Public Document Pack

RUSHMOOR BOROUGH COUNCIL

CABINET

at the Council Offices, Farnborough on
Tuesday, 3rd June, 2025 at 7.00 pm

To:

Cllr Gareth Williams, Leader of the Council
Cllr Sophie Porter, Deputy Leader and Healthy Communities & Active Lives Portfolio Holder

Cllr A.H. Crawford, Finance & Resources Portfolio Holder
Cllr Jules Crossley, Policy, Performance & Sustainability Portfolio Holder
Cllr Keith Dibble, Housing & Planning Portfolio Holder
Cllr Christine Guinness, Pride in Place / Neighbourhood Services Portfolio Holder
Cllr Julie Hall, Economy, Skills & Regeneration Portfolio Holder

Enquiries regarding this agenda should be referred to Chris Todd, Democratic Support Officer, on 01252 398825 or e-mail: chris.todd@rushmoor.gov.uk

A G E N D A

1. **DECLARATIONS OF INTEREST** –

Under the Council's Code of Conduct for Councillors, all Members are required to disclose relevant Interests in any matter to be considered at the meeting. Where the matter directly relates to a Member's Disclosable Pecuniary Interests or Other Registrable Interest, that Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation (see note below). If the matter directly relates to 'Non-Registrable Interests', the Member's participation in the meeting will depend on the nature of the matter and whether it directly relates or affects their financial interest or well-being or that of a relative, friend or close associate, applying the tests set out in the Code.

NOTE:
On 27th May, 2021, the Council's Corporate Governance, Audit and Standards Committee granted dispensations to Members appointed by the Council to the Board of the Rushmoor Development Partnership and as Directors of Rushmoor Homes Limited.

2. **MINUTES** – (Pages 1 - 8)

To confirm the Minutes of the meetings held on 8th April, 2025 and 22nd April, 2025 (copies attached).

3. **COUNCIL PLAN, PERFORMANCE AND RISK REGISTER QUARTERLY UPDATE AND YEAR END 2024/25** – (Pages 9 - 42)
(Cllr Jules Crossley, Policy, Performance and Sustainability Portfolio Holder)

To consider Report No. ED2501 (copy attached), which sets out performance monitoring information in relation to the Council Plan and Risk Register for the fourth quarter of 2024/25 and the year end position.

4. **NEW NEONATAL CARE POLICY** – (Pages 43 - 56)
(Cllr Alex Crawford, Finance & Resources Portfolio Holder)

To consider Report No. PEO2505 (copy attached), which sets out a new Neonatal Care Policy for the Council.

5. **REVIEW OF THE COUNCIL'S GAMBLING LICENSING STATEMENT OF PRINCIPLES** – (Pages 57 - 154)
(Cllr Christine Guinness, Pride in Place / Neighbourhood Services)

To consider Report No. OS2509 (copy attached), which sets out proposed changes to the Council's Gambling Licensing Statement of Principles.

6. **APPOINTMENTS TO CABINET WORKING GROUPS 2025/26** – (Pages 155 - 156)

To consider Report No. DEM2506 (copy attached), which sets out the appointments to the proposed Cabinet Working Groups for the 2025/26 Municipal Year.

7. **EXCLUSION OF THE PUBLIC** –

To consider resolving:

That, subject to the public interest test, the public be excluded from this meeting during the discussion of the undermentioned item to avoid the disclosure of exempt information within the paragraph of Schedule 12A to the Local Government Act, 1972 indicated against such item:

Item No.	**Schedule 12A Para. No.**	**Category**
8	3	Information relating to financial or business affairs

8. **ALDERSHOT SKI CENTRE - PROPOSED NEW OPERATIONAL ARRANGEMENTS** – (Pages 157 - 170)
(Cllr Sophie Porter, Healthy Communities & Active Lives Portfolio Holder)

To consider Exempt Report No. OS2510 (copy attached), which seeks the Cabinet's endorsement of an urgent decision taken by the Leader of the Council in relation to the operation of the Alpine Snowsports Centre in Aldershot.

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CABINET

Meeting held on Tuesday, 8th April, 2025 at the Council Offices, Farnborough at 7.00 pm and concluded on Monday 14th April, 2025, following an adjournment.

Voting Members

Cllr Gareth Williams, Leader of the Council (present on 8th April only)
Cllr Sophie Porter, Deputy Leader and Healthy Communities & Active Lives Portfolio Holder (present on 8th April only)

Cllr A.H. Crawford, Finance & Resources Portfolio Holder
Cllr Jules Crossley, Policy, Performance & Sustainability Portfolio Holder
Cllr Keith Dibble, Housing & Planning Portfolio Holder
Cllr Christine Guinness, Pride in Place / Neighbourhood Services Portfolio Holder

Apologies for absence were submitted on behalf of Councillor Julie Hall, Sophie Porter (absent on 14th April only and Gareth Williams (absent on 14th April only).

The Cabinet considered the following matters at the above-mentioned meeting. All executive decisions of the Cabinet shall become effective, subject to the call-in procedure, from **1st May, 2025**.

79. **DECLARATIONS OF INTEREST** –

Having regard to the Council's Code of Conduct for Councillors, the following declaration of interest was made:

Item No.	Member	Interest	Reason
82	Cllr Sophie Porter	Non-registrable	NHS employee – Code of Conduct Appendix B, paras 8 and 9 applied. Accordingly, Cllr Porter remained in the meeting held on 8th April and participated in the discussion. Cllr Porter was absent when the meeting was reconvened on 14th April.
82	Cllr Gareth Williams	Non-registrable	Director of Rushmoor Housing Limited – dispensation granted by CGAS Committee on 27th May, 2021 so Cllr Williams remained in the meeting during this item, participated in the discussion and took part in the voting process.

80. **MINUTES** –

The Minutes of the meetings of the Cabinet held on 11th March, 2025 and 20th March, 2025 were confirmed and signed by the Chairman.

81. **EXCLUSION OF THE PUBLIC** –

RESOLVED: That, taking into account the public interest test, the public be excluded from the meeting during the discussion of the under mentioned item to avoid the disclosure of exempt information within the paragraph of Schedule 12A to the Local Government Act, 1972 indicated against the item:

Minute No.	**Schedule 12A Para. No.**	**Category**
82	3	Information relating to financial or business affairs

THE FOLLOWING ITEM WAS CONSIDERED IN THE ABSENCE OF THE PUBLIC

82. **UNION YARD, ALDERSHOT – APPROACH TO DISPOSAL OF RESIDENTIAL APARTMENTS (SEACOLE PLACE AND BURTON HOUSE)** –
(Cllr Gareth Williams, Leader of the Council)

The Cabinet considered Exempt Report No. REG2502, which set out options for the disposal of 82 residential units contained within the Union Yard scheme in Aldershot town centre.

Members were informed that a Cabinet report in July, 2021 had set out an 'exit strategy' for the different components of the scheme. It was agreed at that time that the 82 apartments for private rent would be subject to disposal on completion to the Council's Housing Company, Rushmoor Homes Limited (RHL). Members heard that the scheme had now reached practical completion, with all elements having been handed over to the Council following an opening event in March, 2025.

The Chairman brought the Cabinet's attention to the draft minutes of the Overview and Scrutiny Committee meeting held on 27th March, 2025 and Members considered the comments contained therein.

The Cabinet considered and discussed the risks of each option, as set out in the updated risk table, and decided that Option 1, disposal to RHL, now demonstrated a significant short-term risk to the Council's revenue account that meant that this option was the least favourable in terms of short-term financial risk. The Cabinet therefore agreed to discount this option. Option 2 was for the direct sale of the units to the open market but it was felt that this would carry a high risk in terms of potential delays in receiving the capital receipts when compared to the other options. There was a further risk in respect of the future sales of the units not achieving the same value as agents had forecasted. This option was, therefore, also discounted. Option 5 was for the sale of the units to private investors. The highest offer received was not

competitive when compared against the other proposals under consideration. Option 5 was, therefore, also discounted at this point.

Option 4(b), whilst having a higher value than option 4(a), was also discounted as the proposed leaseback value for the commercial properties represented an additional risk to the Council, outweighing the higher value.

Members discussed the remaining two options, which were Option 3 to a named registered housing provider and Option 4(a), which was to a provider of sub-market rental accommodation for key workers. It was noted that Option 3 would provide increased affordable housing whilst Option 4(a) would provide key worker accommodation. The Cabinet agreed that both the provision of social housing and the provision of key worker accommodation fitted with the Council's priorities. In discussing the options in detail, the Cabinet felt it needed more information in relation to the two options and the two operators to be able to make an informed choice. It was proposed, therefore, that the meeting should be adjourned until this further information could be obtained, at which point the meeting would be reconvened and the decision made.

At 8.38pm on 8th April, 2025, **the Cabinet RESOLVED** that the Cabinet meeting be adjourned for further information on the two options and operators to be obtained. The meeting would be reconvened at the first opportunity once this had been completed.

At 6.45pm on 14th April, 2025, the Cabinet meeting of the 8th April, 2025 was reconvened in private session.

At the start of the meeting, in the absence of the Leader of the Council (Cllr Gareth Williams), **the Cabinet RESOLVED** that Cllr Jules Crossley be appointed Chairman for the remainder of the meeting.

It was confirmed that, since the adjournment of the original meeting, the Cabinet had received presentations from each of the parties involved in Options 3 and 4(a) to obtain further information regarding the details of each option. This had assisted the Cabinet in assessing the relative benefits of providing affordable housing compared with key worker accommodation and helped the Cabinet to understand how each organisation would manage the property. The Cabinet agreed that reducing the housing waiting list was a key priority of the administration. In this regard, the Cabinet noted that the operator in respect of Option 4(a) had agreed to receive nominations from the Council's waiting list that fulfilled the relevant key worker criteria for a proportion of the units.

On an initial vote the preferences of the members of the Cabinet were equally balanced for each option. Following further discussion and given that it would be possible to accommodate qualifying persons on the Council's housing waiting list in the development under Option 4(a), it was proposed that the Cabinet's preferred option would be Option 4(a).

At this point, **the Cabinet RESOLVED** that

(i) the disposal of the residential apartments at Union Yard (Seacole Place and Burton House) to the organisation making the offer set out in Option 4(a) in Exempt Report No.REG2502, be approved;

(ii) the Executive Head of Property and Growth, in consultation with the Economy, Skills and Regeneration Portfolio Holder, the Executive Head of Finance and the Corporate Manager – Legal Services, be authorised to enable the disposal of the 82 residential apartments in line with the approach set out for Option 4(a), subject to any further due diligence and any further valuations considered necessary by the Corporate Manager – Legal Services or Executive Head of Finance; and

(iii) the disposal would also be subject to revised Heads of Terms, enabling local people on the Council's housing waiting list who were employed by the local hospital to be eligible for housing within the development.

The Meeting closed at 7.09pm on Monday 14th April, 2025.

CLLR GARETH WILLIAMS, LEADER OF THE COUNCIL

CABINET

Meeting held on Tuesday, 22nd April, 2025 at the Council Offices, Farnborough at 7.00 pm.

Voting Members

Cllr Gareth Williams, Leader of the Council

Cllr Jules Crossley, Policy, Performance & Sustainability Portfolio Holder
Cllr Keith Dibble, Housing & Planning Portfolio Holder
Cllr Christine Guinness, Pride in Place / Neighbourhood Services Portfolio Holder
Cllr Julie Hall, Economy, Skills & Regeneration Portfolio Holder

Apologies for absence were submitted on behalf of the Deputy Leader of the Council (Cllr Sophie Porter) and Cllr A.H. Crawford

The Cabinet considered the following matters at the above-mentioned meeting. All executive decisions of the Cabinet shall become effective, subject to the call-in procedure, from **5th May, 2025**.

83. **DECLARATIONS OF INTEREST** –

Having regard to the Council's Code of Conduct for Councillors, no declarations of interest were made.

84. **COUNCIL DELIVERY PLAN 2025/26** –
(Cllr Gareth Williams, Leader of the Council)

The Cabinet considered Report No. ACE2507, which set out a Council Delivery Plan for 2025/26.

Members were informed that the plan set out the Council's priorities and the key projects and activities that the Council would undertake over the following year to contribute to delivering the new strategic priorities. The plan was structured across five themes:

- Skills, Economy and Regeneration
- Homes for All: Quality Living, Affordable Housing
- Community and Wellbeing: Active Lives, Healthier and Stronger Communities
- Pride in Place: Clean, Safe and Vibrant Neighbourhoods
- The Future and Financial Sustainability

It was explained that there were two amendments to the version of the plan that had been published with the agenda pack; firstly that the first theme, as listed above, would now read 'Skills, Economy and Regeneration' instead of 'Skills, Economy and Business' and secondly, that 'Supporting the priorities of the Armed Forces Champion to deliver activities for the Armed Forces Community' would be added under the community and cultural activity priority.

In discussing this matter, the Cabinet was pleased that the Council Delivery Plan now reflected the current administration's priorities and would provide a solid base from which the Council would be able to take on the significant challenges it would face over the following years, including achieving financial sustainability, local government reorganisation and devolution. It was confirmed that, in future, annual delivery plans would be brought forward each year.

The Cabinet

(i) **RECOMMENDED TO THE COUNCIL** that the Council Delivery Plan 2025/26, as set out in Report No. ACE2507 and amended as above, be approved;

(ii) **RESOLVED** that, following the decision to include Hampshire in the priority programme for devolution, the refreshed priorities, as set out in the Report, be approved; and

(iii) **RESOLVED** that a commitment to produce annual Delivery Plans over the following three years be approved.

85. **UPDATED PENSION DISCRETIONS POLICY AND ORGANISATIONAL CHANGE POLICY** –
(Cllr A.H. Crawford, Finance & Resources Portfolio Holder)

The Cabinet considered Report No. PEO2504, which set out changes to the Council's Pension Discretions Policy and Organisational Change Policy.

Members were informed that the new Pension Discretions Policy would reflect additional discretions that had been introduced since the policy had been last updated in August 2010. The Council's Organisational Change Policy had been reviewed at the same time and it had been identified that the clause outlining the process for the protection of pension benefits was no longer valid and should be removed.

The Cabinet RESOLVED that

(i) the adoption of the updated Pension Discretions Policy, as set out in Appendix A of Report No. PEO2504, be approved; and

(ii) the deletion of the clause regarding the process for the protection of pension benefits in the Organisational Change Policy, as set out in Appendix B of the Report, be approved.

86. **FIXED PENALTY NOTICE FINES** –
(Cllr Christine Guinness, Pride in Place / Neighbourhood Services Portfolio Holder)

The Cabinet considered Report No. OS2507, which set out proposed amendments to the level of fines applicable for the various fixed penalty notice offences where the level of fine was discretionary.

Members were informed that included in the changes was an increase in the fine in respect of fly-tipping from a maximum of £400 to a maximum of £1,000. Members

felt that this would represent a much more effective deterrent against fly-tipping. The full list of proposed changes was set out in Appendix 1 of the Report. The Cabinet requested that the new fees should be widely publicised to maximise the effect as a deterrent.

The Cabinet RESOLVED that the amendments to the level of fines, as set out in Report No. OS2507, be approved, to take effect from 1st May, 2025.

87. **EXCLUSION OF THE PUBLIC** –

RESOLVED: That, taking into account the public interest test, the public be excluded from the meeting during the discussion of the under mentioned item to avoid the disclosure of exempt information within the paragraph of Schedule 12A to the Local Government Act, 1972 indicated against the item:

Minute No.	Schedule 12A Para. No.	Category
88	3	Information relating to financial or business affairs

THE FOLLOWING ITEM WAS CONSIDERED IN THE ABSENCE OF THE PUBLIC

88. **TEMPORARY ACCOMMODATION - APPROACH TO CURRENT AND FUTURE PROVISION** –
(Cllr Keith Dibble, Housing & Planning Portfolio Holder)

The Cabinet considered Exempt Report No. PG2510, which set out the Council's current and proposed future approaches to the provision of temporary accommodation.

Members were reminded that local housing authorities had a duty to secure accommodation for unintentionally homeless households in priority need under Part 7 of the Housing Act 1996. The Council currently maintained a number of units of temporary accommodation across the Borough and also used Bed and Breakfast accommodation when required. The Report set out a number of proposals in relation to the future provision of this accommodation and the reasons for the changes.

The Cabinet expressed support for the proposed approach, particularly in respect of the extension of the use of providers that were proven in the delivery of this specialised service.

The Cabinet RESOLVED that

(i) the approach for entering into a short-term contract until December, 2026 for the provision of supported accommodation at the named property, as set out in Exempt Report No. PG2510, be approved; and

(ii) the approach for securing appropriate temporary accommodation to meet future need, as set out in the Exempt Report, be approved.

The Meeting closed at 7.40 pm.

CLLR GARETH WILLIAMS, LEADER OF THE COUNCIL

CABINET

COUNCILLOR JULES CROSSLEY
POLICY, PERFORMANCE & SUSTAINABILITY PORTFOLIO HOLDER

3 JUNE 2025

REPORT NO. ED2501

KEY DECISION? NO

COUNCIL PLAN AND RISK REGISTER QUARTERLY UPDATE AND YEAR END 2024/25

SUMMARY AND RECOMMENDATIONS:

This report sets out the performance monitoring information for the Council Plan and key service measures for the fourth quarter and end of year of 2024/25. This includes key projects and activities from the Council Plan and key service indicators/measures used by the Council to monitor how the Council runs.

Factors that could impact on the Council's wider operations and the future delivery of the Council's key priorities have been identified in the Council's Risk Register. A summary of the significant changes, including details of any new risks and those that have seen a significant change in the risk gap (the gap between residual and target risk scores) is provided for discussion.

The Cabinet is recommended to:

i) note the progress made towards delivering the Council Plan and the latest performance information in relation to council services

ii) consider the changes highlighted in the Corporate Risk Register as set out in sections 4.4. – 4.7 of this report.

1. INTRODUCTION

1.1. Performance management is a tool to drive improvement across the Council.

1.2. Effective performance management:

- helps to ensure that the Council is achieving what it set out to do and giving good value for money – without measuring results it is difficult to tell success from failure
- it enables the understanding of "how the Council is doing"
- helps to identify success (so that it can be rewarded and learnt from) and to identify failure (so that it can be corrected and learnt from)
- is linked to good decision making - using information about how things are now to help make decisions about how to make them better
- helps to ensure decisions have been carried through
- is at the heart of good management

1.3 Annex A of this report sets out performance monitoring information for the Council Plan and Annex B sets out the Risk Register as at March 2025.

2. BACKGROUND

2.1. The Council Plan provides a focus for the Council's activities and services and outlines the council's priorities and key strategic projects.

2.2. The Council has continued to monitor the key activities and projects from the Council Plan agreed by Council in June 2023 (Council Plan - Rushmoor Borough Council). The Council Plan highlights the Council's key projects and activities, performance of the Council and Council Services is measured through monitoring key service indicators and measures.

2.3. In April 2025 the Cabinet agreed a new delivery plan for 2025/26, which will replace the 2023-2026 Council Plan. The new delivery plan is due to be considered by Council at its meeting on 10th July 2025.

2.4. The Corporate Risk Register is also included in the Council's quarterly performance reports to highlight factors that could impact on the future delivery of the Council Plan or affect the Council's performance. Risk management is of vital importance to all organisations to enable them to continue to be effective, sustainable and successful.

3. KEY SUCCESSES IN 2024/25

3.1 Over the past year the Council has agreed and delivered a range of projects. Including:

- Cabinet agreed new priorities for the Council and developed the 2025/26 Delivery Plan – which is set to go to Council in July
- The Council has been able to move forward with plans to build a new leisure centre in the heart of Farnborough town centre. The new centre is set to include a 25-metre swimming pool and learner pool, along with a gym offering more than 100 fitness stations.
- After three years of construction work and a multimillion-pound investment by the council, the Union Yard development in Aldershot town centre was completed and ready for occupation
- The Council held a Men's Health Day in January in Farnborough. The event featured over 20 organisations focussing on men's health and sporting activities, as well as offering free drop-in health checks.
- Following the success of the first 'Walk this Waste' event in Farnborough, in December 2024, in which local people were invited to walk their bulky household waste items to a mobile van for free disposal, further areas have now benefited from this initiative.
- A new Rushmoor beacon in Manor Park, Aldershot, which was lit for the first time at the planned VE Day commemorations in May 2025.

- The Rushmoor Community Lottery celebrated seven years of fundraising for worthy causes across Aldershot and Farnborough with a special event at Farnborough Bowling Club.
- The Council agreed two new equality objectives and has introduced the requirement for appropriate equality impact assessments to be carried out for all new Council projects and policies.
- Using the UK Shared Prosperity Fund (UKSPF) the council purchased and installed six Public Access Defibrillators (PADs) for specific locations across Rushmoor where existing coverage is considered inadequate.
- UKSPF funded a vibrant new art installation at Aldershot railway station after "All Aboard" was unveiled at a special ceremony.
- 14 shop front improvement grants (via the UKSPF) were awarded to independent businesses across Aldershot, Farnborough and North Camp.
- The Council secured funds to provide temporary homeless accommodation and sustainable settled housing to those on the Afghan Citizens Resettlement Scheme.
- A series of special events celebrating Rushmoor's history and traditions were held in September with the launch of Rushmoor Heritage Festival. More than 25 events took place celebrating Aldershot and Farnborough's unique heritage and culture - the local area's largest celebration of history.
- Cabinet approved a new Young Peoples Plan. The plan aims support young people, up to the age of 24, to help improve opportunities and support them to live happy, healthy and rewarding lives.
- A grant was received from the Chewing Gum Task Force, managed by environmental charity Keep Britain Tidy, will help the Council to keep its streets clear of discarded gum and to reduce gum littering.
- The Council formally adopted the Mobile Homes Fit and Proper Person Determination Policy.
- Redan Road chapel was opened May 2024 to hold funerals while Aldershot Crematorium is refurbished.
- The Climate Change Strategy and Action Plan to cover the period 2025-28 was agreed. The action plan identifies ten priority actions.
- The Rushmoor Climate Community Group started this year and has given residents who are interested in, or have concerns about the climate crisis and the environment, an opportunity to discuss and give feedback on Council policy. The group is going on to look at community projects including raising awareness.
- Funding was granted for solar panels and pool covers at the Aldershot Pools and Fitness Centre to improve the energy efficiency of the existing facility.

4. PROGRESS AGAINST THE COUNCIL PLAN

4.1. Annex A sets out the Rushmoor Borough Council Performance Data for quarter 4. As it is the end of the financial year the performance document report also contains end of year data.

4.2. The document contains two areas of performance. Firstly, progress against planned projects and activities and a set of place based and service indicators and measures. These show how data has improved or declined from last quarter (or this quarter last year) and whether any target has been met. For future reports the indicators and measures will be revised in line with the new Council Delivery Plan agreed.

