages of this process and will continue to engage with stakeholders and the community throughout the pre-submission stage.
Pre-submission Consultation or publication stage (regulation 19)	This stage involves a formal consultation on the final version of the DPD, when the Council will invite all interested parties to submit representations.
Submission (regulation 22)	The Council will formally submit the DPD to the Secretary of State for independent examination.
Examination	Interested parties can seek to make representations to the independent Planning Inspector. Following the examination the Planning Inspector will produce a report and may recommend changes.
Adoption	This is a formal process for West Suffolk Councils to adopt the documents as part of the Local Plan.

Appendix 2
Working Paper 1 to Report No: CAB/JT/18/054

The profile table below sets out detail on the content and timetable for the production of the West Suffolk Local Plan, which can also be seen in the timeline of key milestones at Annex 1. The timetable is taking a realistic approach and is based on the time taken to achieve key milestones during the preparation of previous Local Plans. Progress will be measured against milestones to assess whether there is any need to revise the published timetable. The timeline is a 'live' document and will be updated on the West Suffolk Council's website as necessary.

West Suffolk Local Plan 2041	
Overview	
Role and content	<ol style="list-style-type: none"> 1. To set out the strategic and local policies for the area 2. To set the overall housing provision and distribution; 3. To identify land use sites to meet housing, employment, leisure and community needs; 4. To set out specific criteria against which planning applications will be considered.
Coverage	St Edmundsbury Borough and Forest Heath District (to be known as the West Suffolk Council administrative area from April 2019)
Status	Development Plan Document
Chain of conformity	With the 2018 National Planning Policy Framework, national legislation and case law
Timetable and milestones	
Start evidence base, scoping and issues	November 2018
Public consultation on issues and options (regulation 18)	November 2019 - January 2020
Public consultation on preferred approach (regulation 18)	August – October 2020
Public consultation on submission draft plan (regulation 19)	April – May 2021
Submission (regulation 22)	July 2021
Examination in Public (regulation 24)	January – February 2022
Adoption (regulation 26)	May 2023
Arrangements for Production	
Lead	Portfolio Holder for Growth
Service Area	To be prepared by the Strategic Planning Service
Internal resources required	Other services involved will include: Economic Growth, Housing, Policy, Families and Communities, Development

Appendix 2
Working Paper 1 to Report No: CAB/JT/18/054

	Management and Environment Service Areas.
Community and stakeholder involvement	Parish and Town Councils, Partner Organisations, and others as identified in the Regulations and the Statement of Community Involvement. Stakeholders and the community will be involved in the preparation of the Local Plan through direct contact with the relevant organisations, groups and individuals – including duty to co-operate requirements – and through formal publication procedures as set out in the Local Planning (England) Regulations (2012)
Monitoring and Review	Authority Monitoring Report

7. Risk Assessment

An assessment has been carried out of the factors that could affect the ability of the councils to deliver the Local Plan(s) in accordance with the indicated programme. Actions to manage these risks have been identified.

Risk	Risk / Implications	Mitigating Measures
Timescales	A single Local Plan with multiple parts presents potential risks to its deliverability.	Robust scoping. Prioritised LDS. Sound project planning. The progress made on Plans prepared to date provides increasing confidence. Preparation of Statement of Common Ground.
Available resources & skills	Pressure on financial resources with implications on service budgets	Continued cooperate commitment of the Council to resourcing this statutory function. Robust management of staff resources and cross service and partnership working.
Evidence base	Inadequate / incomplete evidence risk to soundness. Financial risk to evidence gathering.	Early and thorough assessment of available evidence and need. Prioritise further work. Council wide commitment.
Planning Inspectorate	Abortive or inappropriate progress due to change in	Early and consistent engagement with the Planning Inspectorate and

Appendix 2
Working Paper 1 to Report No: CAB/JT/18/054

Risk	Risk / Implications	Mitigating Measures
/ legislation engagement	guidance / legislation, advice from the Planning Inspectorate	ensuring consistent and ongoing legal advice.
Political change	Potential changes in political support for all or elements of the Local Plan	Ongoing engagement and ownership of Local Plan preparation and progression with Portfolio Holder for Growth and Members of the Council.
Tests of Soundness	Risk of being found unsound and the potential resultant major delay to the implementation of the policies and proposals.	Continuous soundness self-assessment. Consultation with the Planning Inspectorate before and during publication of a document. Self-assessment using Planning Advisory Service Tool Kit.
Introduction of significant changes	The Inspector may suspend the process should there be significant changes made to the Local Plan which may have not been consulted upon	Consultation on significant changes made following publication in accordance with the Inspectors requirements.

8. Further information

For further information on this Local Development Scheme, or any of the documents mentioned, please contact the Planning Policy team using the contact details below. Information on the existing and emerging Local Plans is also available on the Council's website www.westsuffolk.gov.uk

By E-mail: planning.policy@westsuffolk.gov.uk

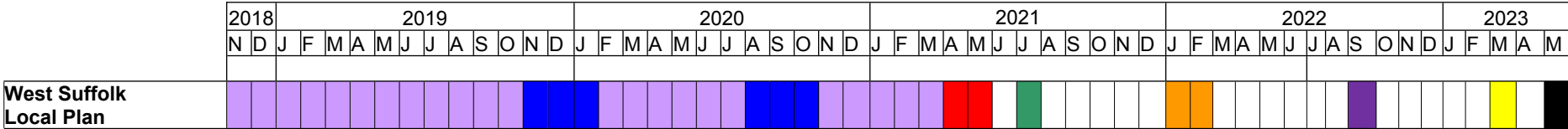
By Telephone: 01284 757368

Annex 1: LDS timeline

The LDS timeline below is a live document and will be kept up to date on West Suffolk Council’s website.

https://www.westsuffolk.gov.uk/planning/Planning_Policies/supportinginformation.cfm

**Local Development
 Scheme December
 2018**



Key	
Document in preparation	
Consultation (Regulation 18) (Issues and Options / Preferred Approach)	
Consultation (Regulation 19) (Pre Submission)	
Submission to Secretary of State (Regulation 22)	
Examination in Public (Regulation 24)	
Modification report and consultation	
Inspectors Report	
Adoption of document (Regulation 26)	

Annex 2: Glossary of Terms

Adoption: The formal approval by a Council of the final version of a development plan document once the inspector has found it sound.

Allocation: Land identified as appropriate for a specific use.

Authority Monitoring Report (AMR): A report prepared by the Council setting out progress on the Local Plan and the effectiveness of the policies it contains.

Community Infrastructure Levy (CIL): A standard charge levied by councils on developers towards the cost of local and strategic infrastructure to support development.

Core Strategy: The key development plan document, setting out the long term spatial vision for the area, the spatial objectives and strategic policies.

Development plan: an authority's development plan consists of the adopted Local Plans, made neighbourhood plans and published spatial development strategies Neighbourhood plans that have been approved at referendum are also part of the development plan, unless the local planning authority decides that the neighbourhood plan should not be made.

Development plan document: a planning document which is part of the Local Plan, subject to extensive consultation and independent examination.

Issues and options: an informal early stage of the development plan document preparation, aimed at engaging the public and stakeholders in formulating the main issues that the Plan should address and the options available.

Local Development Document (LDD): A document that forms part of the Local Plan and can be either a development plan document or a supplementary planning document.

Local Development Scheme: A document setting out the timescales for the production of the development plan documents.

Local Plan: The plan for the future development of the area drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. A local plan can consist of either strategic or non-strategic policies, or a combination of the two.

Neighbourhood Plans: A plan prepared by a Parish Council, a Town Council or a Neighbourhood Planning Forum for a particular neighbourhood area.

Publication Draft: First full draft of the development plan document prepared for formal consultation.

Spatial planning: spatial planning goes beyond traditional land use planning to bring together and integrate policies for the development and use of land with

other policies and programmes which influence the nature of places and how they function.

Spatial vision: A brief description of how an area will change by the end of a plan period.

Statement of Community Involvement (SCI): A document which informs how a council will involve the community in the preparation of planning documents and on all major planning applications.

Strategic policies: Policies and site allocations which address strategic priorities in line with requirements of the Planning and Compulsory Purchase Act 2004.

Strategic Environmental Assessment (SEA): A procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of plans and programmes which are likely to have significant effects on the environment.

Submission draft: Final draft of the development plan document submitted to the Secretary of State for independent examination by the Planning Inspectorate.

Supplementary planning document (SPD): Documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites or can be topic based for example, design. SPDs are capable of being a material consideration in planning decisions but are not part of the development plan.

Sustainability Appraisal (SA): Examines the social, environmental and economic effects of strategies and policies in local development documents from the outset of its preparation.

Sustainable development: National planning policy defines this as being meeting the needs of the present without compromising the ability of future generations to meet their own needs.

This page is intentionally left blank

**West Suffolk
Statement of Community Involvement
(SCI)**

December 2018



Our Approach to Community Involvement

Introduction

Why are we producing a new Statement of Community Involvement?

Principles of Engagement

Part 1 – Plan Making

1.1 How we produce our Local Plan documents

1.2 Procedure for producing Local Plans

1.3 Supporting the Neighbourhood Planning process

1.4 How we produce our Supplementary Planning Documents

1.5 How we plan strategically across local boundaries

1.6 Our methods for community engagement

Part 2 – Planning Applications

2.1 The pre-application stage

2.2 Publicising our planning applications

2.3 How we will engage with our communities

2.4 How you can give us feedback and comment on a planning application

Part 3 - Monitoring and reviewing this Statement of Community Involvement

Part 4 - Obtaining alternative planning advice

Appendix A: Acronyms

Appendix B: Glossary

Appendix C: Principal Council Offices

Appendix 3

Working Paper 1 to Report No: CAB/JT/18/055
Our Approach to Community Involvement

This statement is part of a wider commitment to create and maintain effective working relationships with all sectors of the community, based on trust, openness and constructive challenge. Consulting and engaging with local people is essential in helping us to develop quality services.

At the time of writing Forest Heath District Council and St Edmundsbury Borough Council are politically separate local authorities which share a joint planning service. However from April 2019 the authorities will join to form a single council for West Suffolk. This document has been written in that context and refers to West Suffolk as the local planning authority area.

This document sets out how we will consult and engage with you in relation to the majority of our planning functions. Getting community engagement right is a challenging task, but involving more people actively in decision-making and feeling informed about issues that affect them, is our primary aim.

We would urge you, as residents, businesses and stakeholders, to use this Statement and the protocols set out within it, to hold the local planning authority to account and ensure that all local people have sufficient opportunities to have their say. It is recognised that consultation and engagement activities are constantly evolving and this Statement will be re-visited at regular intervals to ensure it is fully up-to-date and reflects local and national priorities, practices and policies.

Introduction

This Statement of Community Involvement (SCI) sets out:

- our **vision and strategy** for involving the wider community in the preparation of new planning documents; and
- how our communities can become **more involved** and have a **greater say** in the handling of the planning applications that we receive.

The SCI is effectively a statement of our intent to seek positive and meaningful engagement with our local communities in the delivery and improvement of all of our planning services.