4.3. The data within Annex A is set out by Cabinet portfolio and key issues and changes are set out below.

Economy, Skills & Regeneration

4.3.1 During Quarter 4 there was significant progress with the completion of the Union Yard development in Aldershot and engagement with Homes England and development of an alternative and viable scheme for the Civic Quarter in Farnborough.

Housing & Planning

4.3.2 The % of planning applications determined on time in 2024/25 was above the target and none of the seven planning appeal decisions in 2024/25 were allowed.

4.3.4 The target of 450 gross affordable housing completions over any three-year period was missed at the end of 2024/25, with only 312 being completed in the three-year period. The have been some delays with the delivery of affordable housing at Wellesley.

Healthy Communities & Active Lives

4.3.5 The status of the new Farnborough Leisure Centre has gone from red to green with the council moving ahead with the revised scheme, following approval from MHCLG.

Pride in Place / Neighbourhood Services

4.3.6 The number of funerals held in 2024/25 was below the expected range. The Aldershot Crematorium refurbishment project continues to experience delay resulting from unforeseeable design issues leading to contract variations. The project is moving forward with the first cremator being installed and commissioned.

4.3.7 The % of waste recycled is slightly below the target of above 43% but the amount of waste collected per household continues to fall and is comfortably under the target amount of under 110kg.

4.3.8 The income from Penalty Charge Notices (PCNs) is below the expected amount, this may be due to increased compliance in our car parks which would be a positive outcome.

4.3.9 Incidence of antisocial behaviour are a concern to the Council. The Council continues to prioritise work in this area through the work of the CPO team. The stats will continue to be closely monitored over the course of 2025/26, where it is hoped that things will continue to improve as has been seen over the last quarter.

Finance & Resources

4.3.10 Council Tax collection rates are back to the pre-covid levels and the % Freedom of Information requests responded to on time has reach an all-time high during Q4 at 95%

4.3.11 The number of working days lost since the previous quarter continues to increase and has reached a three year high. During quarter 4 there were less sickness episodes but an increase in long term absences. Anxiety, Stress & Depression continues to be the most common reason for days lost.

Policy, Performance & Sustainability

4.3.12 The percentage of UKSPF projects on track was 100% as the three-year programme came to an end. The whole UKSPF million-pound programme came in slightly underbudget with around £750 unspent. All monitoring returns have been made by the 1 May deadline and the fund for 2025/26 should be £327,146.

CORPORATE RISK

4.4 Corporate Risk Register

4.4.1 There has been a significant focus on improving the way the Council manages and responds to risk over the past 12 months. Risks continue to be routinely reviewed and discussed at both a service level and amongst senior management. The risk management system continues to be an important tool for overseeing the Council's risk identification and mitigation activity.

4.4.1 The risk management policy and arrangements were reviewed and adopted by Cabinet on 14 January 2025. Work to develop and embed the operational changes required has commenced, alongside the development of a formal strategic risk appetite/policy. This work is expected to be concluded during Q2 2025/26.

4.4.2 The public version of the corporate risk register (v19.1) is attached as Annex B and contains information that is redacted or removed due to its sensitive nature. For full transparency these redacted risks are made available to Cabinet, prior to the Cabinet meeting at which they are discussed, and at meetings held with the respective Portfolio Holders.

4.4.3 Portfolio Holders and Risk Owners continue to be reminded of the importance of routinely discussing risk during their briefings, at least monthly.

4.5 Strategic Risks

4.5.1 The key strategic risks within the Corporate Risk Register predominantly relate to areas that the Council often only has partial influence upon, including wider community risks such as health outcomes and deteriorating economic conditions. There have been no additional risks identified in this section of the risk register, but there have been updates throughout in the plans to mitigate them.

4.5.2 Due to the recent changes to the Senior Management Structures at the Council, a number of risks have been provided with temporary risk owners. These temporary arrangements will remain in place until such time as more permanent Service structures are determined and the risk registers/risks can be re-assigned.

4.5.3 The risks relating to economic conditions and the decline in the retail sector have seen a revised inherent risk score applied, remaining high but with an increased score applied. This is as a result of the wider operating conditions within the UK at this time and the economic challenges presented.

4.5.4 In addition, the risk relating to changing external policy context has been updated to include further detail around Devolution and Local Government Reorganisation (LGR). As this report relates to the Council's position in Q4 2024/25, decisions relating to preferred options on LGR had not been made. As such, the full details will be included during Q1 2025/26, with LGR being assigned its own risk status with a dedicated Senior risk owner.

4.6 Standing Corporate Risks

4.6.1 The Council's standing corporate risks are generally more operational in nature and relate to the work of the Council. One risk has been removed during this period regarding the delivery of a Leisure and Cultural Hub, work which is no longer going ahead. There have been no other significant changes, although there has been updates made to the mitigation measures throughout the register.

4.6.2 As with the Strategic Risks impacted by recent structural changes, temporary risk owners have in some cases been assigned to Standing Corporate Risks.

4.6.3 The inherent and residual risk scores for employee engagement have been increased, both remaining high. This is predominately due to the progression of the LGR programme within Hampshire.

4.6.4 The residual risk score for the Council's portfolio income has also been increased to high, which in turn increases the risk gap between that and the target risk. This should be considered by Cabinet and a consensus reached on the adequacy of the future mitigations planned in order to reduce the risks to the Council's financial position.

4.7 Escalated Service Risks

4.7.1 The Council's escalated service risks are generally operational and more transient in nature and are therefore expected to develop and change quicker than others on the register. Overall, the number of risks in this area has remained the same, with one added and one removed. Other than updates in the narrative, there have been no significant changes to the escalated service risks.

4.7.2 The risk relating to the refurbishment of the Crematorium has been added. The details of this risk have been redacted from the public version of the register due to their commercially sensitive nature.

4.7.3 The risk relating to the LEP absorption into Hampshire County Council has been removed.

Alternative Options

4.8 Not applicable – report for information purposes only.

Consultation

4.9 Arrangements for ongoing performance monitoring for the 2024/25 financial year has been carried out in close consultation with the Portfolio Holder and Cabinet.

5. IMPLICATIONS (of proposed course of action)

Risks

5.1 Report for information purposes only

Legal Implications

5.2 Report for information purposes only

Financial and Resource Implications

5.3 There are no direct financial implications as a result of this report. Quality performance management throughout the financial year supports the council in the delivery of services to budget. Through good management the council can support the achievement of value for money when utilising public funds.

Resource Implications

5.4 Report for information purposes only.

Equalities Impact Implications

5.5 Report for information purposes only.

Other

5.6 No other implications have been identified.

6. RECOMMENDATIONS

The Cabinet is recommended to:

i) Note the progress made towards delivering the 2023-2026 Council Plan and the latest performance information in relation to council services.
ii) Consider the changes highlighted in the Corporate Risk Register as set out in sections 4.4. – 4.7 of this report.

LIST OF APPENDICES/ANNEXES:

Annex A – Rushmoor Borough Council Performance Data – Q4 and end of year 2024/25

Annex B – Corporate Risk Register v19.1

BACKGROUND DOCUMENTS:

Council Plan April 2023 to March 2026

CONTACT DETAILS:

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Rushmoor Borough Council Performance Data

Quarter 4 and end of year – 2024/25

January - March

PORTFOLIOS	PAGE
Leader	3
Economy, Skills & Regeneration	4
Housing & Planning	6
Healthy Communities & Active Lives	9
Pride in Place / Neighbourhood Services	11
Finance & Resources	15
Policy, Performance & Sustainability	17

Key

Council Plan projects and activities

Green - indicates that the activities are on course

Amber - flags up that achieving the activities is in question. For example, this could be due to not meeting the original timescales.

Red - shows that we have not been able to achieve or achieve elements of the activities

Blue – indicates that project has been completed

Note: For key activities/project which sit within the Capital Programme the colour coding for the overall project status is used

Service measures and indicators

Above target / within expected range

Below target / not within expected range

For information , no target or range

Data is affected by the time of year

Data is improving form last period, and the figures are up

Data is improving from last period and the figures are down

Data is declining from last period and the figures are up

Data is declining from last period and the figures are down

Stable – the figures are same as last period

Leader

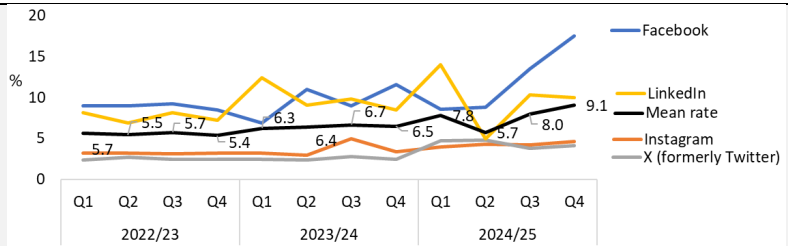
Corporate

Satisfaction with the way the Council runs things – next to be reported in Q2 2025/26

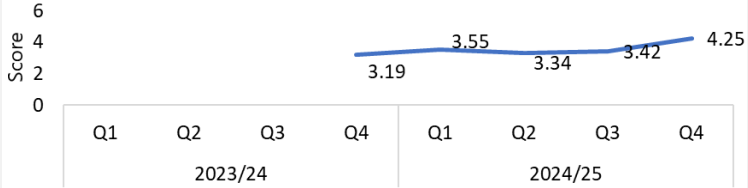
% of residents that think the Council acts on their concerns – next to be reported in Q2 2025/26

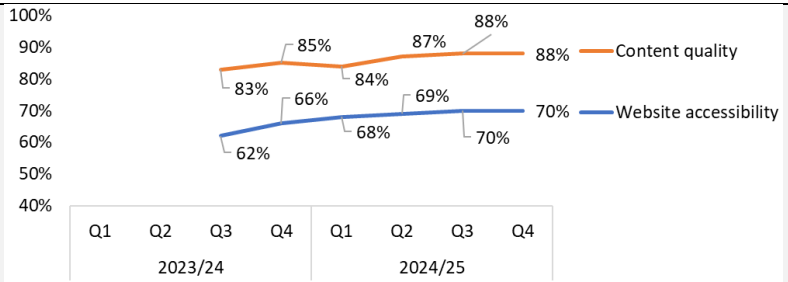
Communications

% of residents that feel informed – very or fairly informed – next to be reported in Q2 2025/26

Indicator/measure	Actual this quarter	Status	Target/ expected range	Trend	Comment
Social media average engagement rate – Mean rate from Facebook, X, Instagram & LinkedIn	**9.1%**		**Over 3%** Considered good engagement		• This quarter included the council's first Men's Health Day, the Union Yard opening event and further Walk this Waste trials.

Website

Indicator/measure	Actual this quarter	Status	Target/ expected range	Trend	Comment
Website feedback score	4.25 (out of 5 - where 5 is the best)		**Above 3.25** (Baseline score for 2023)		• Positive feedback on public spaces protection order and email news privacy notice, relating to our email campaign for more sign-ups to our new leader's news list

Indicator/measure	Actual this quarter	Status	Target/ expected range	Trend	Comment
Website accessibility - Automated accessibility score from Silktide	**70%**		The Council is working to improve the accessibility and content of our website and are aiming to increase the scores over time		
Content quality - Automated content quality score from Silktide	**88%**				

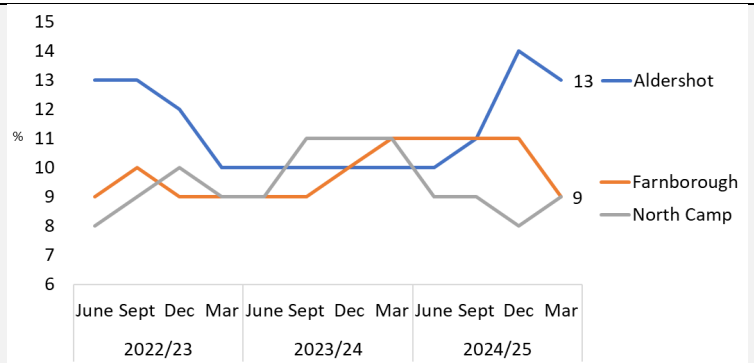
Economy, Skills & Regeneration

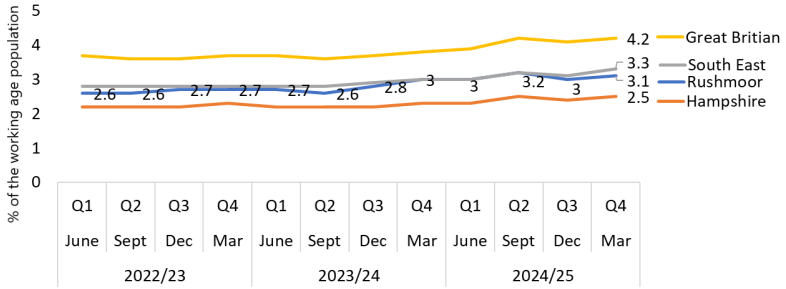
Council Plan Performance

Council Plan activities/projects	Last quarter Q3	This quarter Q4	Comment
PL1 – Complete Aldershot town centre's Union Yard regeneration scheme			• All accommodation has been handed over and the project achieved Practical Completion on 10/03/2025. • In respect of Blocks C and D, the Council has been undertaking a market appraisal exercise to ascertain the best route to realise capital receipt, and the Cabinet resolved to disposal of the Blocks at its meeting of the 14 April 2025. • On 31/03/2025 the disposal of Block E to Vivid on a 999-year lease was successfully completed. Vivid will now look to let and occupy the 18 flats.
PL2- Progress the regeneration of Farnborough town centre, including the civic quarter			Project Officers met with representatives of Homes England in early January to commence the process of an unconditional disposal of the majority of plots (with the exception of Plot D and Plot I). Following the meeting, the team has issued across a number of supporting documents to help inform a valuation process. It is anticipated that the Council will have an indication of plot values provided by Homes England w/c 28th April.

PE5 - Support key business sectors and help people to access the opportunities that they offer			• The council has supported several business networking events including a Business Leader's networking event at Farnborough Airport (28 Feb) and a business networking event with Alex Baker MP and the Leader of the Council in partnership with Hampshire Chamber of Commerce (31 January). The council supported and exhibited alongside 50 other partners and businesses at the Farnborough Business Expo in March 2025. The council has supported new Farnborough gaming industry meet ups and is also continuing to work with the My BIZHUB Business Networking Group to facilitate new business networking opportunities in the borough.
			• New guides to running a successful business have been produced to help support business growth in the borough. The council's 1-1 business support partner Incuhive actively supported 105 businesses in 2024, up from 67 businesses in 2023.
			• Recent initiatives to support local residents access employment, skills and training have included running a Creative Careers day at Farnborough International Space Show; 30 students from Farnborough Sixth Form College's 'Inspire Programme' heard from speakers in a range of different careers in creative industries. Other activity over the last quarter includes:
			  ○ The council has supported Stemettes to run 'Tap & Tinker' sessions at primary schools across the borough with the aim of inspiring young women into STEAM careers.
			  ○ Signing off an Employment & Skills Plan for Bellway Homes at the Wellesley site in Aldershot; showing their commitment to support apprenticeships, training, careers engagement and local employment over the next 4+ years.
			  ○ Supporting a new Skills Bootcamp for Runners, an essential entry-level role in the TV and film industry, at the Farnborough Film Studios

Economy & Skills

Indicator/measure	Actual this quarter	Status	Target/ expected range	Trend	Comment
Town Centre vacancy rates	**Aldershot 13%**		**Stable or a reduction**		• Aldershot - 13% (38 empty units) • Farnborough - 9% (13 empty units) • North Camp - 9% (9 empty units)
	Farnborough 9%		**Stable or a reduction**		
	North Camp 9%		**Stable or a reduction**		

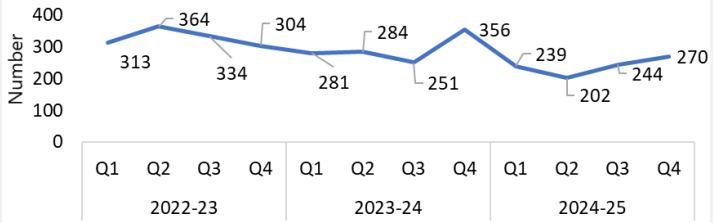
Indicator/measure	Actual this quarter	Status	Target/ expected range	Trend	Comment
Unemployment - Claimant Count % of the working age population	**3.1%** **March**		**Stable or a reduction**		• 2,055 people are claiming principally for being unemployed in March 2025. • There is a % rise from December's figure of 3.0%

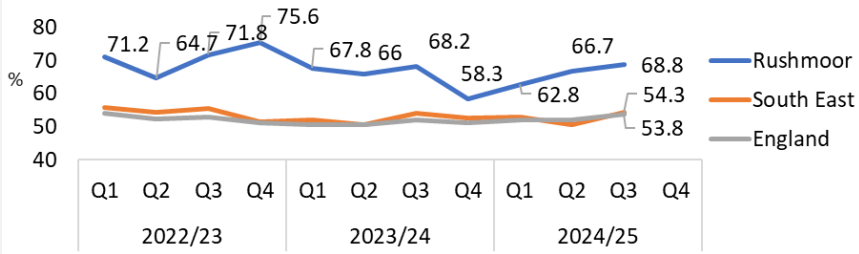
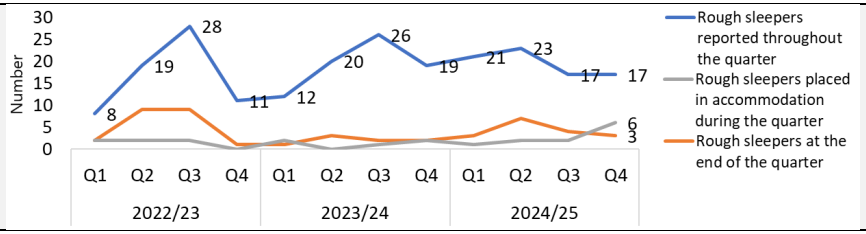
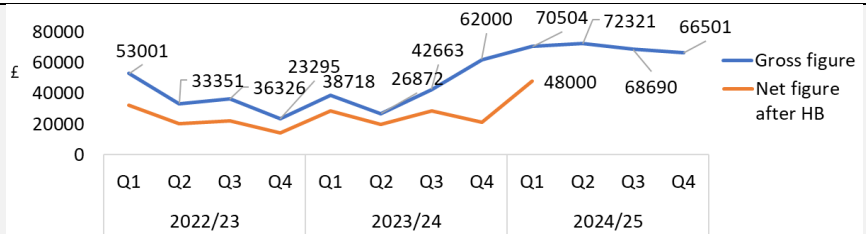
Housing & Planning

Council Plan Performance

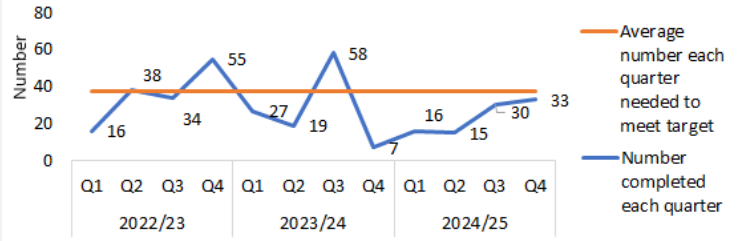
Council Plan activities/projects	Last quarter Q3	This quarter Q4	Comment
PE2- Support the creation of quality, new homes (Rushmoor Homes)			• Decisions around the future of the company will be made following the Cabinet's decision on Union Yard. • The current Board is sufficiently skilled to make informed decisions, support and challenge officers. • The legacy portfolio is being managed day to day with the new financial system working well. Monthly operational reporting is improved and the operational budget for 2025/26 has been set.

Housing services

Indicator/measure	Actual this quarter	Status	Target/ expected range	Trend	Comment
Number of homelessness enquiries	**244**		**TBC**		Housing have refined the triage process, to reduce the numbers of households being put down the homeless route, who actually only required housing advice, or to be signposted to another service.

Indicator/measure	Actual this quarter	Status	Target/ expected range	Trend	Comment
Homelessness duty owed, % housed for 6 months at the end of 56 days – currently one quarters behind	**68.8% Q3**		**TBC**		• In Q3 the Rushmoor % is above the % for the South East and England. [Tables on homelessness - GOV.UK (www.gov.uk)](www.gov.uk)
Rough sleepers	**3** Rough sleepers at the end of the quarter		**TBC**		The Council continues to see a have a number of people presenting as rough sleeping despite partnership working and assertive outreach.
B&B costs	**Estimated £66,501** (£62,620 Q4 last year) **End of year £278,016**		**TBC**	 Awaiting confirmation of the Net B&B figures	• There is an increase in the Gross B&B cost of around 100K from 2023/24 to 2045/25. • Q1-Q3 figures have been revised

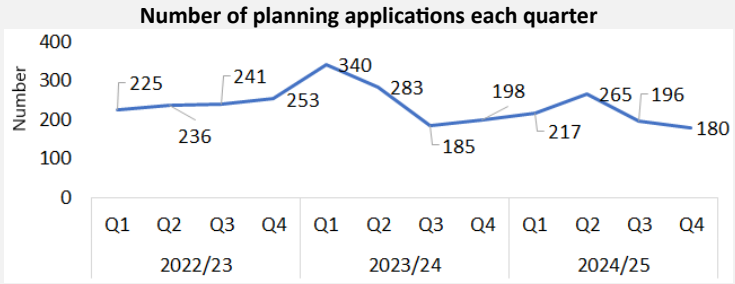
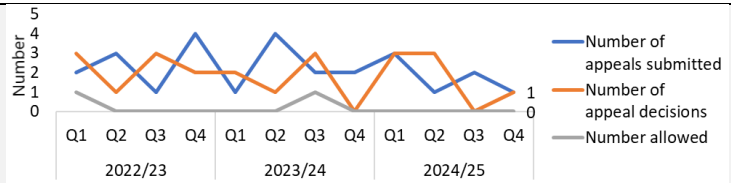
Strategic Housing

Indicator/measure	Actual this quarter	Status	Target/ expected range	Trend	Comment
Gross affordable housing completions	**33** Three-year figure stands at 312		**450** completions over any three year period (Average 37.5 per quarter)		• Delays in the completion of the final 8 units at Stanhope Lines East and unforeseen issues around the additional 62 units at Stanhope Gardens has prevented the delivery of 85 units in Q4.