The consultation activities set out in this SCI are a minimum requirement. This document, gives an assurance to communities and other key stakeholders about what they can expect from us in terms of consultation and involvement. We may however, undertake additional consultation activities; if it is considered to be necessary depending on the scale and impact of a particular project, proposal or, document.

We will regularly monitor whether this document is aligned with the latest planning policy, legislation and guidance and whether the procedures set out in this statement are achieving a representative level of involvement across all sections of the community and will review the document if necessary.

Why are we producing a new Statement of Community Involvement?***Our shared vision and strategic priorities***

The West Suffolk Strategic Framework (2018-2020) makes a commitment to review our SCI. The Council aims to put the interests of local communities at the heart of everything it does and believes in local decisions and local actions for the benefit of local communities.

The Strategic Framework outlines our shared vision and strategic priorities on which we intend to concentrate our efforts: increased opportunities for economic growth, resilient families and communities that are healthy and active, and homes for our communities. Communities and businesses have an important part to play in helping to deliver this vision by getting involved in the planning process at both the local plan-making stage and at the planning application stage.

Legislative changes

There have also been a number of changes in planning legislation since the adoption of our first joint SCI in 2014 and this review is therefore vital to ensure that we are meeting the latest statutory requirements and doing all we reasonably can to encourage involvement in the planning process.

Recent legislative changes include:

- Neighbourhood Planning Act 2017 Regulations
- The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017
- National Planning Policy Framework (2018) and associated guidance
- The Town and Country Planning (Development Management Procedure) (England) Order 2015
- The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2018

Keeping communities informed of evidence gathering and plan-making:

Local planning authorities must set out in their SCI how they will engage communities on the preliminary stages of plan-making, and specifically the evidence gathering / survey stage. A Local Development Scheme (which outlines planning policy documents the Council intend to produce and the timescale for their preparation) should be kept up to date and publically available.

There is now no requirement for the Council to consult when reviewing and updating their SCI (Planning Practice Guidance para. 30). However, to keep communities informed and involved in the plan making process the Council will publish the SCI and any other documents forming part of their evidence base as they are completed on their website in an accessible format, rather than waiting until a formal development plan consultation.

Under the new regulations a Council is also required to:

- support the creation and modification of Neighbourhood Plans in its area (see below).
- review SCIs every five years starting from the date of adoption.
- publish reasons if, after undertaking a review, the Council concludes that an update of the SCI document is not necessary.
- publish the SCI on the website once adopted.

There is no longer a requirement for the SCI to be examined and approved by the Secretary of State because SCIs are no longer defined as 'development plan documents'.

Neighbourhood Plans:

Councils are obliged to set out how they will provide advice and assistance to neighbourhood planning groups:

- The Council must set out in the SCI how they will discharge their duty to give advice or assistance to qualifying bodies to facilitate proposals for neighbourhood development plans (NDPs) or neighbourhood development orders (NDOs), including proposals for modification.
- The Council or the Secretary of State must also notify neighbourhood planning bodies of planning applications or alterations to applications in their area once an NDP has been adopted or examined, unless the neighbourhood planning group has opted out.

Principles of Engagement

The SCI will aim to meet a number of objectives to ensure that involvement in the planning process is as easy to understand, accessible and as meaningful as possible.

Our key principles of engagement are:

- 1 'Frontloading' and early engagement**
Encouraging pre-application advice, by advising applicants to discuss future development proposals prior to submitting a planning application.
- 2 Reaching out to those whose voices are seldom heard**
Being inclusive, fair and representative in the plan-making and decision taking processes.
- 3 Empowering communities**
Local capacity building is supported through neighbourhood planning and community-related planning activities.
- 4 Avoiding jargon and communicating clearly**
Planning information should be accessible to the whole community. The Council will do its best to write all consultation documents in plain English, avoiding jargon and over-use of abbreviations
- 5 Being informative**
To make our information clear so people can make informed choices when replying to our consultations.
- 6 Improving involvement**
To make sure everyone knows why we are asking for involvement and when and how they can get involved.
- 7 Making it easy for you to get involved**
To make sure any public exercises are appropriate and accessible, and making use of existing community involvement networks and groups.
- 8 Providing feedback and being transparent**
Summarising the responses received and provide feedback on how these have been considered ensuring transparency and consistency.
- 9 Creating value for money**
Balancing cost, time constraints and available Council resources.
- 10 Being flexible and responding to change**
To make sure the ways we involve people are working, and to change them where necessary.

PART 1 – PLAN MAKING

1.1 How we produce our Local Plan documents

What is a Local Plan?

A Local plan is a document produced by a local planning authority which sets out planning policies for the future development of a local area, drawn up by the local planning authority in consultation with the community. A local plan can consist of:

- **Strategic policies which set out an overall strategy for the pattern, scale and quality of development and / or,**
- **non-strategic policies which can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and other development management policies.**

A Local Plan should provide the formal statutory framework for sustainable development and economic growth, whilst protecting our most valuable natural and built environmental assets. These 'Plans' can be reviewed in whole or in part and should be responsive to changing social, economic and environmental circumstances.

These Local Plan documents are seen as the key to delivering development that reflects the vision and aspirations of our local communities and for this to happen, a wide section of the community needs to be actively involved in their preparation. We must also ensure that in producing these Plans, we consult with our neighbouring Local Authority areas and communities, in addition to the County Councils, to ensure that we are inclusive and take into account those wider issues that cut across administrative boundaries.

On the publication of this SCI, the local plans in West Suffolk are:

- St Edmundsbury Core Strategy (2010)
- Bury St Edmunds Vision 2031 (2014)
- Haverhill Vision 2031 (2014)
- Rural Vision 2031 (2014)
- Forest Heath Core Strategy (2010)
- Saved policies of the 1995 Forest Heath Local Plan (1995)
- West Suffolk Joint Development Management Policies Document (2015)

Two additional plans are at an advanced stage in the plan preparation process. The *Forest Heath Single Issue Review of Core Strategy Policy CS7* and the *Site Allocations Local Plan* have been through Examination and the Inspectors' reports are expected by the end of 2018. The documents will then be taken to Council for adoption and will become part of the development plan.

A new Local Plan will then be prepared for West Suffolk in line with this SCI and national legislation, this plan will replace the existing Forest Heath and St Edmundsbury plans once adopted.

In addition the Hargrave Neighbourhood Plan (2018) forms part of the development plan for West Suffolk.

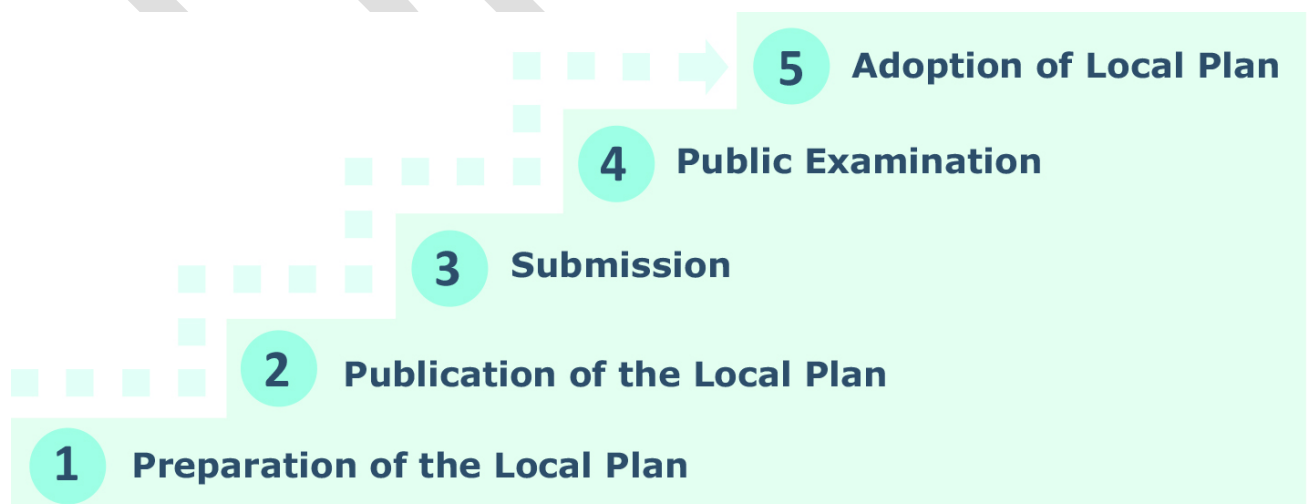
Further details of the documents being produced and the timescales for consultation and adoption are set out in the Local Development Scheme (LDS).

1.2 Procedure for producing Local Plans

What are the key stages in the preparation of a Local Plan document?

There are a number of key steps involved in the preparation of Local Plan documents as set out in the diagram below. These stages are required by Government planning legislation and regulations and are designed to ensure that the process is as transparent as possible and that communities have sufficient input so that the Plans that are ultimately adopted are robust and justified:

Steps in preparation of a Local Plan



Following the process above there is a set protocol that all Authorities must follow when they wish to bring a Local Plan document through to adoption.

Consultation on Development Plan Documents (DPDs)

1 Preparation of the Local Plan (Regulation 18)

Summary

- The information needed for the plan is prepared and issues and options are identified.
- The Council notify and consult on scope of plan for a period of **6 weeks**.

What the Council is required to do by legislation

- Invite statutory and general consultees, residents and businesses in the West Suffolk area to comment on **what the Local Plan should include**.
- The Council will notify people on our consultation database through emails and letters.

What the Council will also do at this stage

- Minimum of **one** consultation
- Hold **workshops/exhibitions** to help decide issues to be included in the plan
- Add **consultation information** on **Council website** and **social media sites**

- The information gathered in stage 1 helps to **shape detailed policy** and options for **allocating development sites**.
- Depending on the level of complexity, the draft Local Plan stage may involve more than one period of consultation.

Drafting of the Local Plan

- **Publish draft documents and supporting documents for consultation** for a minimum of **six weeks**, including Sustainability Appraisal and Habitat Regulation Assessment if necessary
- Consultation documents are made available on the **Council website**
- Issue **press release** to local media
- Add information on the Council's **social media sites**
- Arrange **exhibitions and community roadshow events** in defined locations (focussed exhibitions will also take place where there is a direct and significant impact on that settlement)
- Make hard copies available for inspection at the **Council offices**

2 Publication of the Local Plan (Regulation 19)

Summary

- The submission version of the Local Plan is finalised and published for a last stage of consultation (minimum of **six weeks**)
- Comments at this stage will only be sought on soundness and legal compliance.
- At this stage we will also consult on the Sustainability Appraisal Report and Habitat Regulation Assessment which assesses the potential impact the Local Plan will have on the economy, the environment and on society.

What the Council is required to do by legislation

- **Publish the Local Plan** and supporting documents for a minimum of **six weeks**
- Make **hard copies available for inspection** at Council offices
- Publish electronic copies of all the documents on the **Council website**
- **Send letters/emails** to statutory and general consultation bodies and individuals and organisations on the consultation database

What the Council will also do at this stage

- **Arrange exhibitions** in defined locations (focussed exhibitions and Parish Council meetings will also take place where requested and practicable)
- Add information on the Council's **social media sites**
- Issue **press release** to local media

3 Submission (Regulation 22)

Summary

- The Local Plan, and all supporting documents and the comments received from public consultation, are submitted to the Secretary of State, who appoints an independent Planning Inspector.
- Supporting documents include a Sustainability Appraisal/Strategic Environmental Assessment and a consultation statement, (summarising the representations made to the previous rounds of consultation).