Quarterly update on the Housing and Homelessness Prevention Strategy 2023 – 2027:

No further update for Q4

Planning

Indicator/measure	Actual this quarter	Status	Target/ expected range	Trend	Comment
Applications determined within time	**Major 100%** End of year 87.5%		**Major 60%** (13 weeks)		• Year end performance figures exceed targets • The number of planning applications the quarter includes 9 Misc28 [telecom notifications - they have been included within the above figures, but are not technically planning applications).
	Minor 88.8% End of year 86%		**Minor 65%** (8 weeks)		
	Other 100% End of year 95.6%		**Other 80%** (8 weeks)		
Planning appeals allowed	**0%** End of year 0%		**Under 40%**		• No planning appeals allowed in 2024/25

If you would like to know more about Development Management performance, a full quarterly report is presented at Development Management Committee. The Q4 report will be presented at the meeting on the 21 May 2025.

Quarterly update on the Local Plan:

The Rushmoor Local Plan was adopted in February 2019. By law, Rushmoor Borough Council must keep under review matters that affect the development of the borough and the planning of its development. It is also obliged to review any Local Plan that it has adopted within five years from the date of its adoption, that is, by 21st February 2024. The Council undertook a review of the adopted Local Plan in 2023 and decided that an update of the Local Plan policies is required and that this is expected to affect one or more strategic policy, which would require a full review of the Plan. The consequence of this decision is that a new Local Plan will need to be prepared for Rushmoor.

The Levelling Up and Regeneration Act 2023 paves the way for reforms to the plan-making process and the form and content of local plans. In 2023, the previous Government consulted on some of the detail of these reforms. It is expected that the majority of these proposals will be carried forward by the new government, but the full implications of the reforms will not be known until more information (including secondary legislation) is published, which is proposed for later in 2025. In the meantime, the Council is progressing work on the Local Plan where clarity exists and aims to formally start the process of preparing a new Local Plan once the above information is available.

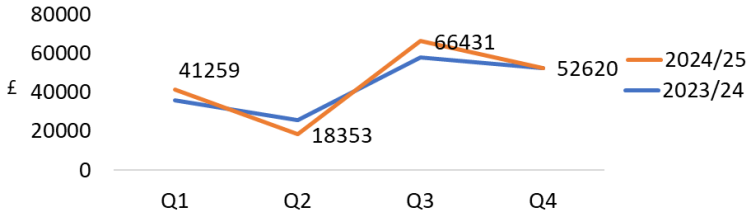
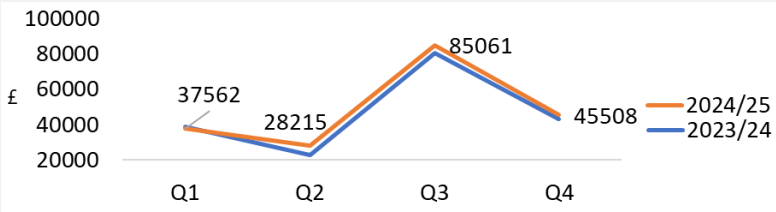
Healthy Communities & Active Lives

Council Plan Performance

Council Plan activities/projects	Last quarter Q3	This quarter Q4	Comment
PE1- Work with public and voluntary sector partners to support our residents			• The Young Peoples' Plan was adopted by Cabinet in January 2025. The initial one-year plan has 4 priorities overarching 17 projects. Work to identify priority projects, (re)engage key council officers and community partners, and start/continue delivery was carried out in Q4 • Youth Cafe is running weekly and attendance with 10-15 young people regularly attending. Youth cafe has had support from Fortify Services around mental health, anxiety, confidence, anger management and emotional support. • Rushmoor Youth Voice (RYV) held a session on substance awareness and understanding cultural differences. 11 young people attended, and one young person has written a report to go to schools and colleges about the benefit of the workshops. Next RYV session on 7th May at Step by Step focusing on skills, employment and budgeting.
PE4 - Working with partners, encourage more residents to be active and have healthier lifestyles			• Live Longer Better grant successful with £15K in first round and £500 in second round – total £15,500 for delivery of Live Longer Better projects
PE3 - Progress the development of a new leisure centre and cultural hub in Farnborough			• Cabinet approval was given on the 11 February to proceed with the revised scheme and commence the leisure operator procurement. • Designs are being progressed taking into consideration the site and budget constraints. Two options are currently being explored with the intention to take one option through to RIBA stage 3 in May. • Wider consultation is taking place to understand how residents feel about being active in the borough via a survey which will run for 3 weeks.

Council Plan activities/projects	Last quarter Q3	This quarter Q4	Comment
PL4 - Work with partners to deliver the Rushmoor Cultural Strategy and build on Rushmoor's rich heritage to both increase community pride and the visitor economy.			• The council has supported a series of projects and activities celebrating the borough's heritage including a 'Hands-On Heritage Family Fun' day at Princes Mead, Farnborough (February) and '50 years of Rushmoor Celebration Evening' in Aldershot (March); an event run by local historians. Using UKSPF funding the council also supported an immersive exhibition at the Farnborough wind tunnels, a celebration of the town's aerospace heritage. • The council's 2025 town centre event events programme has been confirmed and published on the council's website. This includes Victoria Day on 7 June, Armed Forces Day Prom in the Park (28 June), and a series of other events and activities. • Monthly craft fayres have been planned for both towns (10 in Farnborough and 4 in Aldershot) with the new town square in Farnborough providing an opportunity to expand the craft fayre in Farnborough.

Princes Hall

Indicator/measure	Actual this quarter	Status	Target/ expected range	Trend	Comment
Princes' hall income **Professional Show Profit**	**£52,608** (£52,620 Q4 last year)		**Revised budget for 2024/25 £176,000**		• £178,8356 end of year figure, which above the revised budget but below the original budget of £180K • Sales better than expected in final quarter.
Refreshments Income	**£45,508** (£43,078 Q4 last year)		**Revised budget for 2024/25 £202,000**		• £196,3456 end of year figure, which is below revised budget but above the original budget of £192K • Sales slightly lower than forecast at Q3, albeit up on last year.

Community development

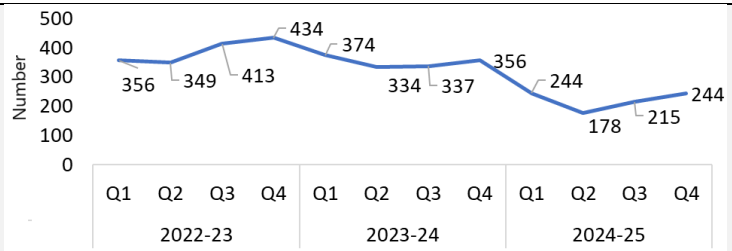
% of residents that felt they very strongly or fairly strongly belonged to their local area – next to be reported in Q2 2025/26

Pride in Place / Neighbourhood Services

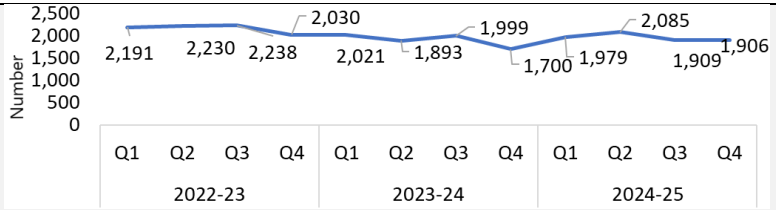
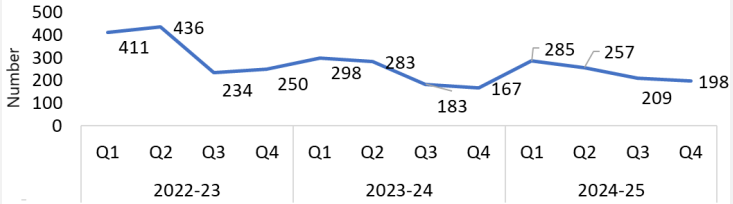
Council Plan Performance

Council Plan activities/projects	Last quarter Q3	This quarter Q4	Comment
PL3- Update the facilities at the crematorium in Aldershot			There continues to be unforeseeable design issues leading to contract variations, which is increasing costs and causing delays. The first cremator is now installed and in the process of being commissioned. Operations are getting ready to enter phase 2 whereby, cremations will take place in the crematory hall with supporting services undertaken in the new technicians operator room and work room.

Crematorium

Indicator/measure	Actual this quarter	Status	Target/ expected range	Trend	Comment
Number of cremations	**244 (plus 43 directs)** 881 funerals in 2024/25		**947 in 2024/25 (237 a quarter)**		• Status is red as although the average per quarter is on target, overall in 204/25 the target has been missed. • Average 19 funerals per week in Q4. • Direct cremation numbers increasing, with 43 in Q4 from 18 in Q3.

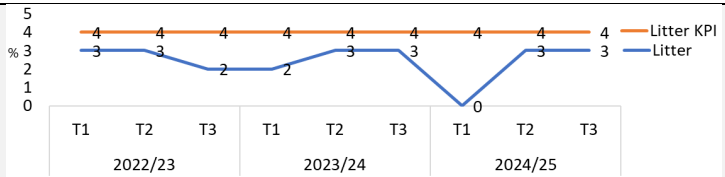
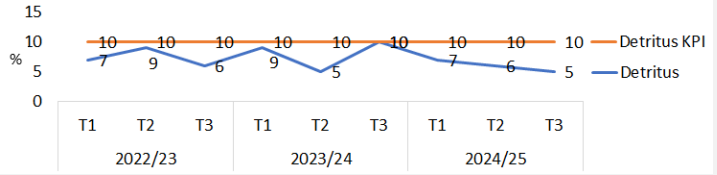
Place protection

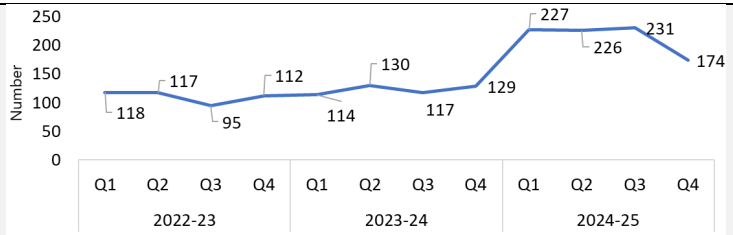
Indicator/measure	Actual this quarter	Status	Target/ expected range	Trend	Comment
Number of crimes	**1906**		**No target – Police data**		Police data for information only
Number of antisocial behaviour incidents	**198**		**No target – Police data**		Police data for information only

% of residents feeling safe during the day – next to be reported in Q2 2025/26

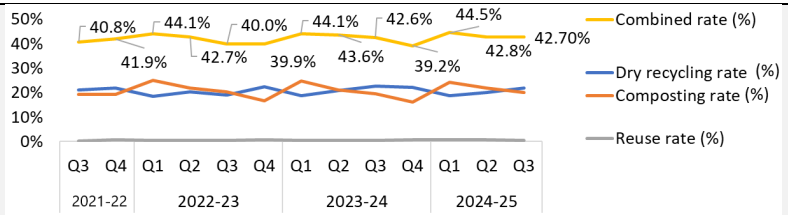
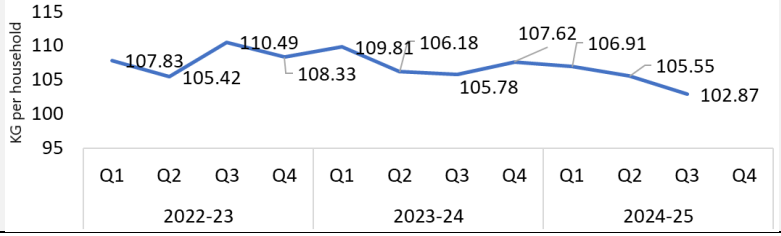
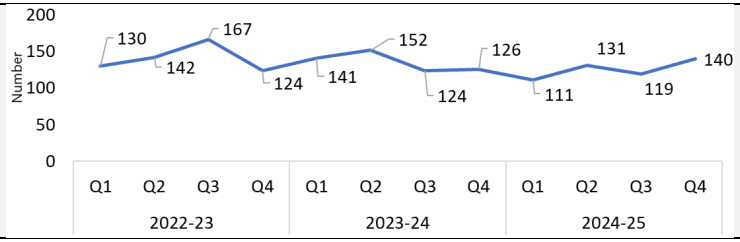
% of residents feeling safe after dark – next to be reported in Q2 2025/26

Clean streets

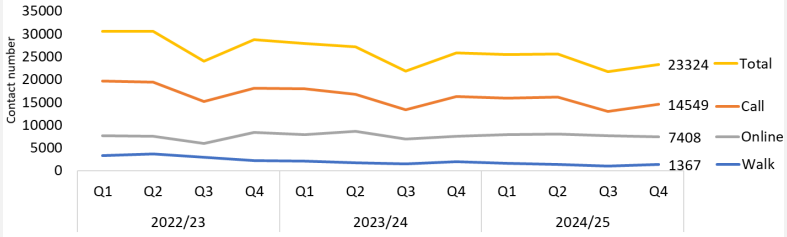
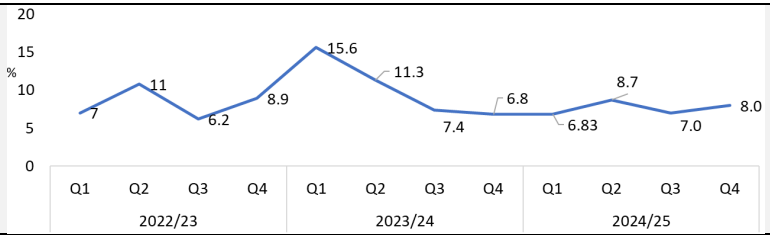
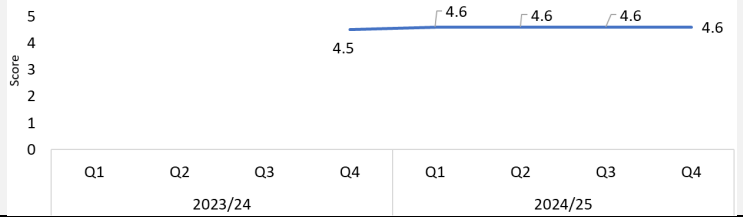
Indicator/measure	Actual this quarter	Status	Target/ expected range	Trend	Comment
Cleanliness indicator – litter Reported 3 times a year	**T2 2024/25 2%**		**KPI below 4% for litter**		• Below the KPI
Cleanliness indicator – detritus Reported 3 times a year	**T3 2024/25 5%**		**KPI Below 10% for detritus**		• Below the KPI

Indicator/measure	Actual this quarter	Status	Target/ expected range	Trend	Comment
Fly-tipping instances	**174** There were 12 FPNs issued for fly tipping in Q4		**TBC**		In Q1 the calculation of the number of fly-tip incidents changed from fly-tips on public land to all reported fly tips, this has resulted in an increase in the number of fly-tipping incidents

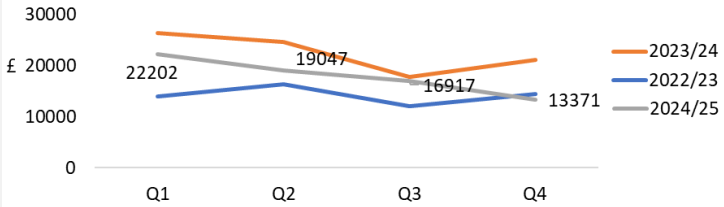
Waste and contracts

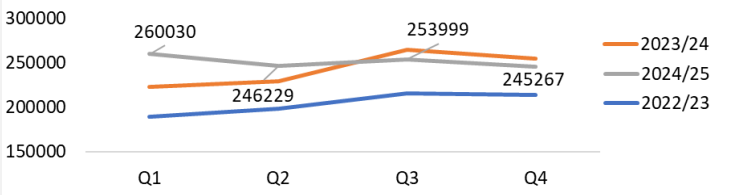
Indicator/measure	Actual this quarter	Status	Target/ expected range	Trend	Comment
Recycling rate One quarter behind	**42.7%** (42.6 Q2 last year) Data compared to this quarter last year		**Above 43%**		• Estimate for Q4: 40.5% • Estimate for 2024/25:41.5%
Residual waste - kg per household One quarter behind	**102.87** (105.78 Q2 last year)		**Under 110kg**		
Missed bins	**140** (126 this quarter last year)		**KPI 60 missed bins per month** (180 a quarter)		Within KPI

Customer Services

Indicator/measure	Actual this quarter	Status	Target/ expected range	Trend	Comment
Overall customer contact with Customer Services (CS)	**23,324** CS customer contacts Data compared to this quarter last year		We would like to see a reduction in contact as customers switch to more digital methods of contact		In Q4 there were: • 1,367 walk in customers • 7,408 emails, app and forms • 14,549 telephone calls
Call abandon rate	**8.0%** (last quarter 7.0%)		**8-10%**		• In the last quarter, the Customer Services have been offered 14,549 calls and answered 13,405calls
Customer satisfaction with Customer Services	**4.6**		**4.3** Score :1 poor to 5 excellent		• 239 customers left feedback after their call. 84% rated the serviced received as excellent.

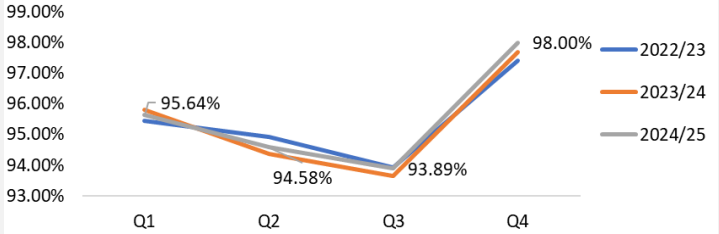
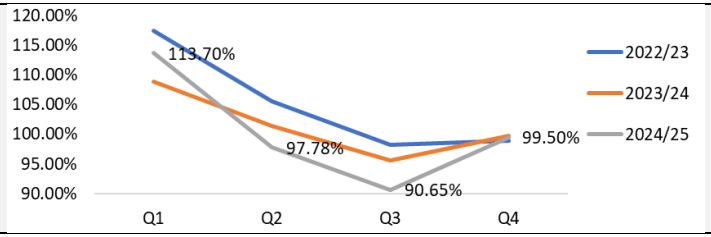
Car parks

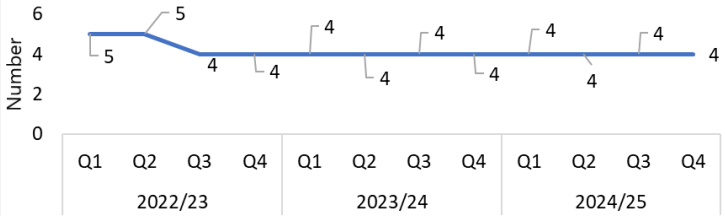
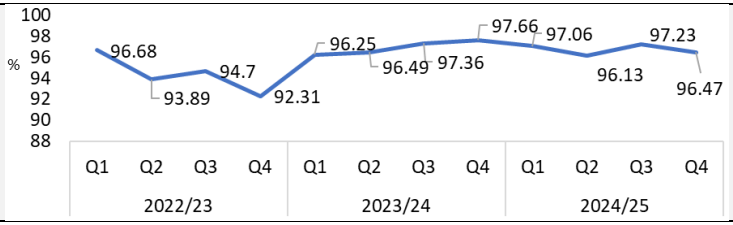
Indicator/measure	Actual this quarter	Status	Target/ expected range	Trend	Comment
PCN income	**£13,371**		**Budget for 2024/25 £100,000**		• Approved Budget: £100,000 = £28,463 adverse. • Reports from PPO team of increased compliance.

Indicator/measure	Actual this quarter	Status	Target/ expected range	Trend	Comment
Car Parking income	**£245,267** (£245,418 Q4 last year)		**Budget for 2024/25 £1,032,000**		• Total income = £1,005k + £17k for demolition contractors use of bays in Queensmead car park + £14k reimbursement from HCC for free parking during North Camp road works = £1,036,000 total against Approved Budget of £1,032,000 = **£4,000 favourable.**

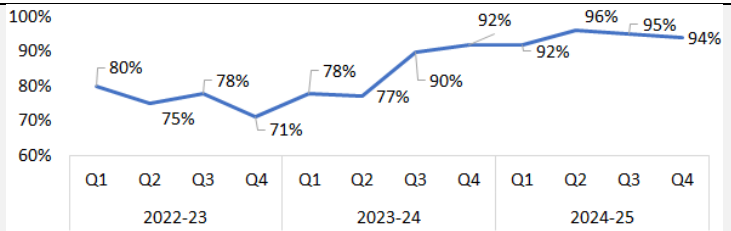
Finance & Resources

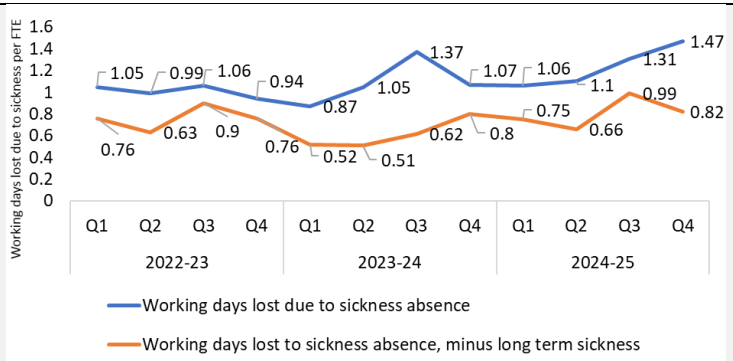
Finance

Indicator/measure	Actual this quarter	Status	Target/ expected range	Trend	Comment
Council Tax collection	**98.00%** Data compared to this quarter last year		**TBC**		End of year figure 98%, this is now back on track with pre-covid figures.
Business Rates collection (NNDR)	**99.5%** Data compared to this quarter last year		**TBC**		End of year figure 99.5%.

Indicator/measure	Actual this quarter	Status	Target/ expected range	Trend	Comment
Number of days to process new housing benefit claims	**4 days - estimate**		**In the top quartile compared to other areas**		• Q3 and Q4 are currently estimates • In Q2 2024/25 Rushmoor had the quickest processing time for new claims. The average for England was 22 days.
% of invoices paid on time (within 30 days)	**96.47%**		**95%** (FSB – Prompt Payment Code)		Services with the highest number of outstanding invoices in Q4: • Operational Services 9 • Property & Growth 8 invoices • Assistant Chief Executives service 8 invoices

People

Indicator/measure	Actual this quarter	Status	Target/ expected range	Trend	Comment
% of mandatory training completed in the quarter	**94%**		**95%**		There are currently 40 members of staff that have at least 1 module overdue. Automated reminders are sent from the system on a weekly basis and bi-monthly reminders continue to be sent to the targeted individuals by the People Team to reiterate the importance of completion.