What the Council is required to do by legislation

- Make hard copies available for inspection at **Council offices**
- Publish electronic copies of all the documents on the **Council website**
- Notify people who have specifically requested to be **notified of submission** by email or letter

What the Council will also do at this stage

- Add information on the Council's **social media** sites
- Issue **press release** to local media

4 Public Examination (Regulation 24)

Summary

- The Local Plan and the comments received are examined by the Planning Inspector.

• At least 6 weeks before the start of the examination in public, anyone who made a representation and indicated that they wish to **attend and speak at the public hearings** will be informed of the date, time, venue and format of the hearings.

• The Council will provide details of the examination in public and public hearings by **letter, email, website and public notice**.

• Following the examination, the Inspector's recommendations and their reasons for making those recommendations will be available for inspection at **Council offices** and on our **website**.

• The Council will also **advise people who specifically asked to be notified** that the report is available for inspection.

5 Adoption of Local Plan (Regulation 26)

Summary

- The Local Plan is adopted by Full Council following the Council's consideration of the recommendations.

What the Council is required to do by legislation

- Make the **Inspector's report** available for inspection on the **Council's website** and at **Council offices**
- **Inform consultees** who previously made representations about the availability of Inspector's Report
- Following adoption of the Local Plan, we will **publish the Local Plan**; make electronic copies available on the **Council website** and hard copies available at **Council offices**
- Send **adoption statement** to the Secretary of State, consultation bodies and those who made representations at previous stages or those who have asked to be notified of the adoption

• Make the Sustainability Appraisal and other **supporting documents** available for inspection for six weeks after adoption

What the Council will also do at this stage

- Add adoption information on Council's **social media sites**
- Make hard copies available for inspection at **local libraries**

DRAFT

What is a Sustainability Appraisal (SA)/Strategic Environmental Assessment (SEA)?

Sustainability Appraisals provide an assessment of the social, environmental and economic impacts of each Local Plan document and relevant supplementary planning document. The key aim is to identify and enhance any positive effects whilst minimising any adverse impacts of planning policies.

Our Local Plan documents will be subject to a Sustainability Appraisal, (SA), carried out jointly with a Strategic Environmental Assessment, (SEA). These processes will assess the environmental, social and economic implications of the Local Plan document so that their policies accord with the principles of *sustainable development* and cause least 'harm' to the environment.

Sustainability Appraisal is an iterative process and a SA/SEA report will be published at each stage of a Local Plan document's preparation. This allows any interested party the opportunity to comment on the potential environmental, social and/or economic effects of a particular proposal or policy as it emerges.

Due to their technical nature, these documents will be shared with specific social, economic and environmental consultees for their input but will also be made available to all with an interest in or likely to be affected by the proposal(s) being assessed. As a minimum we will meet the consultation requirements set out in the relevant regulations. Copies will be available on the West Suffolk website or on request.

1.3 Supporting the Neighbourhood Planning process

We are committed to encouraging local people to engage in the planning and development of their own areas. To enable this we will provide guidance and technical assistance where and when our communities wish to produce Neighbourhood Plans and Orders.

We will aim to tailor our support to take account of local circumstances, such as the complexity of the Neighbourhood Plan or Order being prepared, the skills and resources of the neighbourhood planning group and being mindful to make the most efficient use of available resources.

It must be remembered that the Neighbourhood Planning is led and owned by local community groups themselves, not the Council, and that the process will need to have regard to the relevant legislation and government guidance as well as the principles of consultation and engagement identified within this Statement.

How the Council will help with each stage of Neighbourhood Plan preparation is set out below.

In the initial stages and area designation we will:

- Meet local communities who contact us expressing an interest in neighbourhood planning, in order to provide initial advice and information and discuss options. Wherever possible, this should take place in advance of a Neighbourhood Area application being submitted.
- Check and confirm receipt of any neighbourhood area application we receive and advise the applying qualifying body of any requirements omitted.
- Map neighbourhood area boundaries required for the designation of the neighbourhood area or business area.
- Consider, in accordance with the Regulations, the boundary of the proposed neighbourhood area. Where the boundary is not considered 'coherent, consistent and appropriate in planning terms we will work with the town/parish council to come to a suitable resolution.
- Carry out statutory consultation on the proposed neighbourhood area in accordance with the Regulations. Consultation is not necessary for applications submitted by town/parish councils who are designating the whole of their area as a neighbourhood area.
- Publish details of all neighbourhood plan areas or business areas on our website and through other appropriate means as soon as practicable following formal designation.

To support the preparation of Neighbourhood Development Plans we will:

- Provide advice on which issues are considered to be relevant planning matters, and are suitable for inclusion in neighbourhood plans.

Appendix 3
Working Paper 1 to Report No: CAB/JT/18/055

- Provide information on relevant European and national legislation and policies, and adopted and emerging Local Plan policies with which any neighbourhood plan will need to be in general conformity, including the identification of which adopted local policies are considered to be strategic.
- Share existing information and evidence base work held by the local planning authority as appropriate (subject to any data protection or confidentiality issues) and provide advice on any areas where new evidence may be required or beneficial to support the preparation of the Plan.
- Help communities communicate with local partners and/or organisations where required, including in the preliminary stages of neighbourhood plan making.
- Provide constructive comments on the emerging plan and other supporting documents prior to formal submission.
- Carry out screening / scoping to identify and provide an opinion and advice on the need for a Strategic Environmental Assessment, Sustainability Appraisal or Habitats Regulations Assessment.
- Notify parish/town councils or neighbourhood forums of planning applications in their neighbourhood areas.

We are unable to:

- Undertake consultation exercises, distribute consultation questionnaires, collect, collate or analyse responses on behalf of communities for consultation arising from requirements placed on qualifying bodies in the Regulations.
- Provide project management services for the production of the neighbourhood plan.
- Draft the neighbourhood plan or any part or policy therein, although we can identify examples in which similar plans or policies have been prepared and which may be helpful points of reference and can provide advice on wording.
- Undertake the Strategic Environmental Assessment, Sustainability Appraisal, Habitats Regulations Assessment or Appropriate Assessment. Even if required, consultants will be expected to undertake these.

For more information on the Localism Act and/or Neighbourhood Planning see: https://www.westsuffolk.gov.uk/planning/Planning_Policies/neighbourhood-planning/ or contact the local plans team on neighbourhood.planning@westsuffolk.gov.uk

1.4 How we produce our Supplementary Planning Documents**What is a supplementary planning document (SPD)?**

SPDs are documents which are prepared to provide further detailed supporting guidance to existing planning policies. They do not carry the same weight as a Local Plan document but they are still a 'material consideration' in determining planning applications, (i.e. their content is taken into account in the decision making process).

Supplementary Planning Documents or SPDs add further detail to the policies contained within a 'parent' Local Plan document. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design or affordable housing. SPDs are capable of being a material consideration in planning decisions but are not part of the formal Development Plan.

What are the key stages in the preparation of a supplementary planning document (SPD)?

Supplementary planning documents require fewer rounds of consultation than a Local Plan document and are not subject to an independent examination. The key stages in the preparation of an SPD are set out below:

1 Public Participation Stage (Regulation 12)

Summary

- Before we adopt an SPD, a draft version, will be the subject of a minimum **four week** period of public consultation.
- If there are any major changes to the SPD there may be a need to re-consult on the changes or on a revised draft.

What the Council is required to do by legislation

- **Publish the Draft SPD** for consultation for a minimum of four weeks
- Electronic copies of the plan and supporting documents to be made available on the **Council website**
- Make hard copies available for inspection at **Council offices**

What the Council will also do at this stage

- Extend the statutory consultation period to a minimum of **6 weeks**
- **Letters/emails** sent to consultation bodies and individuals and organisations on the consultation database
- Issue a **press release** to the local media
- Consultation information added to Council's **social media** sites

2 Adoption of SPD (Regulation 14)

Summary

- The Council will consider the representations received through the consultations and make any amendments necessary before adopting the SPD.

What the Council is required to do by legislation

- Publish SPD – electronic copies and any supporting documents to be made available on the Council website and hard copies available at **Council offices**
- Send an **adoption statement** to those who have made representations during the previous consultations and those who have asked to be notified of the adoption of the SPD

What the Council will also do at this stage

- Add adoption information on the Councils **social media** sites

Concept Statements, Masterplans and Development Briefs**What are Concept Statements, Masterplans and Development Briefs?**

- **Concept Statement** – a simple, clear expression of the kind of place that a new development should create. It sets out how the policies and objectives of a Local Plan will apply to a specific site in order to deliver the best possible economic, social and environmental benefits. They are prepared by the Local Planning Authority and are subject to consultation before approval.
- **Masterplan** – a detailed scheme for the development of a site, prepared by a developer but agreed by the Local Planning Authority and subject to consultation before they are approved. A Masterplan will be required where a concept statement has been prepared and on any other sites identified by the authority as requiring a masterplan approach, due to the size, location or mix of uses on a site.
- **Development Brief** – a detailed framework for the development of a site where a full master-planning approach is not required. They are normally prepared by the developer and are subject to consultation before approval by the Local Planning Authority.

From time to time there will be a need to prepare planning guidance that will provide a detailed framework for the development of a specific site. This will commonly take the form of a 'concept statement', 'masterplan' or 'development brief' and will be prepared either by the local planning authority, the landowner or developer. In preparing such frameworks there will be a need for consultation and engagement which should involve the principles set out in the pre-application section below, (section 2.1 of this Statement). These documents will be considered for adoption by the Council and at that time a report of consultation and the changes to the draft document made as a result of the consultation, will also be published.

Other policy documents will be prepared from time to time, such as conservation area appraisals and non-statutory land-use strategies. Consultation on draft documents will take place in accordance with the framework detailed within this SCI and will only be considered for adoption by the Council if a report of consultation and report of any changes resulting from the consultation are published with the final draft.

Article 4 Directions

An Article 4 Direction removes 'permitted' development (pd) rights in specific areas. This means that a planning application may need to be submitted for work which normally does not require one. Article 4 directions are made when the character, appearance or amenity of an area of acknowledged importance could be threatened by permitted development and are most common in conservation areas.

If the Council proposes to introduce an Article 4 Direction it must satisfy itself that development that would normally benefit from permitted development rights should not be carried out unless permission is granted for it on an application. We must also identify clearly the potential harm that the direction is intended to address and provide an evidenced justification for the withdrawal of permitted development rights.

Designation is a two stage process:

Article 4 Directions	Community Involvement
Stage 1: Propose the Introduction of the Article Four Direction	Public consultation to include the following statutory measures: <ul style="list-style-type: none"> • published a notice in a local newspaper, • Post a notice at no fewer than two locations within the area to which the direction relates; • send a copy of the notice on every owner and occupier within the area to which the direction relates unless it is impracticable to do so; • notify the Secretary of State. • in addition, the notice, order and evidence base will be available on the Council's website;
Stage 2: Confirm the Introduction of the Article Four Direction	Fully consider consultation responses and report them to committee before deciding whether or not to confirm the order. If the decision is made to designate the Article 4 Direction the actions in the 5 bullet points above are repeated giving notice that the order has been confirmed.

Please visit the Buildings conservation and Article 4 directions webpage on the West Suffolk website <https://www.westsuffolk.gov.uk/planning/Conservation/index.cfm> or contact us if you would like more information on Article 4 Directions.

1.5 How we plan strategically across local boundaries

Local planning authorities and county councils have a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross their administrative boundaries. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area can be met elsewhere.

We will work with our neighbouring strategic policy-making authorities to identify the relevant strategic matters which we need to address in our plans. We will also engage with the local community and other relevant bodies including Local Enterprise Partnerships, Local Nature Partnerships, infrastructure providers, elected Mayors and combined authorities if required.

There are a number of existing forums where this collaboration takes place. Meetings will continue with adjoining authorities, parishes, the Local Enterprise Partnerships, (LEPs), local nature and heritage groups and infrastructure providers.

In order to demonstrate effective and on-going joint working we will, as appropriate, prepare and maintain one or more statements of common ground documenting what cross-boundary matters are being addressed, progress in cooperating to deal with them and where effective co-operation is and is not happening in the plan-making process. These will be produced using the approach set out in national planning guidance, and be made publicly available throughout the plan-making process to provide transparency and as evidence that we have complied with the duty to cooperate.

When will the statement of common ground be prepared, published and updated?

A Statement / Statements will be prepared and maintained on an on-going basis throughout the plan making process. As a minimum, a statement will be published when the area it covers and the governance arrangements for the cooperation process have been defined, and substantive matters to be addressed are determined. A statement / statements of common ground will be available on the West Suffolk website by the time the relevant draft plan is published.

Once published, we will endeavour to ensure that it reflects the most up to date position in terms of joint working across the area and will update as soon as practically possible when either agreements are reached, or a decision is taken to update strategic policies in the area covered by the statement.

1.6 Our methods for community engagement

In order for consultation and community engagement to be effective it should be approached in a systematic manner. We aim to reduce inequality by ensuring that the harder-to-reach sections of the community are consulted and their needs reflected in the planning and delivery of our services.

Some of the ways in which we will seek to engage with you are identified in table 1 below.

Specifically, the Councils will aim to engage with:

- a) all statutory consultees – those bodies which the government specifically asks us to keep informed with progress that we make with our Local Plan documents and SPDs which include the Environment Agency, Historic England, Natural England and the Highways Agency;
- b) our Parish and Town Councils and neighbouring Parish and Town Councils where appropriate;
- c) Suffolk County Council and our neighbouring District and County Councils where appropriate;
- d) local bodies and organisations, e.g. business forums and community groups; and,
- e) individuals and organisations who have expressed an interest in or a willingness to be involved in the plan-making process, such as interested members of the public, landowners and developers.

We maintain a 'Local Plan contact list' with details for all of the individuals and organisations that have previously been involved in the plan making process. This contact list also contains the details of organisations that act in the interests of a number of harder-to-reach groups who face additional barriers and constraints and require specific approaches tailored to the needs of each group.

If you wish to be added to the local plan contact list and informed of any forthcoming local plan consultations please telephone planning policy on 01284 763233 or send your details and request by email to planning.policy@westsuffolk.gov.uk

Table 1: How we will engage with our communities

At various stages in the production of our Local Plan documents we may utilise some or all of the following methods of community engagement. We will meet any statutory requirements as a minimum and attempt to tailor the method(s) of communication to the requirements of specific groups or communities if it is considered that this will aid their understanding of issues relevant to them.

DRAFT

Appendix 3

Working Paper 1 to Report No: CAB/JT/18/055

Letters and emails	<ul style="list-style-type: none"> • Emails are our preferred means of communication as they are better for environmental and cost reasons rather than sending a letter in the post.
Newspaper articles, press releases and adverts	<ul style="list-style-type: none"> • Good method of summarising topics and issues in a user friendly manner. • Reaches a potentially large audience. • Opportunity to place articles in relevant newspapers circulating in the local area should their publication be timely. • Press releases also made available on the Council websites.
Exhibitions	<ul style="list-style-type: none"> • A more visual rather than a written means of putting across ideas and concepts.
Drop-in information sessions	<ul style="list-style-type: none"> • Opportunities for people to have discussions with planning staff on the content of a draft Local Plan document.
Website/Social Media	<ul style="list-style-type: none"> • Virtual notice board for the community to engage in their own time and at their own pace. • Online interaction, (including an online representation facility for the statutory consultation stages). • Use of other forms of social media to encourage interactions/debate among groups of people and share/exchange information and ideas within virtual communities and networks. • Availability of public access computer terminals at main Council offices on which Local Plan documentation and planning applications can be viewed. • Requirement to use website under current planning regulations.
Leaflets and Newsletters	<ul style="list-style-type: none"> • Good means of cascading information to a large number of people. • Distribution can be targeted at specific groups.
Dissemination of information via Councillors	<ul style="list-style-type: none"> • Means of cascading information to both the community at large and to groups on which they sit. • Powerful advocates for local communities and their community leadership role provides them with a major input into the consultation process.
Parish/Town Council Workshops and Briefings	<ul style="list-style-type: none"> • Useful means of engaging with Parish/Town councils in the development of Local Plan documents and in establishing local opinion on various issues and options.
Consultation with specific groups and stakeholders	<ul style="list-style-type: none"> • Sharing information via stakeholder groups can be an effective way of disseminating information to a wide range of people.
Focus Groups	<ul style="list-style-type: none"> • We can facilitate these to discover perceptions, opinions and attitudes towards development proposals and other planning matters. • Group settings can enable participants to talk freely with other group members/residents and share concerns.
Line of sight publicity	<ul style="list-style-type: none"> • Posters and displays located in prominent positions within Council offices, around town centres and in other locations/facilities.
Early warning of consultation periods	<ul style="list-style-type: none"> • The Council's Local Development Scheme will provide information on the timetable for producing Local Planning Documents. Where possible local groups will be advised of forthcoming consultation exercises through e-mail alerts.
Focussed meetings with recognised lobby groups	<ul style="list-style-type: none"> • These will be considered when requested and where there are clear and significant implications for the settlement represented by the lobby group as a result of emerging policy documents at publication stage.

As a planning authority the Council are responsible for deciding whether development should go ahead. Opportunities exist for the community and stakeholders to get involved in this process at the pre-application, application, and if necessary appeal stages.

Planning legislation sets out the minimum requirements for publicising and consulting the community and stakeholders on planning applications. This section sets out how the Council meets these requirements through the development management process, and also the role of the developer in engaging with the local community.

2.1 The Pre-application stage

We encourage applicants for all types of development to engage in pre-application discussions with planning officers, especially in regards to development that involves a degree of sensitivity. During a pre-application discussion the planning officer will, if possible, be able to:

- Advise whether or not the principle of development would be acceptable,
- Highlight matters that should be addressed before the submission of the planning application; and
- Verify the format, type and level of information required for submission with the planning application.

It is hoped that undertaking pre-applications discussions will result in better applications where the appropriate information is submitted and therefore the rest of the planning application process can be progressed without delay.

Applicants with major or sensitive proposals are also encouraged to undertake pre-application consultations with other interested/relevant bodies such as the County Highways Department, Natural England and/or the Environment Agency.

Developers for major or sensitive proposals, are also encouraged to engage with local communities, prior to the application being submitted. The form and extent of such engagement(s) will vary depending on the particular proposal but should include one or more of the methods of consultation outlined in table 1 above.

Applicants for smaller proposals are encouraged to consult with their neighbours and adjoining landowners so that any concerns can be addressed before the planning application is submitted.

We provide a range of pre-application advice options, including planning performance agreements (PPAs) for more complex schemes. Charges are payable for most options with a few exceptions. Further information can be found on the West Suffolk website on the following link:

https://www.westsuffolk.gov.uk/planning/planning_applications/preapplicationadvice.cfm

Screening and Scoping Opinions (Environmental Impact)

An Environmental impact assessment (EIA) is a procedure required for certain projects to ensure that decisions are made in full knowledge of any likely significant effects on the environment. Screening is the process of deciding which projects require an Environmental Impact Assessment (EIA). A scoping opinion considers what information should be included in an EIA if required.

Where a screening opinion is requested under the Environment Impact Assessment (EIA) Regulations, we will place the request, Opinion / Direction on the public register and website. Once an Opinion is adopted or a direction from the Secretary of State is received we will notify local ward member(s) and the relevant Town or Parish Council(s) accordingly.

We will consult the statutory consultation bodies as defined in the Environment Impact Assessment Regulations on the content of any scoping opinion.

2.2 Publicising our planning applications

The Development Management Procedural Orders and Planning, Listed Building and Conservation Area Regulations set out the statutory requirements for publishing the applications that we receive. These are set-out below:

What we will do, as a minimum, when publicising applications and notifications:

<i>Application Type</i>	<i>West Suffolk Website</i>	<i>Neighbour Notification</i>	<i>Site Notice (21 days)</i>	<i>Notice in Local Newspaper</i>
Major applications	√		√	√
Applications subject to an Environmental Impact Assessment	√		√	√
Proposals which depart from the Development Plan	√		√	√
Applications that affect a right of way	√		√	√
Applications for Listed Building Consent	√		√	√*
Applications within a Conservation Area	√		√	√
Tree preservation order applications	√			
Trees in Conservation Area applications	√	√		
Applications not included in the above categories	√	√	√	
Permitted Development notifications	As required by the General Permitted Development Order (GPDO)			

Note: See Glossary for definition and more information on Application Types.

* Minor internal works to listed buildings may not require a notice in the press

2.3 How we will engage with our communities

As appropriate we will:

<i>Consultation Method</i>	<i>Description</i>
West Suffolk Website	We will publish the following information on the West Suffolk website (www.westsuffolk.gov.uk): <ul style="list-style-type: none"> • The address or location of the proposed works, • the nature of the proposed works, • the date by which any representations about the application must be made, (which will be after the 21 day consultation period), • where and when the application may be inspected, and, • how representations may be made about the application.
Neighbour Notification	Occupiers of buildings opposite and adjacent to the application site will be sent a letter notifying them of the application.
Site Notice	The site notice includes the date on which the notice was displayed and gives interested parties 21 days from the date of the notice being displayed within which to submit their comments. The notice also specifies the application site address, a description of the proposal, the planning application number and details of where the application can be inspected. It also advises that any representations should be made in writing.
Notice in a Local Newspaper	We will place an advert in one or more of the local newspapers which circulate in the locality. Members of the public are advised that they have 21 days from the date of the advert to submit their comments.

Viewing Planning Applications

All planning applications are available to view on the West Suffolk website by visiting www.westsuffolk.gov.uk and clicking on the 'Planning and building regulation' tab.

All planning applications are also available electronically for public inspection at the Council Offices whose addresses can be found in Appendix C of this Document.