Working days lost due to sickness per FTE	**1.47days** **End of year figure 4.94**		**TBC**	 Note: Long term sickness is 20 days or more in a row (four weeks)	• There was another rise in working days lost between the previous quarter and Q4 and overall sickness has increased through the quarters. • There was less sickness episodes but an increase in long term absences. • Cold, Cough, Flu continues to be the most common reason for sickness episodes and Anxiety, Stress & Depression continues to be the most common reason for days lost.

If you would like to know more about the Council's workforce the People Team produce an annual report which is presented at Cabinet. The 2024 report was presented at the meeting on the 11 February 2025: [Agenda for Cabinet on Tuesday, 11th February, 2025, 7.00 pm - Rushmoor Borough Council]

Quarterly update on The People Strategy: • No further update for Q4

Policy, Performance & Sustainability

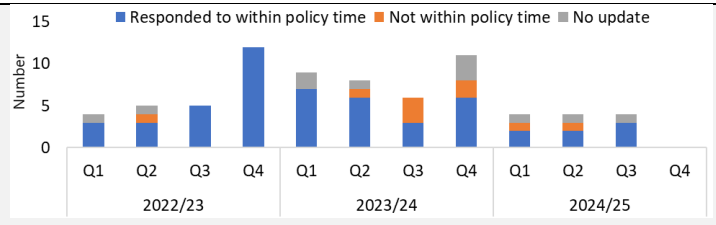
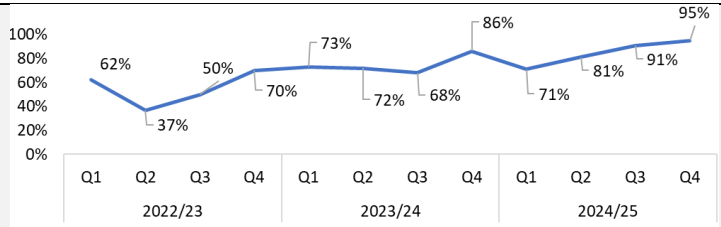
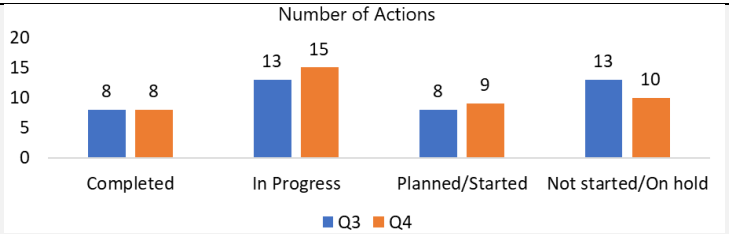
Council Plan Performance

Council Plan activities/projects	Last quarter Q3	This quarter Q4	Comment
PL5- Continue progress towards our goal of becoming a carbon neutral council by 2030 through reducing emissions in our facilities and operations			• Climate Change Strategy & Action Plan 2025-28 agreed by Cabinet in March, setting out the Council's approach to Climate Action and 10 refreshed priority actions for this period. • Climate Trackers (school outreach scheme), has been delivered to three schools, with the final school to be delivered throughout April. • Rushmoor Climate Community Group continues to grow, with 80 people signed up. The second meeting of this group continued to maintain good attendance. The group fed back on the draft refreshed Climate Change Action Plan which inputted into the refresh process. A member of this group presented to the group around a key topic for consideration, with more interest for other group members to present on a relevant project within Rushmoor at the next meeting.

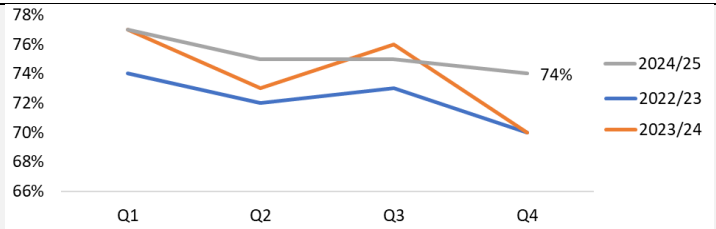
Sustainability

New Carbon footprint data is currently being calculated – next to be reported in Q1 2025/26

Corporate

Indicator/measure	Actual this quarter	Status	Target/ expected range	Trend	Comment
Corporate Complaints – % responded to within policy time (Stage 1)	**60%** (last quarter 75%)		**100%**		Six complaints this quarter, one about a visit be a member of staff, one about lack of support, two about advice given, one about lack of action over noise and one about a contractor.
% Freedom of Information requests responded to on time One month behind	**95%**		**90%** Expected % by the Information Commissioner's Office (ICO)		• 165 freedom of information requests in Q4. • There has been a positive change and increase in response times since the introduction of the FOI tracker, during Q2.
Percentage of Corporate Peer Challenge actions in progress or completed	**54.8%** 23 out of 42 actions in progress and complete		**All actions complete by March 2026**		Progress has improved, with 54.8% of actions either in progress or complete. There has been an increase in-progress actions, while the number of not-started actions has decreased. The direction of travel shows steady progress.
Percentage of UKSPF projects on track	**March 100%**		**80% - 100%**	All project spend completed on time. The whole UKSPF million-pound programme came in slightly underbudget with only around £750 unspent. The government returns have been completed for 2024/25 and the forecast return for the 2025/26 period has been returned.	

Digital

Indicator/measure	Actual this quarter	Status	Target/ expected range	Trend	Comment
% of transactions through digital services versus other channels	**74%** of 5,755 transactions Data compared to this quarter last year		**70% – 80%**		A marked increase in Bulky Waste, Missed Bins and Clinical Waste requests being completed online by the resident during this period in contrast to previous years' Q4 figures has helped bring the percentage up to that of other quarters across the year

Quarterly update on the Customer, Digital & Technology Strategy:

Latest headlines:

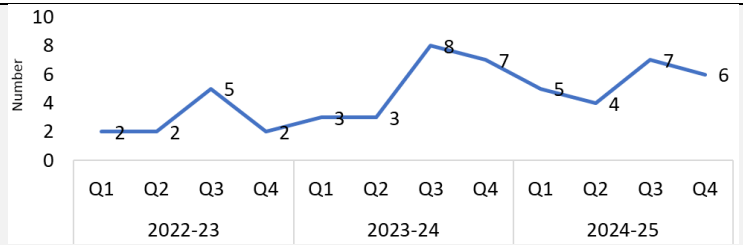
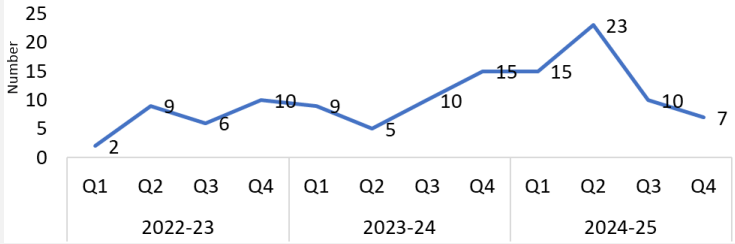
- Training provided to staff on Power BI (Reporting tool) at various levels. Working group set up to progress the wider usage of the platform around the Council.
- New admin charge process for Recycling Bins went live online and in the CSU on 1st April, alongside the yearly price increases.
- After the success of the Council Tax e-billing process, during annual billing for 2025/26, a total 40,750 bills were issued, of which 6,559 (16%) will be delivered by email. This is compared to 2024/25, when 7% of bills were delivered via email. Comprehensive marketing about the new service was included with this year's paper bills, so we envisage another sharp increase in sign-ups.
- Major upgrades for websites still underway. Rushmoor Homes is now Live with CRM and Princes Hall provisionally booked for Go Live before the end of April.

Equality, Diversity and Inclusion

Quarterly update on the Equality, Diversity and Inclusion Action Plan:

- Currently 50% of the actions in the action plan are completed
- The People Team will shortly be publishing the Ethnicity pay gap data.
- Equality, Diversity and Inclusion training for service managers, report writers, and relevant members has started and will be complete at the end of April 2025.
- Workplace charters to be revisited.

Corporate Health & Safety

Indicator/measure	Actual this quarter	Status	Target/ expected range	Trend	Comment
Number of accidents at work	**6**		**No target, although ideally we would like to see a reduction in the numbers**		• Incidents minor in nature, no concerns. Near miss recorded – sudden failure of winch at Princes Hall, investigated and rectified. No significant change in accident numbers year on year.
Violence at work	**7** 4 verbal 3 other incidents		**No target, although ideally we would like to see a reduction in the numbers**		• Latest quarter sees a significant fall in violent incidents, cases of verbal abuse/threats continue, include interactions with the public in public places. • Overall 40% increase on previous year

End of year summary… 2024/25	Enabled 48,725 people to vote in the general election on the 4 July 2024	Housed 260 households through the Allocation Pool	Customer services answered 54,988 phone calls	Customer services received 16,449 emails
There were 510,665 visits to our website	There were 1,800 social media posts/X's/stories	Identified and delivered £1.7 million of budget reductions for the 25/26 budget	Collected 98.0% of Council Tax	Collected 99.5% of Business Rates
Received 675 Freedom of information requests	Supported 5,550 households with the benefits we issue	Received 858 planning applications	Maintained 182 commercial and community properties	Received 9,55 homelessness enquires
Issued 2,668 Penalty Charge Notices	94 affordable homes were completed	Welcomed one new apprentice and continued to support nine already in post	Collected 30,970 tonnes of waste (estimated)	Around 41.5% waste was reused, recycled or composted
Issued 6 Fixed Penalty Notices for abandoned vehicles	Issued 41 Fixed Penalty Notices for fly-tips	There were 40,319 visitors to Aldershot Lido	Around 20,966 customers attended the panto 'Beauty & The Beast' at Princes Hall	…and supported or relocated a total of 22 ducklings that hatched in the Council Offices court yards

ANNEX B

Rushmoor Borough Council - Corporate Risk Register v19.1 12/05/25 (CABINET PUBLIC)

Risk Title	Risk Owner	Risk Type	Risk Description & Potential Outcomes	Inherent Risk Score	Inherent Risk Rating	Inherent Risk Trend	Existing Controls / Mitigation	Residual Risk Score	Residual Risk Rating	Residual Risk Trend	Additional Mitigation Planned	Target Risk Score	Target Risk Rating	Traget Risk Trend
Strategic Risks (ST) - Total 8 (+/-0)														
Securing infrastructure investment	Nick Irvine	**ST**	Inability to attract infrastructure investment through the public and private sector to support priorities and projects identified in the Council Business Plan. In particular, failure to secure investment in the area could lead to a decrease in Rushmoor's competitiveness and attractiveness and put at risk the stated aim for a thriving Rushmoor economy, vibrant town centres and strong communities who are proud of the area.	16	**High**	↔	Work with public and private sector infrastructure providers and funders. Utilising UK Shared Prosperity Fund to assist with public realm improvements in Farnborough town centre. Horizon scanning in relation to the levelling up agenda and its implications for Rushmoor. Horizon scanning by Policy Team for future funding opportunities.	12	**High**	↔	Explore Regeneration and Growth Partnership arrangement with Hampshire County Council. Engage effectively with other opportunities to access Government funding. Continue to secure support from local stakeholders for projects - including residents, HCC and MP. Engage with utility providers with a view to understanding lead in times for additional capacity.	6	**Medium**	↔
Financial sustainability of public sector partners	Ian Harrison	**ST**	The financial sustainability of a wide group of public sector partners is negatively impacted, resulting in reduced service provision by all. In this scenario, the range and quality of services available to residents could be impacted. This could have negative repercussions for health, education, community outcomes and economic outcomes identified in the Council Business Plan/Delivery Plan It is possible that the Council would be expected to meet some of this 'gap' in provision thus exposing the Council to potential financial and reputational risk.	12	**High**	↔	Close partnership working at a senior officer and political level with the Council's public sector partners. Members and Officers are well briefed on potential implications/risks arising from decisions taken by other public sector partners. Responses to relevant consultation documents (HCC budget consultations) and undertake further planning activity in light of proposals.	8	**High**	↔	Continued horizon scanning/monitoring of the broader policy context. Further development of joint working with partner agencies in early 2025/26. Consideration of financial sustainability and financial impacts resulting from Local Government Reorganisation	6	**Medium**	↔
Deteriorating economic conditions	Tim Mills	**ST**	Adverse changes to the economy could result in the loss of major employers within the borough and/or impacts on particular sectors of the economy. This could result in increasing levels of unemployment and higher levels of deprivation and inequality. The recent economic uncertainty is likely to reduce GDP, create inflationary pressure and its impact on interest rates is unclear. Impact of rising inflation on the cost of living and consumer confidence. Low business confidence impacting on investment decisions inc. business lettings. Changes of this nature have potential implications for the council in terms of increased demand for services and adverse financial impact. There is also a reputational risk if the council is not seen to be adequately responding to economic changes or supporting residents.	12	**High**	↑	Partnership working with other organisations on support for the economy and local businesses. Engagement with businesses and business networks. Maintaining an understanding of local economic conditions – tracking economic indicators at a local level. Ensuring that key issues/ events are escalated to CMT/ ELT at the appropriate time. Strategic Economic Framework agreed in April 2022. Close working with business rates team on hardship and growth incentive reliefs to retain businesses and secure investment.	9	**High**	↔	Incuhive 1-1 business advice and support SeedL - training hub Business surveys to understand business needs. Consider targeted action based on survey. Signpost business support via dedicated business support channels	6	**Medium**	↔
Decline in the retail sector/town centre uses and subsequent impact on town centres	Tim Mills	**ST**	Economic and social changes have a more significant negative impact on Farnborough and Aldershot town centres, and other district centres and therefore reduce the ability to deliver the Council Plan priority of delivering vibrant town centres. This could result in a significant number of empty retail units, a loss of facilities and amenities (e.g. high street banking) for residents and a possible increase in crime and anti-social behaviour. A decline in the retail sector will also have an impact on business rates income for the Council. Changes to Permitted Development Rights undermine high street vitality. Store closures e.g. Wilko, and chains such as Cineworld in financial difficulty, demonstrate the potential further retrenchment of the retail and hospitality sector. The increase in Employers NI, reduction in Business Rate Relief coupled with the wider economic uncertainty is likely to see businesses that have been holding on go to the wall causing increased vacancies in the Town Centre.	12	**High**	↑	Programmes of town centre regeneration in both Aldershot and Farnborough which give consideration to future economic and social trends. Dedicated resource within EPSH, working with retail sector and other partners to support town centre businesses. Activity in both town centres to maintain/increase footfall e.g. cultural and arts activity	9	**High**	↔	Close engagement with and ongoing provision of business support to town centre businesses. A series of visits will be initiated to test the position of businesses across the Council's Work with Community Safety Team to tackle increased or perceived increase in ASB/ crime in the town centres. Town centre events and additional markets/craft fayres planned. Union Yard completion provides opportunity for new lettings which can draw additional footfall and residential once let will also assist.	6	**Medium**	↔
Poor Educational Attainment	Ian Harrison	**ST**	Educational attainment continues to present challenges. This may have an impact on deprivation, unemployment etc. Impact on the area's local reputation. May impact on service demand.	9	**High**	↔	HCC responsible for Education. RBC supporting role. Priorities set out in the Supporting Communities Action Plan – focus on increasing aspirations. Joint work on supporting families with Hampshire Children's Services.	9	**High**	↔	Ongoing dialogue with headteachers of key educational establishments. Engaging with young people relating to skills, development and opportunities, in line with the supporting communities strategy and action plan and emerging Young Peoples Plan - Q1 2025	4	**Medium**	↔
Changing external policy context	Karen Edwards	**ST**	Significant fast track change which can have significant impact on services, levels of available resources or the Council's financial position all of which could adversely impact on the Council's ability to deliver its priorities. Government White Paper bringing forward Devolution and Local Government Reorganisation. Hampshire included in the Priority Programme requiring Unitary Councils from April 2028 resulting in Rushmoor BC not continuing. Reputational risk if the Council is unable to sufficiently adapt to the changing environment.	12	**High**	↔	Service level risk assessments to consider impacts of potential policy changes on individual Council services. Policy, Strategy, and Transformation team to support ELT and CMT with 'horizon scanning' which will assist the Council in identifying and where possible responding to some changes. Ongoing analysis of policy and budget announcements. Council represented on relevant meetings within Hampshire, Government and District Councils. Working as a group to come to a consensus on devolution and local government reorganisation proposals	8	**High**	↔	Continued engagement with Government officials and other partners. Retained capacity on PPAB work plan. Work on devolution and reorganisation to be prioritised in 2025/26 so impacts and next steps are clearly understood. Council will make a reserve available in order to put in / pay for support and relevant pieces of work in line with deadlines laid down by the Government.	6	**Medium**	↔
Poor Health Outcomes within Borough (e.g. obesity, mental health etc)	Ian Harrison	**ST**	Rushmoor has areas where there are health inequalities and health deprivation. Areas of deprivation have poorer health outcomes and higher demands associated. Diabetes, highest smoking rate in Hampshire, high instance of obesity and inactive adults. Mental Health and wellbeing – lack of funding available at local level ICB restructure and loss of NHS Place team has reduced capacity and support at place level to deliver local intervention programmes. HCC savings will also services that provide support for health and well being of vulnerable residents.	12	**High**	↔	Supporting Communities Strategy and Action Plan adopted Joint working with partners, particularly with the ICS, HCC and the PCNs with a range of initiatives and plans in place or being developed. Targeted school Projects to include increased physical activity and reducing obesity in the Borough. Whole systems approach to Obesity with HCC Identified as a priority for the Council. Executive Director is a member of the ICS Board. Reintroduction of Health place meeting with key ICB colleagues focusing on deprived areas. Monthly meetings arranged with Public Health Team to review data Focused Projects incorporated within new Service Plan	6	**Medium**	↔	Review approach to resourcing (in conjunction with partners, in particular the ICS and HCC). Targeted projects in service plan to address inactivity and increase physical activity support. Working with Energise me and Public Health to identify additional resource opportunities Refresh of SC Strategy in 2025 includes a review of latest data. Jan 2025 meeting with 2x PCN's to review health inequalities priorities Monthly public health meetings arranged - and HCC update meeting with RBC planned for May.	6	**Medium**	↔

Demographic change	Ian Harrison	**ST**	Changes in Rushmoor's demography could impact on services required or expected by residents as well as how they engage with the economy or society more generally. Any sudden shifts in demography may not be visible to the Council for a period of time which could result in services not being delivered effectively or efficiently and could impact on the Council's ability to deliver its aim of having strong communities who are proud of their area. A strong understanding of the area's demography will also be important as devolution and reorganisation proposals are developed.	6	**Medium**	↔	Community engagement work may identify some changes ahead of them being reported in data sets. Review and analyse publicly available datasets, alongside those held by the Council. Work with partners to understand trends that exist at a larger geography and potential implications (e.g. aging populations). Census information reviewed and shared widely across the Council and with partners so that trends and their implications are understood.	4	**Medium**	↔	Additional community engagement work planned in 2025/26 which might help to identify any key trends. Rushmoor Voices project report expected Q4 2024/25, results to be considered with Members with likelihood of adopting new approached in 2025/26.	2	**Low**	↔
Standing Corporate Risks (SC) - Total 13 (+/-1) 1 Not suitable for Public Register/Removed, 4 Redacted															
Threat of Cybercrime & Data Loss	Ian Harrison	**SC**	Redacted. Full remediation plan in place – details are not included in this register due to their sensitive nature.	16	**High**	↔	Redacted. Full remediation plan in place – details are not included in this register due to their sensitive nature.	12	**High**	↔	Redacted. Full remediation plan in place – details are not included in this register due to their sensitive nature.	12	**High**	↔
Major Data Breach – non-technical (human and physical)	Ian Harrison	**SC**	Redacted. Full remediation plan in place – details are not included in this register due to their sensitive nature.	12	**High**	↔	Redacted. Full remediation plan in place – details are not included in this register due to their sensitive nature.	8	**High**	↔	Redacted. Full remediation plan in place – details are not included in this register due to their sensitive nature.	6	**Medium**	↔
PCI DSS compliance	Peter Vickers	**SC**	Redacted. Full remediation plan in place – details are not included in this register due to their sensitive nature.	12	**High**	↔	Redacted. Full remediation plan in place – details are not included in this register due to their sensitive nature.	12	**High**	↔	Redacted. Full remediation plan in place – details are not included in this register due to their sensitive nature.	4	**Medium**	↔
Insufficient funding to proceed with projects	Karen Edwards	**SC**	The Council cannot commit to fund the programme of projects, within the regeneration and property programme. Failure to deliver the schemes as a result of a lack of funding and team resources will not meet the overarching strategy objective as stated in the Council Business Plan to deliver additional income or capital and regenerate our town centres. The recent increases in interest rates makes affordability of funding more challenging. In addition, build costs remain high and there are little to no incentives in the buyer's market e.g. help to buy to generate interest in development.	16	**High**	↔	Secured some external grant funding to assist with bridging funding gaps. A Financial Recovery Plan (FRP) has been developed to ensure that the Council can be on a sustainable footing over the medium term. A target for capital receipts has been established to assist with reducing the level of external borrowing and associated revenue implications. There will need to be sufficient headroom created to allow for further borrowing in the absence of external grant funding.	12	**High**	↔	Seek additional grant funding to mitigate the risk to the Council. Obtain detailed expert advice and carry out due diligence on major projects and capital commitments. Consider joint ventures and other methods of delivery in order to share the risk/reward. Continue to review financial position in order to determine capacity to support regeneration and property projects. Review opportunities for receipts in the context of income received from these assets. Expedite actions to enable disposal of identified assets. Work with members to establish priorities for commitment of available funding against regeneration programme Consider the further prioritisation, slowing and reprofiling of the programme.	4	**Medium**	↔
Lack of employee alignment, engagement and development will reduce organisational performance	Belinda Tam	**SC**	A high performing organisation requires employees to be engaged, aligned and developed – significant risk of performance targets not being achieved if these areas are not developed. Increased risk of inability to recruit and retain. Due to the age profile there is a risk of losing knowledge and experience in coming years.	12	**High**	↓	Developmental activities: •Annual Development Reviews May-Aug, with learning needs feeding into the corporate Learning and Development plan, and individual service L&D needs/CPD identified •eLearning platform for compliance and self-developmental training, with reminders when training due •Bespoke leadership development & leadership development with partners, ongoing internal communications via Staff Live, Viva Engage, People Portal, email, team meetings, 121s •Regular and ongoing engagement activities e.g. around savings/transformation and other priority areas. Regular review of people engagement opportunities and attract, recruit and retention policies.	12	**High**	↑	Review development review process and leadership development in 2025. Increased people engagement initiatives from 2025 and learning and development opportunities.	4	**Medium**	↔
Financial Sustainability	Peter Vickers	**SC**	Cost of borrowing does not track within the assumptions built into the MTFS. Resulting in additional unplanned financial pressure that will require additional mitigation to be identified.	12	**High**	↔	MTFS planning process identifies strategy to manage the impact of such an occurrence built into future spending plans. Updates to keep February 2024 approved MTFS have been reported to July Full Council with an update on the action plan to bring costs back to a sustainable level, including use of reserves. A mid-year review of MTFS was brought to Cabinet in November. Financial Recovery Plan has been put in place as per October. CIPFA have provided an independent review and due diligence on the capacity for the Council to deliver the required actions. Key findings are the actions taken by the Council are sound and further governance adjustments have been recommended for adoption.	12	**High**	↔	MTFS update due to Cabinet and Council in February 2025 alongside budget. If additional mitigation strategy is required, permissions will be sought through committees as appropriate.	6	**Medium**	↔
Regeneration of town centres does not deliver economic, community and financial benefits - see major projects	Karen Edwards	**SC**	Anticipated project expenditure of circa £300m expected to require RBC borrowing / rental guarantees / external funding to fulfil. High levels of public and political interest in both town centre major projects. Reputation for delivery will be tested. High intensity of resource required with many interdependent parts - leisure, civic, public realm, retail, hotel, highways etc Publicly, politically and financially RBC's regeneration interventions are deemed a failure negatively impacting the Council.	12	**High**	↔	Comprehensive regeneration programme governance process implemented. (Board meets 6-weekly) Regular Cabinet and Member reporting External due diligence engaged External grant funding secured Wider Town Centre Strategy for Farnborough completed and adopted by Cabinet in Summer 2022	12	**High**	↔	Further public/market engagement planned. Programme / scheme viability to be reviewed regularly. Seek further external grant funding to reduce Council financial exposure - Homes England / One Public Estate etc. Engaging with the market/landowners to establish alternative delivery routes for Farnborough town centre schemes.	6	**Medium**	↔
Civic Quarter, Farnborough - Major Project	Nick Irvine	**SC**	Anticipated project expenditure of circa £250m expected to require RBC borrowing / rental guarantees / external funding to fulfil. High levels of public and political interest in scheme. Reputation for delivery will be tested. Publicly, politically and financially RBC's regeneration intervention is deemed a failure negatively impacting the Council.	12	**High**	↔	Comprehensive regeneration project governance process implemented - Capital Programme Board meets every 6 weeks Regular Cabinet and Member reporting. External due diligence engaged. Public engagement undertaken in September 2021. Outline Planning application approved (subject to s106) in February 2023. OPE funding of £1.75m secured to assist with early enabling works - demolition/utilities diversions. No commitment to further expenditure at this stage. Exploring the potential to dispose of land interests to Homes England to realise capital receipt in the short term. Leisure Centre phase being progressed through detailed design utilising Levelling Up funding from MHCLG.	12	**High**	↔	Programme / scheme viability to be reviewed regularly. Seek further external grant funding to reduce RBC exposure - Homes England / One Public Estate Progressing disposal discussions with Homes England with a view to securing a capital receipt in 25/26.	4	**Medium**	↔
Union Yard, Aldershot - Major Project	Karen Edwards	**SC**	Redacted. Full remediation plan in place – details are not included in this register due to their sensitive nature.	12	**High**	↔	Redacted. Full remediation plan in place – details are not included in this register due to their sensitive nature.	9	**High**	↔	Redacted. Full remediation plan in place – details are not included in this register due to their sensitive nature.	4	**Medium**	↔