2.4 How you can give us feedback and comment on a planning application

Comments are welcomed on any planning application that either support, object, or simply comment on particular proposals. Any comments received in writing will be used to help inform the decision making process and will be published on the West Suffolk website. We would prefer that these comments are made online. It is also possible to make a comment by contacting the appropriate member of the planning staff via email or the post. Any anonymous comments made on an application will not be accepted. If we receive a representation saying simply 'No objection' it will be treated simply as a neutral comment.

It is particularly important that you send your written comments to the appropriate planning officer as the responses received through this process may well help decide how the application is ultimately determined, either by delegated powers or by the Development Control Committee. However, for comments to be taken into account they must be a material planning consideration. If it is decided that a planning application will have to go to the Development Control Committee for a decision to be made, there will be the opportunity for an objector and the applicant to present verbal comments to the Committee.

Further advice on viewing and commenting on applications can be found at:

<https://www.westsuffolk.gov.uk/planning/vieworcommentonplanningapplications.cfm>

A privacy statement explaining how we use any personal information we collect about you when contacting the planning service can be found at:

<https://www.westsuffolk.gov.uk/privacy/privacy-notice-for-development-management.cfm>

Part 3. Monitoring and reviewing the Statement of Community Involvement

This Statement of Community Involvement (SCI) will be monitored regularly to ensure methods are kept up to date and are relevant to the local community. Changes to the document will be considered in the following circumstances:

- where changes to planning legislation or government guidance affect consultation procedures and requirements;
- where in the light of experience and feedback from community involvement exercises, changes are necessary to improve arrangements;
- where the Council makes new arrangements for community engagement, which are not reflected in the existing SCI;
- the need to reflect examples of best practice emerging from elsewhere in the country.

There is a statutory minimum requirement for this document to be reviewed every five years, however earlier review may be appropriate taking into account the circumstances listed above. We will also regularly review the procedures for involving the community, as outlined within this statement, to ensure they meet our principles of engagement and achieve a representative level of public involvement across all sections of the community.

This document is particularly important for the plan preparation process. At the examination stage, the Planning Inspector checks whether the submitted development plan has been positively prepared and is compliant with the requirements of the SCI. A statement of compliance with the SCI will be prepared as part of the self-assessment process which is submitted to the Secretary of State.

Any necessary reviews of the SCI will be reported through the Council's Annual Monitoring Report.

Part 4. Obtaining alternative planning advice

Planning staff at both Authorities are committed to providing independent and professional planning advice. However, an external body called 'Planning Aid' exists which is a voluntary service linked to the Royal Town Planning Institute, (RTPI), offering free, independent and professional advice on town planning matters to community groups. Planning Aid enables local communities, particularly those with limited resources, to participate effectively in planning matters. Among other activities, Planning Aid:

- provide information and training on the planning system,
- advise and assist groups in playing their part in the development of plans and policies at the national and local level,
- help communities develop their own strategies for their own area, including advice on producing Neighbourhood Plans and Orders,
- organise educational projects for all age groups.

Contact details for Planning Aid are provided below:

Planning Aid England

RTPI

41 Botolph Lane

London

EC3R 8DL

Tel: 020 7929 8338

e-mail: advice@planningaid.rtpi.org.uk

Appendix A: Acronyms

CS	Core Strategy
CAT	Conservation Area Tree
DM	Development Management
DMPO	Development Management Procedure Order
DPD	Development Plan Document
EC	European Commission
EIA	Environmental Impact Assessment
EiP	Examination in Public
FHDC	Forest Heath District Council
GDPO	General Development Procedure Order
GPDO	General Permitted Development Order
JDMPD	Joint Development Management Policy Document
LPWG	Local Plan Working Group
LPA	Local Planning Authority
LDS	Local Development Scheme
NDO	Neighbourhood Development Order
NPPF	National Planning Policy Framework
PPG	Planning Practice Guidance
RTPI	Royal Town Planning Institute
SA	Sustainability Appraisal
SALP	Sites Allocation Local Plan document
SEA	Strategic Environmental Assessment
SEBC	St Edmundsbury Borough Council
SIR	Single Issue Review of Core Strategy Policy CS7
SoS	Secretary of State
SPD	Supplementary Planning Document
TPO	Tree Preservation Order
TCA	Tree in a Conservation Area

Appendix B: Glossary

Applications for Listed Building Consent – There is a requirement for separate permission called listed building consent for applications which affect a listed building. Listed building consent is required for all works of demolition, alteration or extension to a listed building that affect its character as a building of special architectural or historic interest.

Application subject to an EIA – A planning application that is subject to an Environmental Impact Assessment (EIA) or accompanied by an environmental statement

Applications that are a departure from the local plan – A planning application that does not accord with the provisions of the Development Plan in force in the area in which the land to which the application relates is situated.

Application within or affecting a conservation area – A planning application that is situated within or may have an effect on a designated conservation area.

Core Strategy – Outlines the key principles regarding the development and use of land in a local authority's area.

Conservation Area – An area of special architectural or historical interest that has been designated by the Council. The character or appearance of a conservation area should be preserved or enhanced.

Development Management Policies Document – This document contains policies which will be applied to ensure that all development meets the overall vision and strategic policies as set out within the overarching Core Strategy. When we make decisions about planning applications, we will take these policies into account.

Development Plan - This includes adopted Local Plans, and neighbourhood plans and is defined in section 38 of the Planning and Compulsory Purchase Act 2004.

Development Plan Contact List – Forest Heath and St Edmundsbury administer a shared contact list with details of all statutory consultees and all other groups and individuals with an interest in the development plan making process.

Local Development Scheme (LDS) – This sets out a programme for the preparation of Local Plan documents. It is a project management tool that identifies which documents are to be prepared, the various stages required in their production together with a detailed timetable.

Localism Act – The Localism Act 2011 is an Act of Parliament that changed the powers of local government in England. The aim of the act is to facilitate the devolution of decision-making powers from central government control to individuals and communities.

Local Plan – The plan for the future development of the local area, drawn up by the Local Planning Authority, (LPA), in consultation with the community. In law this is described as the Development Plan documents adopted under the Planning and Compulsory Purchase Act 2004. Current Core Strategies or other planning policies, which under the regulations would be considered to be Development Plan documents,

form part of the Local Plan. The term can include old policies which have been saved under the 2004 Act.

Local Planning Authority (LPA) - The public authority whose duty it is to carry out specific planning functions for a particular area.

Material Consideration - A factor which will be taken into account when reaching a decision on a planning application or appeal. Under Section 38 of the Planning and Compulsory Purchase Act 2004, decisions on planning applications 'must be made in accordance with the [development] plan unless other material considerations indicate otherwise'.

Major application: A planning application that involves one or more of the following;

- a) The winning and working of minerals or the use of land for mineral-working deposits;
- b) Waste development;
- c) The development involves the provision of dwellings where –
 - i. The provision of 10 or more dwellings;
 - ii. The development area is 0.5 hectares or more and it is not known whether the development falls within criterion c) i.;
- d) The development will create 1000 square metres or more of floor space;
- e) The site area of the development is 1 hectare or more.

National Planning Policy Framework (NPPF) - Designed to consolidate all national policy statements, circulars and guidance documents into a single, simpler National Planning Policy Framework. The Framework is intended to provide clear policies for making robust local and neighbourhood plans and development management decisions.

Neighbourhood Development Orders (NDO) - An Order made by a Local Planning Authority, (under the Town and Country Planning Act 1990), through which Parish Councils and neighbourhood forums can grant planning permission for a specific development proposal or classes of development.

Neighbourhood Plans – A plan prepared by a Parish Council or Neighbourhood Forum for a particular neighbourhood area, (made under the Planning and Compulsory Purchase Act 2004).

Non-Major application – A planning application for minor development or that requires a householder application or other planning application.

Permitted development notification – a notification of development that accords with the most up to date General Permitted Development Procedure Order.

Planning Practice Guidance – The Government's web based resource which brings together its guidance on planning issues in one place adding detail to the policies in the NPPF.

Pre-application stage – Discussions may take place and in many cases are expected, between the Local Planning Authority and potential applicants before a planning application is submitted. Pre-application discussions can help to clarify the nature of the proposal and can point to the need for additional material to accompany a planning application when it is finally made.

Site Specific Allocation Policies – Policies that relate to the allocation of land for development.

Supplementary Planning Documents (SPD) – Documents which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the formal Development Plan, (see above).

Sustainability Appraisal (SA) – This is a tool for appraising policies to ensure that they reflect sustainable development objectives. An appraisal is required by legislation for all Local Plans and many SPDs.

Strategic Environment Assessment (SEA) – the European Strategic Environment Assessment Directive, (2001/42/EC), requires an assessment of certain plans and programmes including those related to planning and land-use.

TPO application – A Tree Preservation Order, (TPO), is an Order made to preserve a tree(s) that is considered to bring amenity value to the surrounding area by the local authority. The order makes it an offence to cut down, uproot, prune, lop or damage the tree in question without first obtaining the Council's consent. A TPO can apply to a single tree, a group of trees, and area or a woodland.

TCA application – Trees in Conservation Areas which are already protected by a TPO are subject to the TPO protection outlined above. Trees within a conservation area, but are not subject to a TPO have special protection. Anyone proposing to cut down or carry out work on any trees within a conservation area, is required to give the Council six weeks prior notice. This is to give the Council an opportunity to consider whether a TPO should be made in respect of the tree.

Appendix C: FHDC/SEBC 'Principal Offices'

The places below are referred to within this SCI as our 'Principal Offices' and are the locations in which we will make our Local Plan and Supplementary Planning Documents available for public inspection.