Reduced Income from Property Portfolio	Tim Mills	**SC**	Significant loss of income from the Council's property portfolio arising from a variety of reasons including deteriorating economic conditions, downturn in the property market and changing consumer or business habits. Feed through of reduced retail rents at lease rennewal	9	**High**	↔	Review Capital Programme and Property Advisory Group (CPPAG) to monitor performance and advise on necessary actions alongside the appointment of LSH Investment Management (LSHIM) to asset manage part of the portfolio and support current in- house skill, knowledge and capacity. Also, the establishment of a Commercial Property Reserve to act as a buffer for any significant in year loss of income. Prudent budgeting on Meads and Property Budget and early securing of key rents allows room for level of deterioration	9	**High**	↑	Managing income through payment plans, where necessary. Increased emphasis by the service in managing debts. Working with tenants directly and with LSHIM to identify issues and actions and reporting to CPPAG. Utilisation of asset management system to enable more targeted action. Identifying additional resource to underpin this important source of income by working on options to re-occupy vacant properties and identifying funds for improving the properties for quicker lettings and reducing the rent-free periods. Evaluating opportunities to create additional income to support the Council's financial position and bring forward where possible. This includes repurposing existing assets and adopting an agreed commercial approach to new ground leases. Updating of Asset Management Forecast for MTSF period including ensuring all reviews etc. are undertaken pro-actively and increased focus on debt management Option to look at reserve funding on income profile, i.e. forecast income and budget income are different. Using reasonable assumptions to achieve a realistic but prudent estimate. To be included in February 2025 Budget report. Increased monthly monitoring on Asset Portfolio between Porperty and Finance	6	**Medium**	↔
Climate Change – Failure to deliver ambition for a carbon neutral Council by 2030.	Rachel Barker	**SC**	Risk of not delivering high profile organisational objective due to insufficient resources or lack of support because of other priorities	9	**High**	↔	Development of an action plan and assessing resourcing requirements. Arrangements to deliver projects with partners have been established. Allocation of ringfenced resource to deliver project. Projects incorporated within Service Business Plans as part of the Review of the Climate Change Action Plan. Climate Change Action Plan 2023 - 26 agreed by Cabinet in July 2023. Development of Rushmoor Climate Community Group to engage residents in climate and environmental issues. Group is very engaged. Climate Change Strategy and Action Plan refresh due March 2025. Climate change EIA in progress. Actions being reviewed in light of devolution plans and the Councils financial position. Climate Impact Assessments being developed for internal use. Climate Change officer funded until July 2026	6	**Medium**	↔	On going Discussions with the portfolio holder on ambitions and plans for delivery Reviewing opportunities for funding to support officer costs beyond 2026 Use of £20k UKSPF to support delivery of CC strategy and action plan agreed by Cabinet	6	**Medium**	↔
Governance and Decision Making – Not meeting statutory deadlines. Legal challenge to a high profile, or regeneration related, or high value decision made by the Cabinet, Committees or under delegated powers.	Ian Harrison	**SC**	Risk of non-compliance with legal requirements. Financial loss from costs of defending, or costs of halting development works. Reputational risk. Risk of delay in delivering key organisational objectives.	9	**High**	↔	Governance Group meets weekly to consider more complex decision-making matters including Interests and Member engagement. Delegated decision making is monitored by the Governance Group. Strengthening of the governance arrangements with improvements to understanding, learning and development for Members on the CGAS committee - ongoing training programme refreshed annually. Members receive initial induction training by end of July in each civic year. Independent Person recruited as a member of CGAS, offering independent oversight, particularly from an audit perspective. Constitution kept under review in liaison with a subgroup of CGAS (the Constitution working group). Training on decision making provided to CMT/Service Managers. There is a guidance note for Executive Decision Making. Timetables and reminders for deadlines provided by meeting administrators. Senior Managers deliver Corporate Induction on Constitution for staff. Governance arrangements reviewed during CIPFA and Peer Review Q2 2024/25. Independent review of arrangements commissioned early Q3 2024/25 from the Centre for Governance & Scrutiny, final draft received, workshop held with members and now being formally considered with Constitution working group. Further member engagement planned during spring 2025 with changes adopted to be effective from civic year 2025/26.	6	**Medium**	↔	Continue to integrate risk management in corporate governance arrangements - continual improvement. Review of Risk Management Policy and arrangements took place during Q3 2024/25, including exploration of a Risk Appetite Policy. Work to create a risk appetite policy taking place during Q1 2025/26. Ensure horizon scanning continues within sector. Noted continued relevance/importance in light of ongoing s114 activity in Local Government and White Paper on Devolution.	6	**Medium**	↔
Escalated Service Risks (ES) - Total 6 (+1/-1) 3 Redacted														
***NEW* Crematorium Refurbishment Project - Cost Escalation**	James Duggin	**ES**	Redacted. Full remediation plan in place – details are not included in this register due to their sensitive nature.	16	High	**N/A**	Redacted. Full remediation plan in place – details are not included in this register due to their sensitive nature.	12	**High**	**N/A**	Redacted. Full remediation plan in place – details are not included in this register due to their sensitive nature.	9	**High**	**N/A**
Major Planning Appeal (Airport)	Tim Mills	**ES**	Redacted. Full remediation plan in place – details are not included in this register due to their sensitive nature.	12	High	↔	Redacted. Full remediation plan in place – details are not included in this register due to their sensitive nature.	9	**High**	↔	Redacted. Full remediation plan in place – details are not included in this register due to their sensitive nature.	9	**High**	↔
Failure to reprovide temporary accommodation	Tim Mills	**ES**	Failure to reprovide temporary accommodation leads to increased street homelessness with significant impact on Town Centres, much poorer outcomes for homeless people, increased costs for the Council through use of Bed and Breakfast and reputational damage due to impacts on individuals and towns. The economic climate causes increased demand and potential losses of landlords. North Lane Lodge has now been re provided and the council now needs to prioritise the re provision of Clayton Court by the end of 2025. In addition to the lease ending, the building is of poor quality. We also now have the challenge of other boroughs securing good quality temp in the borough therefore reputational risk of RBC not providing to meet its own demand in good quality accommodation.	12	**High**	↔	Temporary Accommodation project seeking to identify, purchase and repurpose accommodation to replace Clayton Court by end 2025	9	**High**	↔	Review of previous options and potential ways forward with Cabinet Oct 24 had agreement on approach and potential opportunities. April 25 Cabinet Report sets out way forward together with extension to Clayton removes some risk. Engagement with HCC on Grosvenor Rd to understand ongoing costs to them from closure and potential to retain or find alternative solution are critical and this closure now presents greatest risk to RBC.	4	**Medium**	↔
Resettlement schemes and asylum seeker accommodation in the borough	Ian Harrison	**ES**	Resettlement of refugees and accommodation of asylum seekers in the borough may result in reduced levels of community cohesion and increased service demand. These people may be destitute and have complex needs. The associated funding position is complex, uncertain, and may not meet demand. Changes can happen swiftly and may cause short term pressure on resources.	12	**High**	↔	Close working with relevant teams across the Council (community, housing, comms & community safety) and with regular briefings to staff and Members. Close working with external stakeholders including police, SMP, County Council, Home Office and their contractors: Clear Springs, Finefair, and Crown Lodge Accommodation Resettlement Programme Manager appointed and coordinating activity across the Council. Attendance at relevant multi agency forums. Rushmoor Voices programme underway. - Final report due early April 2025	12	**High**	↔	Reactive and proactive communications with public and local residents. Changes to website in process to provide more information - in line with Recommendation from Belong Network	4	**Medium**	↔

Inaccurate reporting of financial position	Peter Vickers	**ES**	Financial reports to Cabinet provide inaccurate financial information leading to poor decision making. Budget holders unaware of budget and spend position Decisions are made on incorrect assumptions. Decisions are taken on an ad-hoc basis without understanding or consideration of wider financial position.	8	**High**	↔	Budget management process is now completed monthly by services supported by service accountants. A new budget management finance system module has been implemented to support the process. Training and support provided to all budget managers. Financial forecast is reviewed by Head of Finance prior to publication.	6	**Medium**	↔	Finance team capacity and skills are currently under review. Prioritisation of financial management focus based upon risk assessment and materiality of numbers i.e. focus on high value aspects and most likely to go off track. Clarity and transparency of reporting being improved. Integrity of forecasts being reviewed ensuring correlation to assumptions in the budget, history of variances and experience in the current external environment.	4	**Medium**	↔
Changing priorities and outcomes from either RDP partner	Karen Edwards	**ES**	Redacted. Full remediation plan in place – details are not included in this register due to their sensitive nature.	12	**High**	↔	Redacted. Full remediation plan in place – details are not included in this register due to their sensitive nature.	6	**Medium**	↔	Redacted. Full remediation plan in place – details are not included in this register due to their sensitive nature.	1	**Low**	↔

CABINET
3rd June 2025

COUNCILLOR ALEX CRAWFORD
FINANCE & RESOURCES PORTFOLIO HOLDER

KEY DECISION: NO

REPORT NO. PEO2505

NEW NEONATAL CARE POLICY (INCLUDED IN THE SPECIAL LEAVE POLICIES)

SUMMARY AND RECOMMENDATIONS:

This report seeks Cabinet's approval for the implementation of a new Neonatal Care Policy within the Special Leave Policies. This reflects a recent legislative change, introducing the Neonatal Care (Leave and Pay) Act 2023, that came into effect on the 6 April 2025.

This new law introduced the right for parents to have additional time off to be with a baby who is receiving neonatal care.

It is recommended that Cabinet approve the proposed New Neonatal Care Policy as included in the Special Leave Policies as set out at Appendix A of the report.

1. INTRODUCTION

1.1. The Neonatal Care (Leave and Pay) Act came into effect on 6 April 2025. This Act places a legal duty for employers to provide time off to allow parents to be with a baby who is receiving neonatal care.

1.2 Neonatal care is defined as medical care received in a hospital, care outside the hospital after discharge but under the direction of a consultant (including monitoring by and visits from healthcare professionals arranged by the hospital) and palliative or end-of-live care.

2. NEONATAL CARE POLICY

2.1. The new Neonatal Care Policy specifically outlines the following:

- Who is eligible
- The amount of leave allowable and when it can be taken
- The eligibility criteria for receiving Statutory Neonatal Care Pay

2.2 Neonatal care leave is a day one right, meaning employees are entitled to the leave regardless of their length of service. To be eligible for neonatal care leave:

- The employee must have parental responsibility
- The baby must be born on or after 6 April 2025
- The baby must have received at least 7 consecutive days of neonatal care within the first 28 days after birth.

2.3 Employees are entitled to up to 12 weeks of neonatal care leave. This is in addition to other statutory rights, such as maternity, paternity, adoption and shared parental leave.

2.4 To be eligible for statutory neonatal care pay, in addition to the eligibility criteria, employees must:

- Have 26 weeks continuous service with the employer by the end of the 15th week before the baby's due date
- Earn at least the lower earnings limit.

2.5 Statutory Neonatal pay will either be paid at the applicable statutory rate, (as at 6th April 2025, the statutory rate is £187.18 per week) or 90% of the average weekly earnings, whichever is lower.

3. ALTERNATIVE OPTIONS

3.1 The Council could choose to enhance the Statutory Neonatal Care Pay but this would increase the costs involved.

4. COUNSULTATION

4.1 The new Neonatal Care Leave Policy has been discussed with Unison who have also reviewed the policy and there are no changes to make.

5. RISKS

5.1 The purpose of the implementation of the policy is to ensure that the Council meets the statutory requirements of the act. The risks associated with not introducing would mean we are not legally compliant.

6. LEGAL IMPLICATIONS

6.1 If an employer does not comply with the new legislation, they are breaking the Neonatal Care (Leave and Pay) Act 2023 which came into effect on 6 April 2025.

7. FINANCIAL AND RESOURCE IMPLICATIONS

7.1 If an employer does not comply with legislation then an individual could submit a tribunal claim which could result in a monetary sum being awarded. There are no resource implications associated with this policy.

8. EQUALITIES IMPACT IMPLICATIONS

8.1 An Equalities Impact Assessment (EIA) Screening Tool was completed for this policy and there is a positive impact for Pregnancy and Maternity and for working parents.

9. CONCLUSIONS

9.1 The implementation of the new Neonatal Care (Leave and Pay) Act 2023 will provide all employees with information and guidance on how to apply for support when required.

APPENDICES

A – Special Leave Policies

CONTACT DETAILS:

Report Author: Estelle Rigby, Principal People Business Partner (estelle.rigby@rushmoor.gov.uk)

Report Author: Belinda Tam, Corporate Manager – People (belinda.tam@rushmoor.gov.uk)

Director: Karen Edwards, Executive Director (karen.edwards@rushmoor.gov.uk)

APPENDIX A

RUSHMOOR BOROUGH COUNCIL

SPECIAL LEAVE POLICIES

This policy sets out the types of special leave available to staff within Rushmoor. Annual leave, flexitime, and family-friendly policies including maternity, maternity support and shared parental leave are covered elsewhere.

Rushmoor Borough Council accepts that there may be occasions when an employee needs some time off work for reasons such as child or elder care, for compassionate/bereavement reasons, or to participate in public duties or as a reservist in a defence service.

The Council will be sympathetic and reasonable to individual circumstances.

Requests for special leave should be made as early as possible, setting out the reasons for the leave and an indication as to how much time is required.

1. Carers Leave

Employees are entitled to unpaid leave to give or arrange care for a 'dependant' who has:

- A physical or mental illness or injury that means they're expected to need care for more than 3 months
- A disability (as defined in the Equality Act 2010)
- Care needs because of their old age

The dependant does not have to be a family member, it can be anyone who relies on them for care.

Employees are entitled to carers leave from their first day of work.

How much time off is allowed?

Employees can take up to one week of leave every 12 months, they can either take a whole week off or take individual/half days to the equivalent of their working week throughout the year.

Note: if the employee needs to care for more than one person they cannot take a week of career's leave for each dependant. They can only take one week every 12 months.

Requesting carers leave

Employees are required to give their manager notice before they want the leave to start.

- If the request is for one day or half a day, the notice period must be at least 3 days
- If the request is for more than one day, the notice period must be at least twice as long as the leave requested.

Can time off be refused?

The manager cannot refuse a request for carers leave however they can request that it be taken at a different time within one month, if the time off requested would cause serious disruption to services.

The manager should confirm by email with the employee within 7 days of the original request, the revised dates agreed and the reason for the delay.

2. Emergency leave to care for dependants

Employees have a statutory right to take a reasonable period of unpaid time off work to deal with an emergency involving a dependent such as:

- a dependant falls ill or has an accident
- to deal with an unexpected disruption or breakdown in care arrangements for a dependent; for example, when the childminder or nurse fails to turn up;
- to deal with an incident involving the employee's child during school hours; for example, if the child is being suspended from school.

Who counts as a dependant?

A dependent is someone who depends on the employee for care. A dependent could be a spouse, partner, child, parent, or someone else, for example an elderly neighbour.

Is emergency leave paid?

Emergency leave is unpaid, so employees may be able to use flexitime, annual leave or time-off in lieu (TOIL).

How much time off is allowed?

There is no set limit to the amount of time off which can be taken. In most cases, this will be anything from a few hours to one or two days, but longer periods may be agreed dependent on the needs of the service.

What happens where more than a few days off are needed, or it is known in advance that a problem is going to arise?

Emergency leave for the care of dependents is intended to cover unforeseen matters. Where a problem is anticipated, the employee should take annual leave, flexitime/ TOIL or can apply for unpaid leave (see section 10 Extended Unpaid Leave). If the reason relates to a child, parental leave may apply (see Parental Leave policy).

3. Compassionate Leave

Paid compassionate leave may be granted by the line manager to give employees the time they need to deal with traumatic or life changing events or following the death of someone close to them such as a close family member.

How much paid leave is allowed?

Up to five working days (pro-rata for part timers working less than 5 days per week) may be granted by the line manager, with a further two days at the discretion of the relevant Head of Service.

In the event of bereavement of a close family member (partner, adult child parent, grandparent, sibling, guardian), one day may be granted to attend the funeral in addition to any compassionate leave that is granted.

In the case of bereavement of other persons (member of partner's family, friend, colleague etc) unpaid leave of up to one day will be allowed depending on circumstances and location of funeral.

The Director has discretion to extend paid compassionate/bereavement leave for longer periods, according to the needs of the employee.

4. Parental Bereavement Leave

The Council is committed to supporting bereaved parents through their grief by ensuring they can take parental bereavement leave.

This applies to employees who suffer the loss of a child under the age of 18 including parents who suffer a stillbirth after 24 weeks of pregnancy. It applies in

all circumstances where there is parental responsibility, so extends to partners of the child's parent and adoptive parents.

Employees can take two weeks of parental bereavement leave, as:

- a single block of two weeks; or
- two separate blocks of one week at different times.

The leave can be taken within the 56 weeks after the bereavement. An employee might choose, for example, to take it at a particularly difficult time such as the child's birthday.

To take leave more than 56 days after the bereavement, employees should give the line manager at least one week's notice. No notice is required prior to 56 days.

The council recognises the need to provide bereaved parents with as much support as possible and will continue to pay normal pay during this leave.

The above is the statutory minimum entitlement for leave. The council will also want to ensure employees are supported on an individual basis, according to the needs of the family.

5. Leave for Public Duties

An employee is able to take a reasonable amount of time off work to attend to public duties.

If an employee is appointed to a position which gives him/her a statutory entitlement to time off work to attend to public duties, the employee must notify their manager without delay and discuss how much time is expected to be required. If at all possible, time off to attend to public duties should be taken outside of normal working time.

What are Public Duties?

Public duties cover such duties as those covered by the Employment Rights Act of 1996, for example an employee who is a Justice of the Peace, Special Constable or a School Governor.

Will time off be paid?

The Act does not provide a legal entitlement for the time off to be paid, but Rushmoor Borough Council will allow up to 5 days per annum paid leave (pro-rated for part timers) to attend to Public Duties – subject to line manager approval. Written evidence should be provided of the requirement to attend.

Any additional time may be granted if considered to be ‘reasonable’ but should be taken as unpaid leave, annual leave, flexi-time or time off in lieu with prior agreement of the line manager.

Paid time off work is part of normal remuneration and therefore subject to PAYE tax and National Insurance deductions in the normal way. Agreed unpaid time off should be notified to Payroll by the line manager so that the appropriate deductions can be made.

Can time off be refused?

If total time off for public duties is considered to be unreasonable, the line manager may refuse time off. In deciding what is reasonable the time taken to perform these duties, the amount of time taken off and the effect on the employee’s performance will be considered.

6. Jury Service

All men and women between the ages of 18-70 may be required to attend court for jury service. Normal pay will continue during jury service but any allowances paid by the court (apart from travelling or subsistence) should be refunded to Rushmoor Borough Council.

7. Witness at Court

If an employee is required to attend court as a witness, normal pay will continue but evidence of attendance may be requested by the line manager. Additionally, any allowances paid by the court (apart from travelling and subsistence allowances) should be refunded to Rushmoor Borough Council.

8. Service in non-regular forces

Employees that are Voluntary Reservists in a defence service will be granted up to two weeks additional paid leave each year in order to attend annual training camp. Evidence of the requirement to attend should be produced. Any other training required should be taken out of the employee’s annual leave, flexitime or time off in lieu. It will not be necessary for any payments made to the employee for their service to be reimbursed to Rushmoor Borough Council.