West Suffolk House
Western Way
Bury St Edmunds
IP33 3YU
01284 763233

District Council Offices,
College Heath Road,
Mildenhall,
IP28 7EY

Customer Information,
The Brandon Centre,
Bury Road,
Brandon,
IP27 0BQ

Haverhill House,
Lower Downs Slade,
Haverhill,
Suffolk
CB9 9EE

Area Office,
63 The Guineas,
Newmarket,
Suffolk,
CB8 8HT

This page is intentionally left blank

Council



Forest Heath
District Council

Title of Report:	West Row: Reorganisation Order	
Report No:	COU/FH/18/023	
Report to and date/s:	Forest Heath Council	19 December 2018
Portfolio holder:	Councillor James Waters Leader of the Council Tel: 07771 621038 Email: james.waters@forest-heath.gov.uk	
Lead officer:	Leah Mickleborough Service Manager (Democratic Services) Tel: 01284 757162 Email: leah.mickleborough@westsuffolk.gov.uk	
Purpose of report:	This report seeks to bring into effect the decision of Council in July 2017 to create a new Parish for West Row	
Recommendation:	<p>It is recommended that Council:</p> <p>(1) Approve the Forest Heath District Council (Reorganisation of Community Governance) Order 2019 ("The Order"); and</p> <p>(2) Agree that the Service Manager (Democratic Services) should make the Order as soon as practicable after West Suffolk (Electoral Changes) Order 2019 is made.</p>	
Key Decision:	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p>	

Consultation:		<ul style="list-style-type: none"> The decision to establish the new Parish Council was made by Council following consultation on both the terms of reference for the community governance review, and on the draft recommendations. This specific order has been subject to consultation with representatives of Mildenhall Parish Council and the West Row community and local District and County Councillors representing the affected wards 	
Alternative option(s):		<ul style="list-style-type: none"> The Council has already agreed to establish the new Parish Council. Therefore, the Council must agree the order to create the new Council, or put forward an alternative order to bring that decision into effect. 	
Implications:			
Are there any financial implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> There are no financial implications for Forest Heath District Council; implications for Mildenhall and West Row are set out in the Order 	
Are there any staffing implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any ICT implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any legal and/or policy implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> This order is required by virtue of the Local Government and Public Involvement in Health Act 2007 and has been reviewed by the legal team 	
Are there any equality implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Council fails to agree the Order, which means there are no established election or financial arrangements for West Row	Low	The order has been subject to consultation with Mildenhall and West Row as above. The order is compatible with the legal requirements	Low
Ward(s) affected:		Great Heath, Market, Eriswell and The Rows	

<p>Background papers: (all background papers are to be published on the website and a link included)</p>	<p>Forest Heath Council agenda and minutes for 26 July 2017: http://svr-mgov-01:9070/ieListDocuments.aspx?CIId=172&MId=3648&Ver=4</p>
<p>Documents attached:</p>	<p>Appendix 1 – The Forest Heath District Council (Reorganisation of Community Governance) Order 2019 and associated maps</p>

1. Key issues and reasons for recommendation(s)

- 1.1 During 2016 and 2017, Forest Heath District Council undertook a Community Governance Review. The purpose of the review was to assess how democracy was working at a local level, and make recommendations for changes. The boundary changes that arose are already in effect.
- 1.2 In July 2017, the Council, having considered representations from the local community, decided to establish a new Parish Council for West Row and Isleham Marina. At the time, the Council agreed the new Parish should have the same boundary as the existing West Row ward of Mildenhall Parish Council, should have 9 councillors and not be sub-divided into new Parish wards
- 1.3 In order to establish the new Parish, the Council must approve a reorganisation order.

2. The Reorganisation Order

- 2.1 The reorganisation order itself follows the template laid down by the Ministry for Housing, Communities and Local Government. There is actually relatively little that the order must include; it must establish the new parish boundaries, electoral arrangements, transfer of assets and the new Parish precept, which Forest Heath Council must agree. The order covers the new arrangements for West Row Parish, and the consequential impacts on Mildenhall Parish.
- 2.2 Earlier this year, consultation was undertaken with the Local Government Boundary Commission for England regarding timing of the Order. The LGBCE indicated that it would be helpful for their process if the creation of the Order was held back until their review was concluded, to avoid any potential conflicts between parish wards within Mildenhall. The parish wards within this Order entirely coincide with the LGBCE's own proposed warding pattern for West Suffolk, which will shortly come into law. If agreed, it is proposed this Order will be made the day after the LGBCE's Order.

- 2.3 Mildenhall have requested that in future, they have 15 Councillors, and West Row support the 9 Councillors already proposed by Forest Heath Council. At both parties' request, we have also included provision for the elected West Row Ward Members to continue to sit on Mildenhall Parish Council until the elections in May.
- 2.4 The precept figure included is £51,314. This figure is a little higher than similar size parishes, but allowance has been made to support the establishment of the new Parish Council – such as IT equipment, and training for Councillors and the Clerk. Discussion with community representatives had initially concluded that a figure of £50k would be reasonable, however there was also a desire that residents should pay a similar balance to what they had paid to Mildenhall Parish Council. Accordingly, the £51,314 figure provides an identical Band D Equivalent that residents would have paid to Mildenhall Parish in 2018/19.

3. Property, Rights and Assets

- 3.1 The most challenging part of the process has been the division of property, rights and assets. Legal advice has confirmed that the Order must allow for the transfer of assets physically located in West Row, that clearly relate to West Row – such as the allotments, streetlights and benches. Whilst it would appear that physical assets such as community buildings remain in ownership according to location, there is no guidance available to us on how the separation of reserves (which Mildenhall Parish Council have earmarked for specific use) or usage of assets, such as the cemetery and community buildings, should be determined in future.
- 3.2 The division of an existing Parish Council is an extremely unusual situation and it has not yet proved possible to find any similar precedent that may help determine how these matters should be resolved between Mildenhall and West Row.
- 3.3 However the legislation does allow for both sides to reach a settlement between themselves on any property or rights that are affected by the order; if they are unable to do so, then the matter may ultimately be referred for arbitration. Initial discussions between both the West Row Community Group and Mildenhall Parish Council suggested that any matters both sides agreed on at this stage would be included in the Order, and any other matters would be subject to agreement between themselves.
- 3.4 Face to face discussions commenced at the end of September and when first negotiating positions were exchanged they showed very different approaches and expectations on how assets and finances should be allocated, and therefore we have included in the Order (regulation 3) a specific provision to allow both Parish Councils, after the May election, to reach agreement between themselves.

- 3.5 Both parties have been advised that no binding agreements can now be made until after the May elections and West Row Parish Councillors have been elected. Officers have been clear that Forest Heath Council (and West Suffolk Council subsequently) is prepared to support the negotiation process if both sides wish for Forest Heath to do so, although it cannot provide legal advice for either party, as this will need to be sought and paid for by the individual parties if it is required

4. Establishing the new Parish Council

- 4.1 The new Parish Council elections for West Row will take place in May 2019. The Proper Officer for West Suffolk Council has a responsibility for the parish assets in lieu of a parish council or parish meeting, and as such will oversee affairs between 1 April and May which could include provision of a temporary clerk to act on behalf of the new Council. During that time, should any significant issues arise, consultation will be undertaken with election candidates for West Row. Costs incurred may be recouped from the West Row Parish precept.
- 4.2 Internally, work is underway at Forest Heath to ensure that everything is ready for the new Parish Council, including adjustments made to ARP systems for Council Tax billing purposes, and preparation on planning and elections systems.

This page is intentionally left blank

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

The Forest Heath District Council (Reorganisation of Community Governance) Order 2019

Made: [NEEDS TO BE DAY AFTER LGBCE ISSUE FINAL RECOMMENDATIONS]

Coming into force: 1 April 2019

Forest Heath District Council (“the council”), in accordance with section 82 of the Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”), has undertaken a community governance review and made recommendations dated 26 July 2017

The council has decided to give effect to those recommendations and, in accordance with section 93 of the 2007 Act, has consulted with the local government electors and other interested persons and has had regard to the need to secure that community governance reflects the identities and interests of the community and is effective and convenient

The council, in accordance with section 100 of the 2007 Act, has had regard to guidance issued under that section

The council makes the following Order in exercise of the powers conferred by sections 86, 98(3), 98(4), 98(6) and 240(10) of the 2007 Act.

Citation and commencement

1.

(1) This Order may be cited as the Forest Heath District Council (Reorganisation of Community Governance) Order 2019.

(2) Subject to paragraphs (3), (4), and (5) below, this Order comes into force on 1st April 2019.

(3) Articles 7, 9(1), 9(2) and 9(3) shall come into force on the ordinary day of election of councillors in 2019.

(4) For the purposes of: (a) this article, (b) article 6; and (c) proceedings preliminary to or relating to the elections of parish councillors for the parishes of

Mildenhall and West Row, to be held on the ordinary day of election of councillors in 2019, this Order shall come into force on (DATE MADE).

(5) For the purposes of article 6(2) and Schedule 4, the balance of funds from the Mildenhall Parish Council shall transfer on or before 31 July 2019

Interpretation

2. In this Order—

“district” means the district of Forest Heath until 31 March 2019 and West Suffolk Council from 1 April 2019

“existing” means existing on the date this Order is made;

“map” means the map marked “Map referred to in the Forest Heath (Reorganisation of Community Governance) Order 2019” and deposited in accordance with section 96(4) of the 2007 Act: and any reference to a numbered sheet is a reference to the sheet of the map which bears that number;

“new parish” means a new parish constituted by articles 4

“ordinary day of election of councillors” has the meaning given by section 37 of the Representation of the People Act 1983; and

“registration officer” means an officer appointed for the purpose of, and in accordance with, section 8 of the Representation of the People Act 1983.

Effect of Order

3. This Order has effect subject to any agreement under section 99 (agreements about incidental matters) of the Local Government and Public Involvement in Health Act 2007 relevant to any provision of this Order.

Constitution of new parishes

4. (1) A new parish, comprising the area outlined with a red line on the map referenced as ‘Map 1’, shall be constituted within the district.

(2) The name of the new parish shall be West Row

5. (1) The boundary of the Parish of Mildenhall shall be altered to comprise the area outlined with a red line on the map referenced as ‘Map 2’.

Calculation of budget requirement, and funds and balances to be transferred or ring-fenced for use by new councils

6. (1) For the purposes of regulation 3 of the Local Government Finance (New Parishes) (England) Regulations 2008 No. 626 there is specified in relation to the parish of West Row the sum of £51,314

(2). The funds and balances referred to in Schedule 4 shall be transferred from Mildenhall Parish to West Row or held by West Suffolk Council and ring-fenced for use by/in consultation with West Row, in accordance with such Schedule 4.

Parish council for the parish of West Row

7. (1) There shall be a parish council for the parish of West Row.

(2) The name of that council shall be "West Row Parish Council".

(3) The next election of all parish councillors for the parish of West Row shall be held on the ordinary day of election of councillors in 2019, and every four years thereafter.

(4) The number of parish councillors to be elected for the parish of West Row shall be 9

First annual meeting of West Row Parish Council

8. (1) The annual meeting of West Row Parish Council in 2019 shall be convened by the Proper Officer of West Suffolk Council. The meeting shall take place no later than 14 days after the day on which the councillors elected to the Parish Council take office.

Mildenhall Parish Council

9 (1) The number of parish councillors to be elected for the parish of Mildenhall shall be 15

(2) The Parish of Mildenhall shall be divided into 3 wards which shall be named as set out in Schedule 1. Each ward shall be designated on the map referenced as Map 3, by reference to the name of the ward and demarcated by orange lines.

(3) The number of councillors to be elected for each ward shall be the number specified in respect of the ward in column 2 of Schedule 1

(4) The persons elected to the West Row Ward of Mildenhall Parish Council at 31 March 2019 shall remain as Councillors of Mildenhall Parish Council until 6 May 2019 notwithstanding the creation of West Row Parish Council on 1 April 2019.

Electoral register

9. The registration officer for the district shall make such rearrangement of, or adaptation of, the register of local government electors as may be necessary for the purposes of, and in consequence of this Order

Transfer of property, rights and liabilities

10. All interests in the land, property, rights and liabilities described in Schedule 2 (subject to any existing leases or licences in respect of such land or property) shall transfer from Mildenhall Parish Council to West Row Parish Council on the date specified in column (2) of Schedule 2

11. All other interests in property as described in Schedule 2 shall transfer from Mildenhall Parish Council to West Row Parish Council on the date specified in column (3) of Schedule 2.