Time required by members of staff for public duties in relation to duties as Special Fire Officers or Special Constables will be considered on their merits by their Head of Service.

9. Volunteering leave

Employees can take to up to 2 days (pro-rata for part-time staff) paid leave per year to volunteer in the borough. For further details see 'Support for Volunteering' in the Staff Handbook/Working for Rushmoor/Work Policies and Procedures on Inform.

10. Extended unpaid leave

Occasionally employees may require a longer period of leave that is not covered by any of the policies above. The circumstances in which this may be considered would be, for example, to look after an unwell child or elderly dependent.

Any such request should be made to the line manager who will consider it in the light of the circumstances and the Council's ability to cover the employee's absence.

11. Neonatal Care Leave

Neonatal care leave is a day one right, meaning employees are entitled to it regardless of their length of service. To be eligible for neonatal care leave:

- The employee must have parental responsibility.
- The baby must be born on or after 6 April 2025.
- The baby must have received at least 7 consecutive days of neonatal care within the first 28 days after birth.

Neonatal care is defined as medical care received in a hospital, care outside the hospital after discharge but under the direction of a consultant (including monitoring by and visits from healthcare professionals arranged by the hospital), and palliative or end-of-life care.

How much neonatal care leave is allowed?

Employees are entitled to up to 12 weeks of neonatal care leave. This is in addition to other statutory rights, such as maternity, paternity, adoption, and shared parental leave. The leave must be taken within 68 weeks of the baby's birth.

Neonatal Care Leave is categorised into two tiers:

- **Tier 1**: Leave that begins when the employee's child is receiving neonatal care and ends on the 7th day after the baby ceases to receive neonatal care. This means leave can be taken while the baby is still in neonatal care or within the first week post-discharge.
- **Tier 2**: Leave that begins after Tier 1 ends (more than 7 days after the child has stopped receiving neonatal care) and ends 68 weeks after the baby's

birth. This means leave can be taken from the second week post-discharge up to 68 weeks after birth.

Notice requirements - the required length of notice differs depending on when the leave is taken.

- For each week of Tier 1 period leave, notice must be given before the employee is due to start work on the first day of absence in that week, unless it is not reasonably practicable, in which case the employee must give as much notice as soon as it is reasonably practicable.
- For a single week of Tier 2 period leave, notice must be given no later than 15 days before the first day of the Neonatal Care Leave to which the notice relates. For two or more consecutive weeks of Tier 2 leave, notice must be given no later than 28 days before the first day of the neonatal care leave to which the notice relates.

Is Neonatal Care leave paid?

For statutory neonatal care pay (SNCP), in addition to the eligibility criteria, employees must:

- Have 26 weeks' continuous service with the employer by the end of the 15th week before the baby's due date.
- Earn at least the lower earnings limit.

Neonatal Pay will be at the statutory neonatal pay rate, or 90% of the employee's average weekly earnings, whichever is lower. As of 6 April 2025, the statutory rate of pay will be £187.18 per week.

Employees must submit a request for Neonatal Pay to their employer within 28 days of starting Neonatal Leave.

12. Impact on Pension Scheme of unpaid leave

Where employees take unpaid leave of longer than one week and belong to the Local Government Pension Scheme (LGPS) they may wish to continue pension contributions during this period.

The employee should notify the People Team in advance, who will arrange for the employee to pay s/he would have paid had they not been on unpaid leave. Any such payments will be based on normal salary and may be repaid in either a lump sum or spread over an agreed period of time on return.

If the employee does not wish to continue pension contributions during the unpaid leave there is no need to notify HR. Contributions will be frozen in the Superannuation Fund until the return date.

For further information please contact Hampshire Pension Services http://www3.hants.gov.uk/pensions or take independent advice.

13. Requests for leave that are declined

Should an employee feel a request special leave has been unreasonably refused, s/he should speak with the Head of Service or Executive Director in the first instance.

RUSHMOOR BOROUGH COUNCIL

‘QUICK GUIDE’ SUMMARY TABLE OF SPECIAL LEAVE ENTITLEMENTS

Type of leave	Statutory	Paid / unpaid	Number of days
Carers Leave	Yes	Unpaid	Up to one week every 12 months
Dependants	Yes	Unpaid	Usually up to 2 days
Compassionate/Bereavement	No	Paid	Up to 5 days granted by line manager, further 2 days agreed by HOS Director has discretion to extend leave in exceptional circumstances 1 day’s leave to attend a funeral following the death of a close relative
Parental Bereavement leave	Yes	Paid	Up to 2 weeks
Public duties (e.g. school Governor, JP)	Yes	Paid	Up to 5 days per academic year
Jury service or attendance at court as a witness	Yes	Paid	As required by the court
Non-Regular Forces	No	Paid for Annual Camp	Up to 2 weeks
Volunteering	No	Paid	Up to 2 days
Extended unpaid leave	No	No	Dependent on circumstances
Neonatal Leave	Yes	Paid	Up to 12 weeks

Document control information	
Title	Special Leave Policies
Topic/Service	People Team
Version	1.0
Next review date	09/05/2026
Last reviewed by	Estelle Rigby
Last reviewed date	09/05/2025
Approving authority	Cabinet
Approval date	TBC

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Rushmoor Borough Council

CABINET

COUNCILLOR CHRISTINE GUINNESS
PRIDE IN PLACE / NEIGHBOURHOOD SERVICES PORTFOLIO HOLDER

3rd JUNE 2025

KEY DECISION? NO

REPORT NO. OS2509

REVIEW OF THE COUNCIL'S GAMBLING LICENSING STATEMENT OF PRINCIPLES

SUMMARY AND RECOMMENDATIONS:

This report sets out recommended changes to the Council's Gambling Licensing Statement of Principles following review and public consultation as required by the legislation.

Cabinet is requested to –

1) Approve that the proposed policy be referred to Full Council for consideration, with recommendation that the policy be implemented with immediate effect.

1. INTRODUCTION

1.1. There is a legal requirement for review of the Council's Gambling Licensing Statement of Principles. This is overdue, and therefore requires review.

1.2. A review of the statement of principles has taken place, taking account of changes to the legislation and guidance, and public consultation has been carried out as required.

1.3. The comments received during the consultation have been considered, and where appropriate amendments made to the proposed statement of principles.

1.4. Cabinet is requested to approve that the proposed policy be referred to Full Council for consideration, with recommendation that the policy be implemented with immediate effect.

2. BACKGROUND

2.1. A full review of the Council's Gambling Licensing Statement of Principles is overdue and has therefore been carried out. Consultation has been carried out in accordance with the legislation.

2.2. Three responses suggesting amendments to the draft policy were received. These are given as **Appendix A.** All other responses provided no comment.

3. DETAILS OF THE PROPOSALS

3.1. The draft statement of principles has been reviewed taking account of the comments a table providing each comment received and any proposed changes made as a result is given as **Appendix B**.

3.2. The proposed Statement of Principles is given as **Appendix C**.

4. IMPLICATIONS (of proposed course of action)

Risks

4.1. There are no risks associated with this report, the statement is overdue for review, and therefore it is necessary for an updated policy to be implemented as soon as possible. Consultation has been carried out in accordance with the legislation, and consideration given to all comments received.

Legal Implications

4.2. Section 349 of the Gambling Act 2005 requires the Statement of Licensing Principles for Gambling ("Statement") to be reviewed by the Council (as Licensing Authority) every three years. This function cannot be delegated to the Council's Licensing Committee. Any amendments to that Statement are required to be formally considered and approved by full Council following a consultation exercise.

4.3. The Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 ("Regulations) specify the legal requirements and procedure for drafting and preparing the Statement and any revision to that Statement. The Council is required to renew the statement every three years. A failure to do so and consult properly could result in any decisions and the Statement being challenged in the Courts. The Licensing Authority must have regard to the statutory guidance 'Gambling Commission: Guidance to Licensing Authorities' in preparation of the statement.

Financial Implications

4.4. There are no financial implications associated with this report.

Resource Implications

4.4 There are no resource implications associated with this report.

Equalities Impact Implications

4.5 An equality impact check found that this proposal would have a positive or neutral impact on people with protected characteristics. Therefore, a full assessment is not required.

Community Safety Implications

4.6 There are no community safety implications associated with this report.

5 CONCLUSIONS

5.1 Review of the Councils Gambling Licensing Statement of Principles is overdue. The document has been reviewed taking account of changes in legislation and guidance, consultation has been carried out, and comments received considered accordingly. approve that the proposed policy be referred to Full Council for consideration, with recommendation that the policy be implemented with immediate effect.

LIST OF APPENDICES/ANNEXES:
Appendix A – Consultation Responses
Appendix B – Consultation Comments and proposed changes
Appendix C – Proposed Statement of Licensing Policy

BACKGROUND DOCUMENTS:
None

CONTACT DETAILS:

Report Author – Shelley Bowman, shelley.bowman@rushmoor.gov.uk, 01252 398162
Head of Service – James Duggin, james.duggin@rushmoor.gov.uk, 01252 398543

APPENDIX A **CONSULTATION RESPONSES**

From: John Sedgeley [redacted]
Sent: 30 January 2025 10:45
To: Shelley Bowman <shelley.bowman@rushmoor.gov.uk>
Subject: Fw: Consultation - Gambling Act Statement of Principles

> You don't often get email from [redacted]. Learn why this is important

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello Shelley

Thank you for sharing your Statement of Principles with us as one of your consultees.

I do not wish to make any comment on the document, I just ask that our service's name is updated (Page 58)to: Hampshire & Isle of Wight Fire & Rescue Service.

Kind regards
John

Hampshire & Isle of Wight
FIRE & RESCUE SERVICE

John Sedgeley

Protection Manager - North Hub

[redacted]

Headquarters
Leigh Road, Eastleigh
Hampshire, SO50 9SJ

From: Peter Jowett [redacted]
Sent: 21 January 2025 11:56
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Cc: [redacted]
Subject: FW: Consultation - Gambling Act Statement of Principles

> You don't often get email from [redacted]. Learn why this is important

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sirs

Further to below, we operate one betting premise within the borough and have the following comment to make on the proposed Statement of Principles:

Section 5.33 Staff Training

5.34 (h) States "Importance and enforcement of time/spend limits"

Can consideration be given to amend this wording? Time & spend limits which operate on the EGM's (commonly known as FOBTs) are set voluntary by customers and can be cancelled at any moment by the customer. Consequently, it's impossible for any staff member to "enforce" that a customer adheres to their voluntary action.

As a responsible operator, our staff our trained to carry out to conduct a Reasonable Gambling Interaction (RGI)with a customer when a voluntary set time/speed limit is breached and perhaps this obligation could replace the "enforcement" description.

Kind regards
Peter

Peter Jowett
Head of Licensing
[redacted]
4 Simon Campion Court, 232-234 High Street
|Epping, Essex|CM164AU

This e-mail, and any attachment, is confidential. If you have received it in error, please delete it from your system, do not use or disclose the information in any way, and notify me immediately. The contents of the message may contain personal views which are not the views of Jennings Racing Limited, Betting Shop Services Limited, Betting Shop Operations Limited, Megabet UK Limited, Mark Jarvis Limited, unless specifically stated.
Please consider your environmental responsibility. Before printing this e-mail message, ask yourself whether you really need a hard copy

From: Bede Finnigan [redacted]
Sent: 18 February 2025 13:32
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Cc: [redacted]
Subject: RE: Consultation - Gambling Act Statement of Principles

> You don't often get email from [redacted]. Learn why this is important

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Team,

Gambling Act 2005 – Statement of Principles Consultation

Thank you for the opportunity to make comments in relation to the above consultation. On behalf of Luxury Leisure and Talarius Ltd., we make the following points in relation to the consultation draft (the "Draft"):-

1. As the Authority will appreciate, in matters of regulation under the Gambling Act 2005 (the "Act") it is subject to the Regulators' Code. That Code imposes a number of obligations on the Authority, including one that it should carry out its activities in a way that it supports those it regulates to comply and grow. Additionally under the Code, when designing and reviewing policies, the Authority must among other things understand and minimise the negative economic impact of its regulatory activities and regulate and minimise the costs of compliance of those it regulates. Further, the Authority should take an evidence-based approach in determining priority risks and recognise the compliance record of those it regulates. The Draft references the Code under the Enforcement section (para 15.10); however, the Code has much broader application than enforcement actions. We suggest it would be helpful to include reference to the Code and the above obligations within the Draft. In particular, the Code should be referenced within the Introduction and Scope section (para 1) as the Authority must have had regard to the Code when developing this Draft.

2. Para 2.1 – Section 153 of the Act contains an overarching general duty on licensing authorities to "*aim to permit the use of premises for gambling*" subject to the factors detailed within that section of the Act. We appreciate this general duty is referenced at para 2.23, but we suggest the duty be repeated within the fundamental principles section (para 2.1) to emphasise this duty on the Authority.

3. Para 2.12 – In dealing with applications, as stated, the Authority should certainly consider any comments made by the police; however, such comments must relate to the licensing objectives, the Authority's statement of principles, or the Gambling Commission's guidance or codes of practice. We suggest this is clarified within para 2.12.

4. Para 2.30 – As acknowledged within this para 2.30, the concepts of "*need, demand and competition*" should not be considered by the Authority when determining premises licence applications. However, the final sentence of this para 2.30 appears to suggest such factors may be considered. With respect that is wrong, and we suggest that this final sentence should be removed to avoid any ambiguity.

5. Paras 3.8, 5.12 and 9.7 – For clarity, we refer to the 2008 case of R (on the application of Betting Shop Services Limited) –V– Southend on Sea Borough Council, in which it was held that an applicant could apply for a premises licence (without the need for a provisional statement) even though the premises were not fully constructed – the applicant is not restricted to making an application for a provisional statement. It was held by the court that the then guidance issued by the Gambling Commission was wrong. The Guidance was subsequently amended (please see para 7.59 of the of the Gambling Commission's Guidance for Licensing Authorities). As such, we suggest that the wording of paras 3.8, 5.12 and 9.7 be amended to make it clear that applications for premises licences can be made regardless of whether the building in question is complete or finished or needs to be altered. An applicant may apply for a provisional statement if the building is not complete, but it does not have to do so and can instead apply for licence.

6. Para 5.50 - Children are permitted to gamble in some situations on Category D gaming machines therefore we suggest that the wording of para 5.50 be amended to include the following underlined phase: "… *taking part in, or being in close proximity to, gambling <u>where they are prohibited from participating</u> and, in particular, from entering adult-only environments*".

7. Paras 5.56 and 5.57 – Although this para correctly states that the Authority may impose conditions "*where entitled to do so*", it does not specify when it is entitled to do so. The Gambling Commission's guidance on this is that the Authority "*must aim to permit the use of premises for gambling and so should not attach conditions that limit their use except where it is necessary in accordance with the licensing objectives, the Commission's codes of practice and this guidance, or their own statement of policy. Conversely, licensing authorities should not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions*" (see para 9.28 of the Gambling Commission's Guidance for Licensing Authorities). The use of "*but is not obliged to grant such a licence*" may be taken as inconsistent to the Authority's 'aim to permit' obligation. We suggest that the wording from the Gambling Commission's Guidance for Licensing Authorities is used within paras 5.56 and 5.57 to reiterate the Authority's aim to permit obligation and clarify when conditions are excluded, or other conditions are attached.

8. Para 6.3 – We appreciate the relevance of representations are covered in detail at paras 6.43 – 6.56; however, this para 6.3 should be clarified to emphasise that <u>only relevant</u> representations will result in a hearing.

9. Para 6.27 (d) and (e) – These paras go beyond the Gambling Commission's Guidance for Licensing Authorities (see para 8.15 of the Gambling Commission's Guidance for Licensing Authorities) and do not relate to the licensing objectives. We suggest that these paras be removed.

10. Para 7.21 (b) – Para 7.21 (a) acknowledges that the measure to prevent children from participating in gambling or being invited to gamble is only relevant "*where this is not permitted by law*". Para 7.21 (b) does not acknowledge this point therefore we suggest that the wording of para 7.21 (b) be amended to include the following underlined phase: "prevent children from having accidental access to, or to observe closely, gambling <u>where they are prohibited from participating</u>".

We hope that you find the above helpful and we would be happy to talk thorough any of the points or answer any questions you might have.

Yours faithfully,

Bede

Bede Finnigan
Legal Counsel
LUXURY LEISURE, TALARIUS LTD & RAL LTD
NOVOMATIC GROUP
Fifth Avenue Plaza
Queensway North
Team Valley Trading Estate
Gateshead
NE11 0BL

Mobile: [redacted]
Email: [redacted]
Company Number: 02448035

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CONSULTATION COMMENTS & PROPOSED CHANGES

Comment	Consideration
Request service's name is updated (Page 58) to: Hampshire & Isle of Wight Fire & Rescue Service.	Amended as requested to ensure document is correct
5.34 (h) States "Importance and enforcement of time/spend limits" Can consideration be given to amend this wording? Time & spend limits which operate on the EGM's (commonly known as FOBTs) are set voluntary by customers and can be cancelled at any moment by the customer. Consequently, it's impossible for any staff member to "enforce" that a customer adheres to their voluntary action. As a responsible operator, our staff our trained to carry out to conduct a Reasonable Gambling Interaction (RGI)with a customer when a voluntary set time/speed limit is breached and perhaps this obligation could replace the "enforcement" description.	In light of the new information, amended to: *(h) Importance of time/spend limits and steps to be taken where a customer cancels these;*
As the Authority will appreciate, in matters of regulation under the Gambling Act 2005 (the "Act") it is subject to the Regulators' Code. That Code imposes a number of obligations on the Authority, including one that it should carry out its activities in a way that it supports those it regulates to comply and grow. Additionally under the Code, when designing and reviewing policies, the Authority must among other things understand and minimise the negative economic impact of its regulatory activities and regulate and minimise the costs of compliance of those it regulates. Further, the Authority should take an evidence-based approach in determining priority risks and recognise the compliance record of those it regulates. The Draft references the Code under the Enforcement section (para 15.10); however, the Code has much broader application than enforcement actions. We suggest it would be helpful to include reference to the Code and the above obligations within the Draft. In particular, the Code should be referenced within the Introduction and Scope section (para 1) as the Authority must have had regard to the Code when developing this Draft.	For clarity amended to: *The document has been produced having regard to the statutory provisions, subordinate legislation, guidance and relevant codes of practice (including the Regulators Code) in force at the time of production, but does not seek to reproduce the content of them.*

Para 2.1 – Section 153 of the Act contains an overarching general duty on licensing authorities to "*aim to permit the use of premises for gambling*" subject to the factors detailed within that section of the Act. We appreciate this general duty is referenced at para 2.23, but we suggest the duty be repeated within the fundamental principles section (para 2.1) to emphasise this duty on the Authority.	For clarity amended to: *In carrying out its functions, the licensing authority will aim to permit the use of premises for gambling and seek to regulate gambling in the public interest.*
Para 2.12 – In dealing with applications, as stated, the Authority should certainly consider any comments made by the police; however, such comments must relate to the licensing objectives, the Authority's statement of principles, or the Gambling Commission's guidance or codes of practice. We suggest this is clarified within para 2.12.	For clarity amended to: *The licensing authority will also consider any comments made by the Police in respect of this licensing objective.*
Para 2.30 – As acknowledged within this para 2.30, the concepts of "*need, demand and competition*" should not be considered by the Authority when determining premises licence applications. However, the final sentence of this para 2.30 appears to suggest such factors may be considered. With respect that is wrong, and we suggest that this final sentence should be removed to avoid any ambiguity.	For clarity sentence deleted.
Paras 3.8, 5.12 and 9.7 – For clarity, we refer to the 2008 case of R (on the application of Betting Shop Services Limited) –V– Southend on Sea Borough Council, in which it was held that an applicant could apply for a premises licence (without the need for a provisional statement) even though the premises were not fully constructed – the applicant is not restricted to making an application for a provisional statement. It was held by the court that the then guidance issued by the Gambling Commission was wrong. The Guidance was subsequently amended (please see para 7.59 of the of the Gambling Commission's Guidance for Licensing Authorities). As such, we suggest that the wording of paras 3.8, 5.12 and 9.7 be amended to make it clear that applications for premises licences can be made regardless of whether the building in question is complete or finished or needs to be altered. An applicant may apply for a provisional statement if the building is not	Relevant paragraphs amended to reflect the case, and the update to the Gambling Commission guidance to licensing authorities.

complete, but it does not have to do so and can instead apply for licence.	
Para 5.50 - Children are permitted to gamble in some situations on Category D gaming machines therefore we suggest that the wording of para 5.50 be amended to include the following underlined phase: "… *taking part in, or being in close proximity to, gambling* <u>*where they are prohibited from participating*</u> *and, in particular, from entering adult-only environments*".	For clarity amended as suggested.
Paras 5.56 and 5.57 – Although this para correctly states that the Authority may impose conditions "*where entitled to do so*", it does not specify when it is entitled to do so. The Gambling Commission's guidance on this is that the Authority "*must aim to permit the use of premises for gambling and so should not attach conditions that limit their use except where it is necessary in accordance with the licensing objectives, the Commission's codes of practice and this guidance, or their own statement of policy. Conversely, licensing authorities should not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions*" (see para 9.28 of the Gambling Commission's Guidance for Licensing Authorities). The use of "*but is not obliged to grant such a licence*" may be taken as inconsistent to the Authority's 'aim to permit' obligation. We suggest that the wording from the Gambling Commission's Guidance for Licensing Authorities is used within paras 5.56 and 5.57 to reiterate the Authority's aim to permit obligation and clarify when conditions are excluded, or other conditions are attached.	For clarity amended to: *The licensing authority may also impose, or seek to impose, such other conditions, where it is entitled to do so, where it is necessary in accordance with the licensing objectives, codes of practice, guidance and policies, and / or deals with relevant representations. Such conditions may apply in relation to premises generally or in relation to a specified part of the premises.* *Given the above, the licensing authority will not usually turn down an application for a premises licence where they are satisfied that relevant representations can be dealt with through the use of conditions attached to the licence.*
Para 6.3 – We appreciate the relevance of representations are covered in detail at paras 6.43 – 6.56; however, this para 6.3 should be clarified to emphasise that <u>only relevant</u> representations will result in a hearing.	No change made as paragraph already states that it applies to relevant representations, and wording is deemed to be clear.
Para 6.27 (d) and (e) – These paras go beyond the Gambling Commission's Guidance for Licensing Authorities (see para 8.15 of the Gambling Commission's Guidance for Licensing Authorities) and do not relate to the licensing objectives. We suggest that these paras be removed.	Paragraph (d) deleted as accepted that this could not be identified and related to the licensing objectives. However, point (e) is considered to be very relevant to the licensing objectives, as the nature of a business may mean that its customers are likely to be particularly vulnerable e.g. a

	service aimed at individuals with addictions, children etc. As such, this has been amended to: *the circumstance and nature of the business that is suggested may be affected and/or the representation(s) made, where it is relevant to one or more of the licensing objectives.*
Para 7.21 (b) – Para 7.21 (a) acknowledges that the measure to prevent children from participating in gambling or being invited to gamble is only relevant "*where this is not permitted by law*". Para 7.21 (b) does not acknowledge this point therefore we suggest that the wording of para 7.21 (b) be amended to include the following underlined phase: "prevent children from having accidental access to, or to observe closely, gambling <u>where they are prohibited from participating</u>".	For clarity amended as suggested.