12. In accordance with paragraph 7 of the Local Government (Parishes and Parish Councils) (England) Regulations 2008 No. 625 Mildenhall Parish Council shall transfer the benefit, burdens, rights and liabilities to West Row Parish Council (to the extent to which they apply to the area of West Row Parish) of several contracts details of which are listed in Schedule 3 and this Order gives effect to such transfer.

13. The allotments located within West Row Parish will transfer in accordance with legislation from Mildenhall Parish Council to West Row Parish Council on 1st April 2019

Order date

14. 1st April 2019 is the order date for the purposes of the Local Government (Parishes and Parish Councils) (England) Regulations 2008 No. 625.

SCHEDULE 1

Wards of the Parish of Mildenhall

Name of Ward	Number of Councillors to be elected
Great Heath	5
Kingsway and Market	5
Queensway	5

SCHEDULE 2

Land and property to be transferred from Mildenhall Parish Council to West Row Parish Council

Asset	Date of Transfer
West Row Allotments, The Gravel, West Row	1 April 2019
Three Road Signs located in West Row	1 April 2019
Village Sign, West Row	1 April 2019
Bench located at the Bridleway, West Row	1 April 2019
Bench located at the War Memorial, West Row	1 April 2019
Noticeboard, West Row	1 April 2019
Streetlight 196, Bargate Road	1 April 2019
Streetlight 197, Bargate Road	1 April 2019
Streetlight 198, Bargate Road	1 April 2019
Streetlight 199, Bargate Road	1 April 2019
Streetlight 200, Bargate Road	1 April 2019
Streetlight 1806, Bargate Road	1 April 2019
Streetlight 1807, Bargate Road	1 April 2019
Streetlight 1808, Bargate Road	1 April 2019
Streetlight 252, Beeches Road	1 April 2019
Streetlight 253, Beeches Road	1 April 2019
Streetlight 244, Beeches Road	1 April 2019
Streetlight 245, Beeches Road	1 April 2019
Streetlight 246, Beeches Road	1 April 2019
Streetlight 247, Beeches Road	1 April 2019
Streetlight 248, Beeches Road	1 April 2019
Streetlight 249, Beeches Road	1 April 2019
Streetlight 1781, Beeches Road	1 April 2019
Streetlight 1784, Beeches Road	1 April 2019
Streetlight 1791, Beeches Road	1 April 2019
Streetlight 1793, Beeches Road	1 April 2019
Streetlight 1794, Beeches Road	1 April 2019

Streetlight 1795, Beeches Road	1 April 2019
Streetlight 1796, Chapel Road	1 April 2019
Streetlight 1797, Chapel Road	1 April 2019
Streetlight 237, Chapel Road	1 April 2019
Streetlight 238, Chapel Road	1 April 2019
Streetlight 239, Chapel Road	1 April 2019
Streetlight 240, Chapel Road	1 April 2019
Streetlight 241, Chapel Road	1 April 2019
Streetlight 222, Church Gardens	1 April 2019
Streetlight 223, Church Gardens	1 April 2019
Streetlight 224, Church Gardens	1 April 2019
Streetlight 1799, Church Lane	1 April 2019
Streetlight 228, Church Lane	1 April 2019
Streetlight 229, Church Lane	1 April 2019
Streetlight 230, Church Lane	1 April 2019
Streetlight 1800, Church Road	1 April 2019
Streetlight 1801, Church Road	1 April 2019
Streetlight 225, Church Road	1 April 2019
Streetlight 226, Church Road	1 April 2019
Streetlight 227, Church Road	1 April 2019
Streetlight 1779, Cricks Road	1 April 2019
Streetlight 1802, Cricks Road	1 April 2019
Streetlight 212, Cricks Road	1 April 2019
Streetlight 213, Cricks Road	1 April 2019
Streetlight 214, Cricks Road	1 April 2019
Streetlight 215, Cricks Road	1 April 2019
Streetlight 216, Cricks Road	1 April 2019
Streetlight 205, Eldo Road	1 April 2019
Streetlight 206, Eldo Road	1 April 2019
Streetlight 208, Eldo Road	1 April 2019
Streetlight 209, Eldo Road	1 April 2019
Streetlight 1803, Eldo Road	1 April 2019
Streetlight 1804, Eldo Road	1 April 2019
Streetlight 1805, Eldo Road	1 April 2019
Streetlight 200, Farmhouse Drive	1 April 2019
Streetlight 0.004, Ferry Lane	1 April 2019
Streetlight 1907, Ferry Lane	1 April 2019
Streetlight 201, Ferry Lane	1 April 2019
Streetlight 202, Ferry Lane	1 April 2019
Streetlight 203, Ferry Lane	1 April 2019
Streetlight 204, Ferry Lane	1 April 2019
Streetlight 1910/002, Ferry Lane	1 April 2019
Unnumbered Streetlight, Ferry Lane	1 April 2019
Unnumbered Streetlight, Ferry Lane	1 April 2019
Streetlight 232, Friday Street	1 April 2019
Streetlight 233, Friday Street	1 April 2019
Streetlight 234, Friday Street	1 April 2019
Streetlight 235, Friday Street	1 April 2019
Streetlight 236, Friday Street	1 April 2019
Streetlight 1798, Friday Street	1 April 2019

Streetlight 1780, Jarmans Lane	1 April 2019
Streetlight 254, Manor Farm Road	1 April 2019
Streetlight 242, Mason Gardens	1 April 2019
Streetlight 243, Mason Gardens	1 April 2019
Streetlight 1782, Mildenhall Road	1 April 2019
Streetlight 1783, Mildenhall Road	1 April 2019
Streetlight 1813, Mildenhall Road	1 April 2019
Streetlight 263, Mildenhall Road	1 April 2019
Streetlight 264, Mildenhall Road	1 April 2019
Streetlight 265, Mildenhall Road	1 April 2019
Streetlight 266, Mildenhall Road	1 April 2019
Streetlight 267, Mildenhall Road	1 April 2019
Streetlight 294, Neve Gardens	1 April 2019
Streetlight 295, Neve Gardens	1 April 2019
Streetlight 296, Neve Gardens	1 April 2019
Streetlight 297, Neve Gardens	1 April 2019
Streetlight 231, Parmments Lane	1 April 2019
Streetlight 250, Pollard Lane	1 April 2019
Streetlight 251, Pollard Lane	1 April 2019
Streetlight 190, Pott Hall Road	1 April 2019
Streetlight 191, Pott Hall Road	1 April 2019
Streetlight 192, Pott Hall Road	1 April 2019
Streetlight 193, Pott Hall Road	1 April 2019
Streetlight 194, Pott Hall Road	1 April 2019
Streetlight 195, Pott Hall Road	1 April 2019
Streetlight 1809, Pott Hall Road	1 April 2019
Streetlight 1810, Pott Hall Road	1 April 2019
Streetlight 1811, Pott Hall Road	1 April 2019
Streetlight 1812, Pott Hall Road	1 April 2019
Streetlight 210, Stirling Close	1 April 2019
Streetlight 211, Stirling Close	1 April 2019
Streetlight 1785, The Green	1 April 2019
Streetlight 1786, The Green	1 April 2019
Streetlight 1787, The Green	1 April 2019
Streetlight 1788, The Green	1 April 2019
Streetlight 1789, The Green	1 April 2019
Streetlight 1790, The Green	1 April 2019
Streetlight 246, The Green	1 April 2019
Streetlight 255, The Green	1 April 2019
Streetlight 256, The Green	1 April 2019
Streetlight 257, The Green	1 April 2019
Streetlight 258, The Green	1 April 2019
Streetlight 259, The Green	1 April 2019
Streetlight 260, The Green	1 April 2019
Streetlight 261, The Green	1 April 2019
Streetlight 262, The Green	1 April 2019
Streetlight 217, Wellington Close	1 April 2019
Streetlight 218, Wellington Close	1 April 2019
Streetlight 219, Wellington Close	1 April 2019
Streetlight 220, Wellington Close	1 April 2019

Streetlight 221, Wellington Close	1 April 2019
-----------------------------------	--------------

SCHEDULE 3

Contracts and other matters to be transferred from Mildenhall Parish Council to West Row Parish Council, to the extent that they relate to West Row Parish

Contract	Date of Transfer
Contract for the provision of Pest Control Services at allotments, to the extent it relates to West Row, between Mildenhall Parish Council and Pest Rangers	1 April 2019
Contract for the provision of Street Light Maintenance Services, to the extent it relates to West Row, between Mildenhall Parish Council and Pearce and Kemp	1 April 2019
Contract for the provision of grass cutting between Mildenhall Parish Council and Hamill Landscaping and Maintenance Services	1 April 2019
Contracts for the provision of an allotment between Mildenhall Parish Council and Allotment Holders	1 April 2019
Contract for provision of electricity for street lights to the extent it relates to West Row, between Mildenhall Parish Council and Eon	1 April 2019

SCHEDULE 4

Funds and balances to be transferred from Mildenhall Parish Council to West Row Parish Council or held by West Suffolk Council and ring-fenced for West Row Parish Council

Fund or Balance	Date of Transfer
Deposits paid by allotment holders for West Row Allotments	On or before 31 July 2019
The balance of annual allotment fees paid by allotment holders for West Row Allotments, for the period that the allotments are owned by West Row Parish Council. This payment shall be calculated by dividing the annual fees by the proportion of time that the allotments are owned by Mildenhall Parish Council, and the amount of time that the allotments	On or before 31 July 2019

are owned by West Row Parish Council.	
---------------------------------------	--

EXPLANATORY MEMORANDUM

This order gives effect to recommendations made by Forest Heath District Council for the creation of a new council for the parish of West Row. The Parish shall be created with effect from 1 April 2019. The electoral arrangements apply in respect of parish elections to be held on and after the ordinary day of election of Councillors in 2019.

Article 3 provides for West Row Parish Council and Mildenhall Parish Council to make agreements between themselves regarding any property, rights, liabilities, expenses affected by this order and financial relations between themselves.

Articles 7 and 9 provide for electoral arrangements for West Row and the consequential arrangements for Mildenhall Parish Council and specify the number of councillors for each parish.

Map 1 establishes the name and area of the new Parish Council for West Row

Map 2 establishes the revised area of the Parish Council for Mildenhall

Map 3 establishes the wards of Mildenhall Parish Council

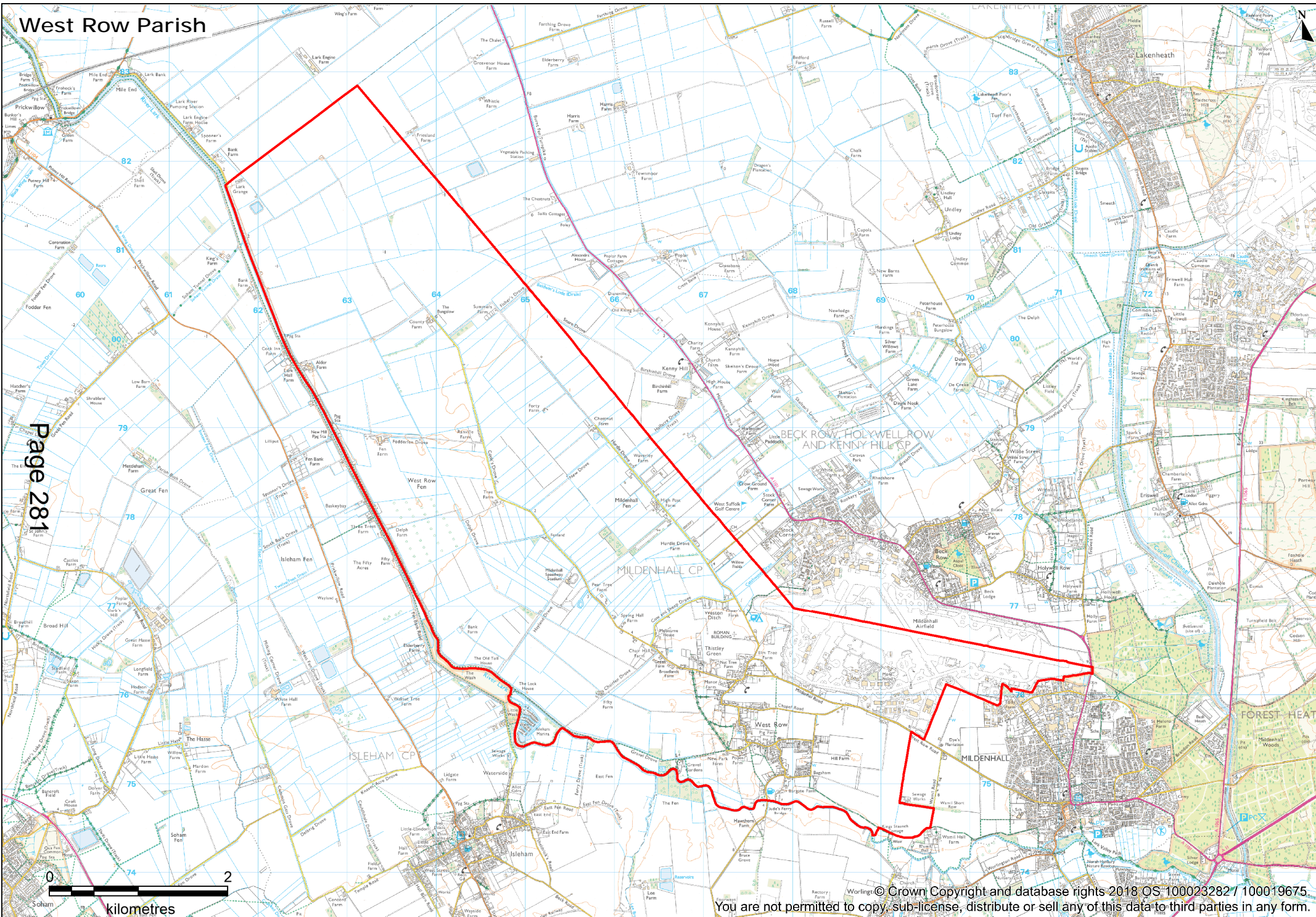
All 3 maps are available at all reasonable times at the offices of Forest Heath District Council

Article 9 obliges the Electoral Registration Officer to make any necessary amendments to the electoral register to reflect the new electoral arrangements.

Articles 10, 11, 12 and 13 contain details of land, property, rights and liabilities described in schedules 2, 3 and 4 that shall transfer from Mildenhall Parish Council to West Row Parish Council

This page is intentionally left blank

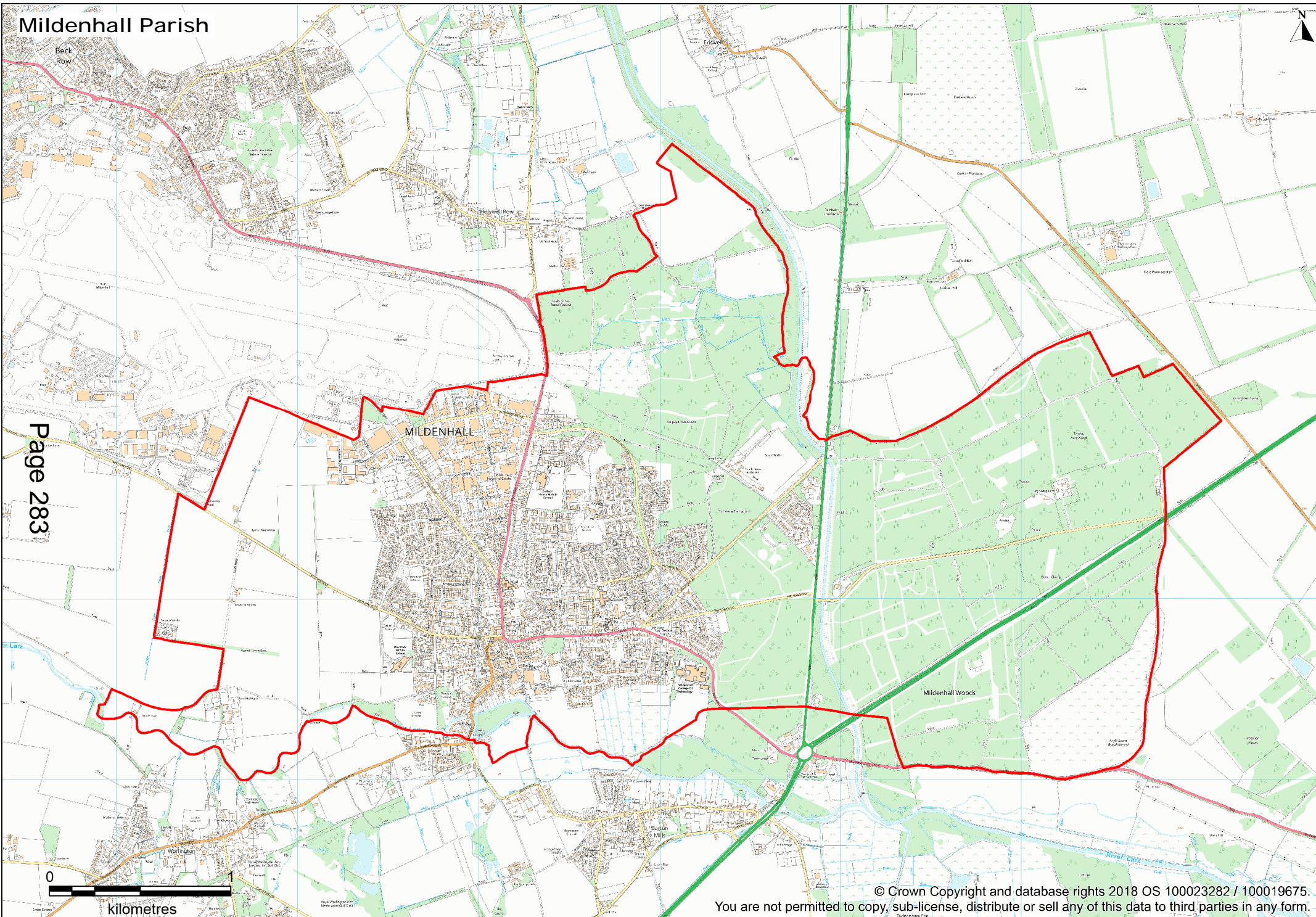
West Row Parish



Page 281

This page is intentionally left blank

Mildenhall Parish



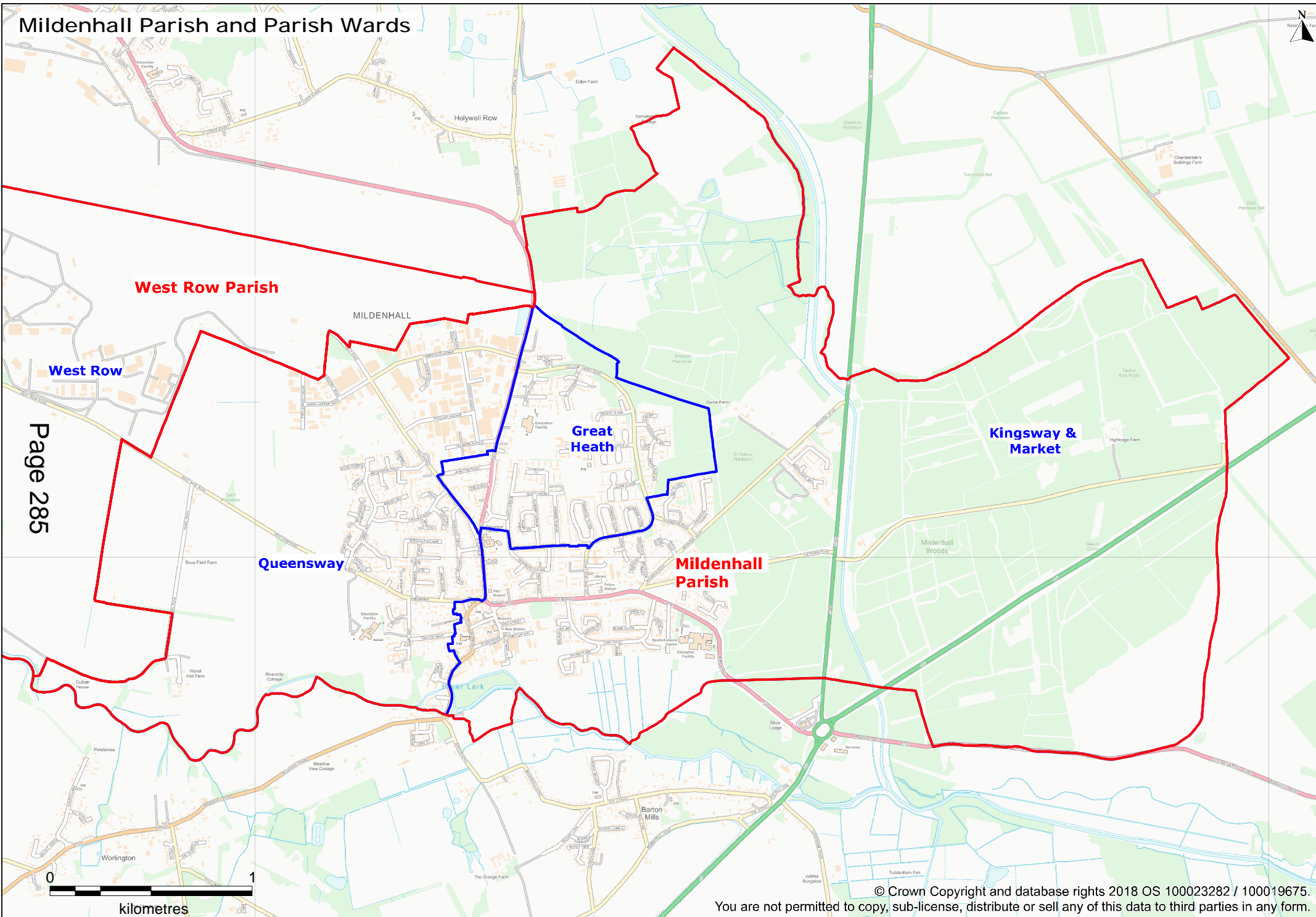
Page 283



kilometres

This page is intentionally left blank

Mildenhall Parish and Parish Wards



This page is intentionally left blank