RUSHMOOR BOROUGH COUNCIL

Section 349

GAMBLING ACT 2005

STATEMENT OF PRINCIPLES

DRAFT

CONTENTS

Mark	Item	Page
-	CONTENTS	2
PART A		
1	INTRODUCTION & SCOPE	4
PART B		
2	GENERAL PRINCIPLES	7
3	DUPLICATION & OTHER LEGISLATION	11
4	ADMINISTRATION ISSUES	12
PART C		
5	PREMISES LICENCES	15
6	REPRESENTATIONS, RESPONSIBLE AUTHORITIES & INTERESTED PARTIES	26
7	CONDITIONS	33
8	REVIEWS OF PREMISES LICENCES	37
9	PROVISIONAL STATEMENTS	40
10	TEMPORARY USE NOTICES	42
11	OCCASIONAL USE NOTICES	44
PART D		
12	PERMITS	45
PART E		
13	RIGHTS OF APPEAL	46
PART F		
14	OTHER MATTERS	47

PART G		
15	COMPLIANCE & ENFORCEMENT	49
PART H		
16	CONSULTATION & PUBLICATION	52
	APPENDICES	
A	Licensing Functions & Responsibilities	55
B	The Borough of Rushmoor	57
C	Consultation	58
D	Adult Gaming Centres	59
E	Family Entertainment Centres	60
F	Tracks	62
G	Casinos	66
H	Bingo	67
I	Betting Premises	70
J	(Unlicensed) Family Entertainment Centre Gaming Machine Permits	72
K	Prize Gaming Permits	76
L	Club Gaming Permits & Club Machine Permits	79
M	(Alcohol) Licensed Premises Gaming Machine Permits	82

PART A

1. INTRODUCTION & SCOPE

1.1. INTRODUCTION

1.2. The Gambling Act 2005 (the 'Act') and associated Regulations provides the legislative framework for regulating gambling and betting throughout the UK.

1.3. The Act replaced the Betting, Gaming and Lotteries Act 1963, the Gaming Act 1968 and the Lotteries and Amusements Act 1976 and gave responsibilities for licensing gambling to the Gambling Commission (the 'Commission') and local authorities.

1.4. Apart from spread betting and the National Lottery, the Commission regulates gambling and betting. The Commission's duties also include licensing of the operators and individuals involved in providing gambling and betting facilities.

1.5. Rushmoor Borough Council (RBC), along with other local authorities are responsible for the licensing of premises where gambling is to take place, for issuing various gaming permits and for the registration of small societies' lotteries in its area. A more detailed breakdown of the functions of the Gambling Commission and RBC as a designated licensing authority under the Act is given at **appendix A**.

1.6. Section 349 of the Act requires each Licensing Authority to prepare and publish a statement of licensing principles that it proposes to apply in exercise of its functions under the Act. This is commonly known as a 'statement of policy' or 'licensing policy'.

1.7. This document sets out the statement of licensing policy and principles RBC will apply in carrying out its functions as a licensing authority under the Act; being authorised to exercise those functions and responsibilities set out at **appendix A**. The document applies to the administrative area of RBC only as shown at **appendix B**.

1.8. Whilst subject to review, the document is valid for the period to **XXXXX 2028**.

1.9. SCOPE & STATUS

1.10. This document will be used to inform and direct the decision making of the licensing authority, particularly when making decisions on relevant licence applications. It acts as a guide to the considerations and standards to be applied in exercise of its functions together with the

roles and responsibilities of those to which it may apply. In this context, this document aims to provide guidance and advice to all parties with an interest in licensing issues covered by the Act.

1.11. The document is not intended to be a full and / or authoritative statement of the law or associated guidance and does not in any way constitute professional or legal advice. Any statements contained in this document do not replace, extend, amend or alter in any way whatsoever, the statutory provisions of the Gambling Act 2005 or any subordinate legislation or guidance made / issued in relation to it.

1.12. The document has been produced having regard to the statutory provisions, subordinate legislation, guidance and relevant codes of practice (including the Regulators Code) in force at the time of production, but does not seek to reproduce the content of them.

1.13. Matters of interpretation

1.14. Unless the context otherwise requires, any reference to 'the Licensing Authority' in this document refers to the licensing functions and responsibilities of Rushmoor Borough Council (RBC).

1.15. Further, the term 'licensing authority' is used throughout this document in recognition of, and in distinction between, the roles and responsibilities placed by the Act upon different services of its corporate authority, Rushmoor Borough Council. The collective terms 'its', 'us', 'our' etc are used interdependently and should be construed accordingly.

1.16. Any reference in this policy to guidance and / or codes of practice include those where the Gambling Commission has used its powers under the Act and associated regulations.

1.17. Any reference in this policy to such Gambling Commission codes of practice and/or any other specified document, information or guidance must be taken to mean a reference to the current and valid (i.e. extant) copy of that document, information or guidance concerned (or similar equivalent).

1.18. Any reference in this policy to 'gambling' shall be taken to include all forms of gambling (except remote or online gambling, or gambling on the National Lottery), gaming and the undertaking of small society lotteries.

1.19. DECLARATION

1.20. In preparing this document, RBC has considered the licensing objectives of the Act, together with guidance and codes of practice issued by the Gambling Commission. The document has been produced following consultation with and on consideration of the

responses made by the individuals, agencies and organisations set out in **appendix C** in accordance with the consultation process and principles set out at **appendix D**.

1.21. This policy document was approved and adopted by Full Council meeting of RBC on the XXXX. While subject to periodic review, this document shall constitute RBC's gambling licensing statement of principles.

The policy shall be kept under review and revised as appropriate and, in any event, not less than three years from the date of its last adoption.

PART B

2. GENERAL PRINCIPLES

2.1. FUNDAMENTAL PRINCIPLES

2.2. In carrying out its functions, the licensing authority will aim to permit the use of premises for gambling and seek to regulate gambling in the public interest.

2.3. The licensing authority will consider objectively any application, representations and/or the conditions / circumstances at premises (in which it may have a legitimate interest) on its own individual merits.

2.4. In applying these principles, the licensing authority reserves the right to, and will, where it is entitled to do so, use its discretion and / or depart from this statement of policy and any other guidance issued by the Commission, where appropriate. However, such discretion and departure will only take place where it is considered right to do so in view of the individual circumstances of the case and where there are strong and defensible reasons for doing so. In any such case, the licensing authority will clearly express and explain its reasons.

2.5. LICENSING OBJECTIVES

2.6. In exercising its functions under the Gambling Act 2005, the licensing authority will, where it is entitled to do so, have regard to the licensing objectives set out in section 1 of the Act; namely -

(a) to prevent gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;

(b) to ensure that gambling is conducted in a fair and open way; and

(c) to protect children and other vulnerable people from being harmed or exploited by gambling.

2.7. To prevent gambling from being a source of crime or disorder, associated with crime or disorder or being used to support crime

2.8. Where an area is noted for particular problems with crime or disorder, the licensing authority will consider carefully whether gambling facilities are suitable to be located there and / or whether specific controls / conditions need to be applied to prevent premises from becoming a source of crime or disorder, such as provision of door supervisors.

2.9. However, the licensing authority recognises adequate legislation already exists to prevent general nuisance and antisocial behaviour. Therefore, the licensing authority does not intend to use the Act to deal with such issues.

2.10. The term 'disorder' shall therefore be taken to mean an activity that is more serious and disruptive than mere nuisance.

2.11. In this context, while subject to the facts and their degree, the licensing authority considers that activities / incidents could be serious enough to constitute disorder if Police assistance is required to deal with it. The licensing authority may also consider other factors, such as how threatening the behaviour was in any particular incident to those who could see or hear it.

2.12. The licensing authority will also consider any comments made by the Police in respect of this licensing objective.

2.13. To ensure gambling is conducted in a fair and open way

2.14. As regards premises licences (apart from track premises licences), the licensing authority does not generally expect to be concerned with ensuring that gambling is conducted in a fair and open way in licensed premises. This is addressed through the operating and personal licences issued by the Commission.

2.15. As betting track operators do not need an operating licence, the licensing authority may, in certain circumstances, consider controls and conditions of the licence concerning the suitability of the environment in which betting takes place. Details about track premises licences can be found at **appendix F**.

2.16. The licensing authority will also pay attention to the information that is made available to customers using gambling facilities that are regulated by permits.

2.17. In all cases where appropriate, the licensing authority will advise the Commission of any evidence to suggest that this objective is not being met.

2.18. To protect children and other vulnerable people from being harmed or exploited by gambling

2.19. The Act defines 'Children' as those persons under 16 years of age and 'young persons' as those persons aged 16 or 17 years of age.

2.20. While not defined and subject to wide interpretation, the Gambling Commission identify 'vulnerable people' as including people who gamble more than they want to, people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to mental impairment, alcohol or drugs.

2.21. In addition to the above, the licensing authority recognises that any individual may be vulnerable at specific times due to circumstances, therefore will consider vulnerability in its widest term. will al

2.22. GENERAL PRINCIPLES ON THE USE OF PREMISES

2.23. Where appropriate, the licensing authority will generally aim to permit the use of premises for gambling in so far as it thinks it is -

(a) in accordance with any relevant code of practice issued by the Gambling Commission;

(b) in accordance with any guidance issued by the Gambling Commission;

(c) reasonably consistent with the licensing objectives; and

(d) in accordance with this statement of licensing policy.

2.24. GUIDANCE & REFERENCE

2.25. In exercising its functions, the licensing authority will, where appropriate and entitled to do so, have regard to -

(a) the Gambling Act 2005 and any associated Regulations issued by the Secretary of State.

(b) to any codes of practice, guidance and advice issued by the Gambling Commission; and

(c) any local area profile or other published governmental strategies, plans, or documents that may relate to or otherwise inform the licensing objectives.

2.26. For the purposes of (c) above, governmental strategies, plans and documents are taken to mean those prepared and published by or on

behalf of HM Government, Rushmoor Borough Council and / or any other statutory authority or agency with responsibilities within the area concerned.

2.27. OTHER PRINCIPLES

2.28. Subject to the above, the licensing authority will generally not take into account any matter(s) not related to gambling and/or the licensing objectives.

2.29. Need, demand & competition

2.30. Generally, the licensing authority does not consider that need (i.e. the commercial demand for gambling facilities), or competition between rival operators are relevant to its functions under the Act. The licensing authority considers this to be a matter for the market.

2.31. Morality of gambling

2.32. The licensing authority does not generally consider moral objections to gambling as being relevant to its functions under the Act. This extends to the dislike of gambling, and (with the exception of casino resolution powers and / or reasons linked to the licensing objectives) general notions that it is otherwise undesirable to allow gambling premises in a particular area.

2.33. Equality & diversity

2.34. Subject to the requirements of the Act, nothing in this statement of policy shall -

(a) override the right of any person to make an application under the Act and to have that application considered on its merits;

(b) undermine the right of any person to make representations on an application or to seek a review of a licence where provision has been made for them to do so; and/or

(c) undermine the right of any person who is aggrieved by the decision of the Licensing Authority to appeal against that decision to the Courts where provision has been made for them to do so.

3. DUPLICATION & OTHER LEGISLATION

3.1. GENERAL

3.2. So far as is reasonable, the licensing authority will avoid duplicating other regulatory regimes, including planning.

3.3. OTHER LEGISLATION

3.4. In respect of the above, the licensing authority considers that it is for operators to ensure that their premises comply with all other relevant legislation, such as fire safety, health & safety, food safety, planning and building law.

NB: This list is not exhaustive, and applicants must ensure that they comply with all other regulatory regimes in respect of their premises, employees and the public.

3.5. PLANNING PERMISSION AND BUILDING REGULATIONS

3.6. The licensing authority recognises that there should be a clear separation of the planning and licensing systems and asserts that licensing applications will be viewed independently of planning applications in all cases.

3.7. Licensing applications are not, and will not be treated as a re-run of planning applications. The licensing authority will not normally therefore cut across decisions taken by the planning authority.

3.8. In line with this policy, the licensing authority will not take account of matters unrelated to gambling and the licensing objectives. Therefore, the licensing authority will not speculate on, or otherwise take into account, the likelihood of any proposal being granted permission under planning or building law.

4. ADMINISTRATION ISSUES

4.1. USE & EXCHANGE OF INFORMATION

4.2. The licensing authority will comply with the Data Protection legislation and the Council's Data Protection policy. As a public task, the licensing authority may use and process sensitive and / or personal data where this is necessary for the exercise of its functions.

4.3. The Licensing Authority notes that the Act provides for both the provision and/or exchange of information with the Gambling Commission and other agencies in exercise of its functions.

4.4. The licensing authority regards the lawful and correct treatment of information as very important to the successful and efficient performance of its functions, and to maintaining the confidence of the individuals and/or bodies which it serves and works.

4.5. In exercise of its functions, the licensing authority will therefore seek to comply with all statutory duties imposed upon it as regards the handling and processing of data and, where appropriate the disclosure of information.

4.6. For these collective purposes, the licensing authority will –

a) act in accordance with the provisions of the Act as well as any relevant regulations issued by the Secretary of State in provision and/or exchange of information with the Gambling Commission and other agencies;

b) have regard to any guidance issued by the Gambling Commission, with respect to the provision and/or exchange of information with it and other agencies;

c) seek to comply with all statutory duties, general principles, requirements, restrictions and/or exemptions that may apply in relation to Data Protection and Freedom of Information laws and the Councils existing policies thereon;

d) consider any corporate policies and protocols that may be established from time to time relating to information exchange with others.

4.7. The licensing authority may also use, disclose and/or exchange information and data it obtains in exercise of its functions –

a) where it considers that it may reasonably assist the promotion of the licensing objectives (e.g. policy development)

b) in exercise its powers under section 115 of the Crime and Disorder Act 1998 to exchange data and information with the police and other agencies to fulfil the statutory objective of reducing crime in the area; and/or

c) as part of the National Fraud Initiative or other data matching exercise(s) required in accordance with the Local Audit and Accountability Act 2014 (or extant equivalent).

4.8. Confidential Information

4.9. The licensing authority recognises that it is subject to legal restrictions on confidentiality of certain information it requires and holds in order to determine applications for, and/or to supervise, the various licences it issues (e.g. criminal conviction and similar background disclosures).

4.10. In exercise of its duties, the licensing authority will only disclose such information, as may be necessary, to those involved in the determination of relevant applications in accordance with this policy and/or the Council's constitution and scheme of delegation. The licensing authority will not divulge any such information to any third party otherwise than where it is permitted or required to do so by law.

4.11. DETAILS OF INDIVIDUALS MAKING REPRESENTATIONS

4.12. The licensing authority will, as far as is reasonably practicable, remove the personal details (e.g. name(s) and address(es)) of individuals making representation(s) about an application from any public documents that it may produce.

4.13. However, the licensing authority recognises that it is a matter of natural justice that the applicant and his/her representative(s) are able to identify and locate those making representations about the premises concerned. Therefore, unless specifically requested not to disclose personal details, the personal details of anyone making representations may be released to the applicants and/or their representative(s).

4.14. Details of applications and representations which are referred to a Licensing (Sub) Committee for determination will be detailed in reports that are made publicly available. Personal details of people making representations may be disclosed to applicants and only be withheld

from publication on the grounds of personal safety where the Licensing Authority is asked to do so.

4.15. LICENSING REGISTER

4.16. Subject to regulations by the Secretary of State, the licensing authority will also maintain a public register of all the licences and permits that it issues, together with other prescribed information.

4.17. For ease of access, reference and transparency, all public registers, together with other information, will be maintained electronically on our website www.rushmoor.gov.uk. However, a hard copy of the public register may be obtained, for a fee, from Rushmoor Borough Council Offices.

4.18. LICENSING AUTHORITY DELEGATION

4.19. All licensing decisions will be made, and functions carried out in accordance with the Council's Scheme of Delegation.

PART C

5. PREMISES LICENCES

5.1. WHAT WE MEAN BY 'PREMISES LICENCE'

5.2. Subject to the definitions and exemptions under the Act, a premises licence may authorise premises to be used as a casino, for playing bingo, for making certain gaming machines available or for betting. Unless requested for a limited period, a premises licence remains valid indefinitely until surrendered or otherwise terminated.

5.3. The following types of premises licence are available:-

(a) Adult Gaming Centres;

(b) Betting premises;

(c) Bingo premises;

(d) Casinos;

(e) (Licensed) Family Entertainment Centres; and

(f) Tracks.

NB: As a separate category, premises that provide category D gaming machines only are non-licensed family entertainment centres and may be regulated through gaming machine permits.

5.4. WHAT WE MEAN BY 'PREMISES'

5.5. Subject to the definitions and limitations under the Act, premises are taken to mean 'any place' (including a vessel and a vehicle and premises within premises).

5.6. CONSIDERATION OF PREMISES LICENCE APPLICATIONS

5.7. Whilst each application for a premises licence will be considered on its merits; applicants are expected to show how they will meet any licensing objective concerns, in order to be granted a premises licence. Failure to show how they will meet licensing objective concerns, may result in the imposition of licence conditions or the application being rejected.

5.8. Primary gambling activity

5.9. By distinguishing between different premises types, the Act makes it clear that the primary gambling activity of any premises should be that described (i.e. pertaining to one of the premises licences available). Subject to any legal restrictions, customers should therefore be able to readily participate in the activity indicated by the type of premises licence at the premises concerned.

5.10. Premises 'ready for gambling'

5.11. The licensing authority notes Gambling Commission guidance which states that a licence to use premises for gambling should only be issued in relation to premises when it is satisfied that the premises are going to be ready to be used for gambling in the reasonably near future; being consistent with the scale of any building or alteration works required before the premises are brought into use.

5.12. Accordingly, where construction of a premises is not yet complete, or they need alteration, or if the applicant does not yet have a right to occupy them, the applicant may wish to consider making an application for provisional statement instead. However, this does not preclude operators from applying for a premises licence in respect of premises which still have to be constructed or altered, the licensing authority will, where appropriate, determine such applications on their merits; applying the following two stage consideration process; namely -

(a) whether the premises ought to be permitted to be used for gambling; and

(b) whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

5.13. It should be noted that whilst the licensing authority is entitled to decide that it is appropriate to grant a premises licence subject to conditions in this way, it is not obliged to do so.

5.14. Location and proximity

5.15. Whilst each application will be considered on its own merits, the licensing authority will, where it is entitled to do so, have regard to any impact that the location of proposed licensed premises may have on the licensing objectives. Where appropriate, the licensing authority will give particular consideration to the location and/or proximity of proposed licensed premises relative to -

(a) Schools and establishments for young persons (i.e. premises used regularly by young persons);

(b) Young offenders premises;

(c) Centres established for helping people with a gambling addiction;

(d) Centres for vulnerable adults; and

(e) Residential areas where there are a high concentration of households with families and/or children.

5.16. Applicants seeking to licence premises in sensitive locations will be expected to clearly demonstrate how the relevant licensing objectives will be / have been met and how any associated concerns will be / have been overcome.

5.17. Multiple premises licences and multi-purpose premises

5.18. Although different premises licences cannot apply to a single premises (except for tracks), the licensing authority recognises that some premises such as large, multiple unit premises (e.g. a shopping mall) or a large single building may comprise discrete premises units which may themselves seek to obtain a premises licence. A single building may therefore, subject to appropriate safeguards, have more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises.

5.19. Whilst areas of a building that are artificially or temporarily separate will not normally be regarded as different premises, the licensing authority will consider if different parts of a building can be properly regarded as being separate premises based on the facts and their degree. For these purposes, and whilst not exhaustive, the licensing authority will normally take account of -

(a) their location;

(b) their configuration;

(c) the suitability of any division between premises (**NB:** areas of a building that are artificially or temporarily separate (e.g. by ropes or moveable partitions) will not generally be regarded as different premises);

(d) whether the premises have different postal addresses;

(e) whether the premises have separate registration for business rates;

(f) whether the premises are owned or operated by the same person / entity;

(g) whether each of the premises can be accessed from the street or public passageway; and

(h) whether the premises can only be accessed from other gambling premises.

5.20. Where appropriate, the licensing authority will take particular care in considering applications for / where multiple licences for / in a building and/or those relating to a discrete part of a building used for other purposes. In such cases, the licensing authority will normally seek to ensure that –

(a) entrances and exits from parts of buildings covered by one or more licences are separate, identifiable and such that people are unable to drift into / between gambling areas (**NB:** In this context, it should normally be possible to access the premises without going through another licensed premises or premises with a permit); and

(b) premises are configured so that children and other vulnerable persons are not invited to participate in, have accidental access to or can otherwise observe gambling activities from which they are prohibited from participating;

5.21. Where appropriate, the licensing authority may also consider the compatibility of the proposed premises with any other establishments concerned. In determination of these matters, the overriding consideration of the licensing authority will be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should be prohibited under the Act.

5.22. For these purposes, the licensing authority notes and will take account of the Gambling Commission's Guidance to Licensing Authorities and relevant access provisions for each premises type; and will ensure that the mandatory conditions relating to access between premises is / can be observed.

5.23. OTHER GENERAL CONSIDERATIONS

5.24. Risk Assessments

5.25. The licensing authority notes that the Gambling Commission's Licence Conditions and Code of Practice (LCCP) require gambling operators to consider and assess local risks to the licensing objectives arising from their provision of gambling activities / facilities at each of their premises. It also notes, that the LCCP also requires operators to establish and implement suitable policies, procedures and/or control measures to mitigate those risks. Collectively, these activities comprise the process of risk assessment.

5.26. In compliance with these requirements, the Licensing Authority expects all prospective and licensed operators to carry out a thorough risk assessment in respect of the following matters –

(a) their proposals / activities (e.g. the proposed licensable activities, hours of operation, capacities / throughput, the premises to be used and/or local environment etc);

(b) the impact of each of the matters detailed in (a) above on each licensing objectives;

(c) any information provided in any local area profile provided by the Council; and

(d) relevant matters and/or concerns identified in this statement of licensing policy or by the applicant.

5.27. To ensure that local risk assessment(s) are duly taken into consideration, the licensing authority expects all gambling operators (both existing licence holders and prospective applicants) to share and submit their local risk assessment(s) on application for grant or variation of a premises licence, or otherwise on request.

5.28. Further to the above, and by way of ensuring that they remain relevant and up-to-date, the licensing authority recommends that local risk assessments be subject to regular review, but will expect licensed operators to review their risk assessment(s) when –

a) there are significant changes at the premises that may affect the mitigation of local risks; and/or

b) there are significant changes in local circumstances.

5.29. Whilst not exhaustive, the licensing authority will for these purposes, normally consider -

(a) significant changes at the premises to include –

(i) any building work, premises refit or change of layout where gambling activities / facilities are relocated within the premises;

(ii) the premises licence is transferred to a new operator who will operate the premises with policies and procedures that are different to those of the previous licence holder;

(iii) any change to the operator's internal policies which require additional or changes to existing control measures and/or the (re)training of staff;

(iv) any change(s) to the entrance(s) to or exit(s) from the premises (whether in terms of their design, material(s), construction or layout);

(v) the provision of any new gambling activity or facilities at the premises which were not provided previously (e.g. provision of hand-held gaming devices for customers, self-service betting terminals, or where a different category of gaming machine is provided);

(vi) any application for a licence or authorisation at the premises to provide an activity under a different regulatory regime (e.g. to permit the sale of alcohol, to provide sexual entertainment on the premises etc).

(b) significant changes in local circumstances to include –

(i) any substantial building development or conversion of existing premises in the local area which may change the number and/or type of visitor(s) to the area (e.g. where premises are converted to a local supermarket);

(ii) any change of business and/or use of premises in the local area which may have a bearing on local risk factors and/or the licensing objectives (e.g. the opening of a new pawn broker(s) or business(es) that buy goods for resale in the local area);

(iii) any change to the number, type and/or location of educational facilities in the local area (e.g. on construction of a new school / college or where changes are made to an existing establishment);

(iv) the opening of any new venue used by one or more vulnerable groups in close proximity to the gambling premises (e.g. additional homeless hostel, mental health support facility etc)

5.30. For risk assessments to be and remain effective, the licensing authority also believes that they must be readily accessible to all local staff that will have to implement them. The licensing authority will therefore expect that a copy of any local risk assessment(s) be kept at the premises to which they relate at all times and be made available for inspection by the licensing authority at any reasonable time. For these purposes, local risk assessments shall be taken to include any assessment of risks and any other documents (e.g. policies and procedures) and/or record(s) provided or made in connection thereof.

5.31. General considerations for all gambling premises

5.32. The licensing authority expects high standards from all prospective and current premises licence holders in order to promote the licensing

objectives. We will therefore consider the content of risk assessments and where it is appropriate look to apply licence conditions where issues are not considered. The types of considerations we would expect to be detailed are listed below. Additional information in respect of each specific licence type is given at **appendices D – M**.

5.33. Staff Training

5.34. To promote responsible gambling and their ability to suitably manage and/or tackle relevant risks associated with gambling, all customer facing and management staff in all gambling premises are expected to be provided with suitable and sufficient training to a level commensurate with their role and responsibilities. It is expected that a suitable written record of all such training shall be maintained and be provided to the licensing authority on request, and that all such training be refreshed at suitable intervals. Staff training should as a minimum include but not be limited to –

(a) The importance of social responsibility (Premises are encouraged to seek an audit by GamCare or such other appropriate body in order to obtain a Certificate of Social Responsibility);

(b) Causes and consequences of problem gambling;

(c) Identifying and communicating with vulnerable persons: primary intervention and escalation;

(d) Recognising safeguarding issues and taking appropriate action;

(e) Dealing with problem gamblers: exclusion (mandatory and voluntary) and escalating for advice/treatment;

(f) Refusal of entry (including underage, alcohol and drugs);

(g) Age verification procedures and need to return stakes/withdraw winnings if underage persons found gambling;

(h) Importance of time/spend limits and steps to be taken where a customer cancels these;

(i) The conditions of the licence;

(j) The policies, procedures, risk assessments and associated control measures applicable to the operation and management of the premises and its activities;

(k) Maintaining an incident log;

(l) Offences under the Gambling Act;

(m) Categories of gaming machines and the stakes and odds associated with each machine;

(n) Types of gaming and the stakes and odds associated with each;

(o) Staff exclusion from gambling at the premises where they are employed and reasons for restriction;

(p) The 'no tipping' rule, unless a common fund into which tips and service charges are paid for distribution to the staff (a "tronc") is established and conducted in accordance with current H.M. Revenue and Customs advice;

(q) Ability to signpost customers to support services with respect to problem gambling, financial management, debt advice etc;

(r) Safe cash-handling/payment of winnings;

(s) Identification of forged ID and the barring of those using forged ID from the premises;

(t) Knowledge of problem gambling helpline contacts (for their own use as well as that of customers);

(u) The importance of not encouraging customers to -

- Increase the amount of money they have decided to gamble;
- Enter into continuous gambling for a prolonged period;
- Continue gambling when they have expressed a wish to stop;
- Re-gamble winnings; or
- Chase losses.

5.35. Problem Gambling

5.36. The licensing authority considers that a risk-aware and gambling literate customer base with recourse to advice, information and assistance is less likely to be harmed or exploited by gambling.

5.37. All gambling premises are expected to prominently display and provide free of charge literature e.g. posters / leaflets, on how to identify signs of problem gambling and the associated pathways to advice and assistance including contact details of relevant counselling, advice and other services.

5.38. In addition to being prominently displayed in the main public area of the premises, posters and leaflets should also be displayed in areas where customers can take the details discreetly e.g. toilets.

5.39. All gambling premises are expected to have and implement suitable policies, procedures and arrangements for voluntary self exclusion. This is taken to mean a scheme whereby customers can request exclusion from the premises for an agreed timeframe and the premises take responsibility for ensuring that they are not readmitted during the agreed period.

5.40. All gambling premises are expected to have and implement suitable and sufficient customer intervention policies, procedures and arrangements so as to identify, monitor and make appropriate interventions with vulnerable personal and customers that may be gambling beyond their means or more than they would like.

5.41. To help identify and monitor the incidence and handling of problem gambling, all gambling premises are expected to establish and maintain suitable and sufficient records and share this (suitably redacted) with the licensing authority on request. The data expected to be recorded and shared includes but is not limited to –

(a) The date, time and nature of any intervention(s) made by staff / premises along with a summary description of the cause and effect;

(b) The date, time and nature of any self (voluntary) exclusion(s) along with a summary description as to the stated reason(s) for any self-exclusion;

(c) The date, time and nature of any attempted entries to the premises by self (voluntary) excluded individuals along with a summary description of the action(s) taken;

(d) The date, time and nature of any mandatory exclusions needing enforcement along with a summary description of the cause(s) and effect(s);

(e) The date, time and nature of any attempted entry to the premises by those underage along with a summary description of each incident and the action(s) taken; and

(f) The date, time and nature of any attempted proxy sales / transactions on behalf of those underage by complicit adults along with a summary description of each incident and the action(s) taken.

5.42. As gambling premises staff are in close proximity with gambling and/or gaming machines on a regular basis, the licensing authority considers that all gambling premises should consider restricting staff from gambling or gaming on the premises at which they work. All gambling premises should have a suitable range of support mechanisms in place for staff vulnerable to or affected by problem gambling.

5.43. Safety of Staff and Customers

5.44. To ensure the safety of both customers and staff, a suitable and sufficient staff to customer ratio, appropriate to the premises is expected to be in place at all times that the premises is open.

5.45. It is expected that a suitable staff to customer ratio should take account of both the crime and disorder objection as well as the objective of protecting children and other vulnerable persons from being harmed or exploited by gambling. For these purposes, applicants may wish to seek the advice of the local police licensing team in determination of staff ratios.

5.46. Prevention of crime and disorder

5.47. It is expected that all gambling premises implement suitable and sufficient cash handling policies and procedure to prevent and / or safeguard against theft / robbery. As a minimum these should include consideration and / or provision of –

(a) The number of staff handling cash at any one time;

(b) The frequency and amount of cash being handled and/or banked (to avoid large sums being involved);

(c) Use of security personnel for transport;

(d) A suitable CCTV system with suitable recording facility that keeps records for an appropriate length of time (including signage to indicate the presence of such a system);

(e) Local and emergency contact details for the emergency services clearly displayed in office areas;

(f) Consultation with Police and regular security reviews (NB: For security reasons, while we will not expect premises to tell us the precise details of the protocols they have in place, the licensing authority will need to be satisfied that effective procedures exist).

5.48. All gambling premises should, where appropriate, offer their customers alternative options to cash payment of winnings e.g. electronic payment. The options should be well publicised on the premises.

5.49. Protecting children and other vulnerable people from being harmed or exploited by gambling

5.50. The licensing authority consider ‘from being harmed or exploited by gambling’ as meaning preventing children and vulnerable people from taking part in, or being in close proximity to, gambling where they are prohibited from participating and, in particular, from entering adult-only environments.

5.51. The licensing authority may also take this term to mean the restriction and/or control of advertising so that gambling, its products and / or facilities are not aimed at, or advertised in such a way that makes them attractive to, children and vulnerable people in appropriate circumstances.

5.52. The licensing authority will therefore consider if specific measures are required at particular premises, relating to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc. The licensing authority may also consider the location of premises in the context of protecting children and vulnerable persons.

5.53. All gambling premises are expected to implement suitable arrangements to ensure that those persons who appear to be under the influence of drugs, alcohol or other substance which may distort their ability to make appropriate decisions about gambling activity are restricted from partaking in further gambling.

5.54. DETERMINATION OF PREMISES LICENCE APPLICATIONS

5.55. The licensing authority will determine applications for a premises licence in accordance with the Gambling Act 2005 and associated regulations, as well as any relevant mandatory conditions (i.e. those that must be included) and/or default conditions (which the licensing authority may exclude and/or substitute with alternatives in appropriate circumstances).

5.56. The licensing authority may also impose, or seek to impose, such other conditions, where it is entitled to do so, where it is necessary in accordance with the licensing objectives, codes of practice, guidance and policies, and / or deals with relevant representations. Such conditions may apply in relation to premises generally or in relation to a specified part of the premises.

5.57. Given the above, the licensing authority will not usually turn down an application for a premises licence where they are satisfied that relevant representations can be dealt with through the use of conditions attached to the licence.

6. REPRESENTATIONS RESPONSIBLE AUTHORITIES & INTERESTED PARTIES

6.1. GENERAL

6.2. When dealing with applications for, and reviews of, premises licences, the licensing authority may consider representations from two categories of individual(s) / bodies. These are referred to as ***'responsible authorities'*** and ***'interested parties'***.

6.3. Relevant representation(s) made, and not withdrawn, by one or more responsible authorities or interested parties, will result in a hearing to determine any application for, or review of a premises licence.

6.4. RESPONSIBLE AUTHORITIES

6.5. What we mean by 'responsible authority'

6.6. The ***'Responsible authorities'*** are public bodies specified under section 157 of the Act. The 'responsible authorities' must be notified of, and are entitled to make representations to the licensing authority about applications for, and in relation to, premises licences; and may apply for a review of a premises licence.

6.7. The licensing authority asserts that it is the role of the responsible authorities to use their particular area of expertise to help promote the licensing objectives. In so far as it relates to their area of expertise and the licensing objectives, this may include offering advice and guidance to prospective applicants and/or those affected by gambling activities.

6.8. Responsible authority concerning the protection of children from harm

6.9. Section 157(h) of the Act specifically requires the licensing authority to state the principles it will apply and consider in designating a body that is competent to advise it about the protection of children from harm.

6.10. In exercise of these requirements, the licensing authority will consider the following principles; namely -

- the body is competent to advise the authority about the protection of children;
- the need for the body to be responsible for an area covering the whole of the licensing authority's area; and

- the need for the body to be answerable to democratically elected people, rather than any particular vested interest group; and

- the need for the body to co-ordinate arrangements for responsive work to protect children via a multi agency approach.

6.11. Further, and on consideration of these principles, the licensing authority designates **Hampshire Safeguarding Children Board** as the body that is competent to advise it about the protection of children.

6.12. Having regard to the above principles, the body designated to advise the licensing authority about the protection of children may be revised from time to time.

6.13. Further information about responsible authorities

6.14. A full list of all of the *responsible authorities*, together with their contact details will be maintained on our website www.rushmoor.gov.uk.

6.15. INTERESTED PARTIES

6.16. What we mean by 'interested parties'

6.17. **'Interested parties'** are people who may make representations to the licensing authority about applications for, and in relation to, premises licences; and may also apply for a review of a premises licence. In accordance with Section 158 of the Gambling Act 2005 *'interested parties'* are individuals who, in the opinion of the licensing authority -

a) live sufficiently close to the premises to be likely to be affected by the authorised activities; or

b) have business interests that might be affected by the authorised activities; or

c) represent people in either of those two groups.

6.18. Determination of interested parties

6.19. In determining whether a person is an *interested party*, the licensing authority will not apply rigid rules to its decision-making but consider each case on its own individual merits on the basis of the facts and their degree. In reaching its decision, the licensing authority will generally take the following (non-exhaustive) factors into account; namely –

a) The likelihood of the interested party being affected by the licensable activities concerned;

b) The geographical proximity of the interested party to the premises concerned; and

c) The qualifying factors set out below.

6.20. By way of promoting inclusivity, community leadership and input to the licensing process, the licensing authority will, in borderline cases, where it is arguable if a party is an *interested party,* give the party making representation(s) the benefit of the doubt, until the contrary can be shown.

6.21. What we mean by 'live sufficiently close'

6.22. In determination of whether a party 'lives sufficiently close to the premises', the licensing authority will normally take the account of following (non-exhaustive) factors; namely -

a) the size of the premises;

b) the nature of the premises;

c) the nature of the activities being proposed / provided there;

d) the distance of the premises from the location of the person making the representation(s);

e) the potential impact of the premises and/or its activities (such as number of customers, likely routes taken by those visiting the establishment etc); and

f) the circumstances and nature of the complainant.

6.23. The licensing authority considers that the term *'lives sufficiently close to the premises to be likely to be affected'* may have different meanings for different interested parties, (e.g. a private resident, a residential school for children with problems or a residential hostel for vulnerable adults) and in different circumstances.

6.24. Any consideration of the circumstances and / or nature of the complainant will be confined to the interests of the complainant (which may be relevant to the distance from the premises concerned). It will not include the personal character(istics) of the complainant.

6.25. What we mean by 'business interests that might be affected'

6.26. By way of promoting inclusivity, community leadership and input to the licensing process, the term *'business interests'* will normally be given the widest possible interpretation and shall include partnerships, charities, faith groups, medical practices etc.

6.27. However, in determination of whether an interested party 'has business interests that might be affected', the licensing authority will normally take the account of following (non-exhaustive) factors; namely -

a) the size of the premises;

b) the catchment area of the premises (i.e. how far people travel to visit);

c) whether the person making the representation(s) has business interests in that catchment area that might be affected; and

d) the circumstance and nature of the business that is suggested may be affected and/or the representation(s) made, where it is relevant to one or more of the licensing objectives.

6.28. Any consideration of the circumstances and / or nature of the representation(s) made will be confined to the interests of the person making the representation (which may be relevant to the distance from the premises concerned). It will not include the personal character(istics) of the complainant.

6.29. The licensing authority believes that need, demand and/or competition between gambling operators, premises and facilities are matters for the market and are not business interests that should be subject to licensing control. Accordingly, the licensing authority will not usually take account of representations made by any rival operator, anywhere in the country, simply because they are in competition within the same gambling sector and/or could be affected by another gambling business.

6.30. Representatives and democratically elected representatives

6.31. In determination of those who may 'represent' interested parties, the licensing authority will normally require written evidence that the representative(s) (e.g. advocate(s) / relative(s) etc) are authorised to represent the interested party concerned. A letter from the interested party will normally be sufficient for these purposes.

6.32. By way of promoting inclusivity, community leadership and input to the licensing process, representatives of interested parties may include trade associations, trade unions, residents' and tenants' associations and any other bodies, associations or individuals appropriate to the circumstances, providing they can demonstrate that they represent someone who would be classed as an interested party in their own right.

6.33. Democratically elected councillors and MPs may also represent interested parties and/or, may be an interested party in their own right; whether or not they make representations for, and on behalf of, or otherwise represent, one or more of their constituents. However, for

reasons of probity, interested parties wanting to approach councillors and/or councillors wanting to represent their own and/or an interested party's views should take care to avoid any conflict(s) of interest and/or membership of the Licensing (Sub) Committee dealing with the associated application. If there are any doubts, please contact Legal or Democratic Services at Rushmoor Borough Council.

6.34. Democratically elected representatives such as councillors and MPs will not normally need to provide evidence of being asked to represent an interested party, so long as the councillor or MP concerned represents the ward / area of the interested party concerned.

6.35. Further information about interested parties

6.36. It should be noted that the collective considerations above are not exhaustive and, the licensing authority will have regard to anything an *interested party*, or their representative(s), say about his or her status to make representations. Nothing in this policy should be taken to undermine the right of any person to make representations or seek review where provision has been made for them to do so.

6.37. MAKING REPRESENTATIONS

6.38. The licensing authority will normally expect all representations to be made in writing, setting out the name and address of the person / organisation making it and the premises to which it refers. It should also set out the reasons for making it and the licensing objectives or point of issue to which it relates.

6.39. Representations must be submitted to The Licensing Authority, Rushmoor Borough Council, Council Offices, Farnborough Road, Farnborough, Hampshire GU14 7JU or submitted via email: licensing@rushmoor.gov.uk or via the form / link on our website www.rushmoor.gov.uk.

6.40. However, as it may inform their approach, the licensing authority encourages any party considering making representations to discuss and, where appropriate, to negotiate suitable mitigating arrangements (including possible conditions of licence) with the applicant and/or one or more of the responsible authorities before submitting such representations.

6.41. Where representations are made, the licensing authority will take care to distinguish between (and firstly determine) whether or not the representation is admissible (i.e. made by an interested party / responsible authority) and (secondly), if the representation is relevant.

6.42. Where both these criteria are satisfied, it will be a matter for the licensing authority to determine what weight to attach to any relevant representation.

6.43. Relevant representations

6.44. In all cases, the licensing authority will only consider representations from responsible authorities and interested parties that are relevant.

6.45. **'Relevant representations'** are likely to be those that relate to the licensing objectives, or that otherwise raise issue(s) under this policy statement, the Commission's guidance or codes of practice.

6.46. Non-relevant representations

6.47. For the reasons outlined throughout this policy (either express or implied), the licensing authority will not normally accept or consider (i.e. it will reject) representations -

a) made by individuals / bodies other than responsible authorities or interested parties;

b) if they relate to need, demand, or competition between gambling operators, premises and facilities;

c) that relate to moral, ethical objection(s) or a general dislike of gambling; and/or

d) that are frivolous, vexatious or would not otherwise influence the authority's determination of the application concerned.

6.48. In deciding whether representations fall within these terms, the licensing authority will consider each case on its own individual merits on the basis of the facts and their degree; taking account of -

a) who is making the representation, and whether there is a history of making representations that are not relevant;

b) whether the representation(s) raise(s) a 'relevant' issue; or

c) whether the representation(s) raise(s) issues specifically to do with the premises that are the subject of the application.

6.49. A vexatious representation will generally be taken to mean one that is repetitive, without foundation or made for some other reason such as malice. A frivolous representation will generally be taken to mean one that is lacking in seriousness, or is unrelated to either the licensing objectives, some point of issue with this policy, the Commission's guidance or codes of practice.

6.50. Non-relevant representations made by responsible authorities

6.51. Although it recognises their legitimate interest in premises, the licensing authority will not normally take into account any concerns expressed by a responsible authority in relation to their own particular functions and responsibilities; unless they are applicable to a relevant premises or application, the licensing objectives and/or some other point of issue with this policy, the Commission's guidance and/or codes of practice.

6.52. Subject to these caveats, the licensing authority will normally consider responsible authority concerns relating to their own particular functions and responsibilities as irrelevant. These might include for example, concerns –

a) that the premises are likely to be a fire risk;

b) The location of the premises is likely to lead to traffic congestion; or

c) The premises may cause crowds to congregate causing noise nuisance.

6.53. Determination of the relevance of representations

6.54. The considerations outlined in this part are not exhaustive and therefore, the licensing authority will not apply rigid rules to its decision-making in determining the relevance of representations. Each case will be decided objectively on its own merits on consideration of the facts and their degree and not on the basis of any political interest(s).

6.55. In all cases, the licensing authority will take account of anything a responsible authority, an interested party, or people representing them, say about their representation(s).

6.56. In borderline cases, where it is arguable if a representation is a relevant representation, the benefit of the doubt will be given to the party making representation(s), until the contrary can be shown.

7. CONDITIONS

7.1. CONDITIONS ON PREMISES LICENCES

7.2. Where there is discretion in its power to impose conditions, the licensing authority will not generally attach conditions that limit the use of premises for gambling except where it is necessary as a result of the requirement to act -

(a) in accordance with the Gambling Commission guidance, codes of practice or this policy statement; or

(b) in a way that is reasonably consistent with the licensing objectives.

7.3. Where conditions are imposed, the licensing authority will ensure they are proportionate to the circumstances they are intended to address and otherwise ensure that they are:

(a) relevant to the need to make the proposed building suitable as a gambling facility;

(b) directly related to the premises and the type of licence applied for;

(c) fairly and reasonably related to the scale and type of premises;

(d) not replicating requirements set out elsewhere (e.g. the Commission's licence conditions and codes of practice or other legislation),

(e) not seeking to address a matter already dealt with by mandatory conditions and;

(f) reasonable in all other respects.

7.4. The licensing authority will not issue conditions on premises licences which:

(a) make it impossible to comply with an operating licence condition;

(b) relate to gaming machine categories, numbers, or methods of operation;

(c) requires membership of a club or body; and

(d) imposes conditions in relation to stakes, fees, winnings or prizes.

7.5. In all cases, decisions on individual conditions will be made on a case by case basis, although there are a number of measures this licensing authority may consider for different premises licences where there is a perceived need (such as the use of supervisors, appropriate signage for adult only areas etc).

7.6. The general policy considerations and conditions the licensing authority is likely to apply in different circumstances are outlined below.

7.7. Where discretion to impose conditions exists, reasons will be given for imposing any condition(s) on a licence. Duplication with other statutory or regulatory regimes will be avoided so far as is reasonably practicable.

7.8. APPLICANT SUGGESTIONS

7.9. Even though the licensing authority has the ability to impose conditions, the applicant is expected to offer his/her own suggestions as to way in which the licensing objectives can be effectively met.

7.10. To this end, the licensing authority recommends that applicants carry out a thorough assessment of each of the licensing objectives before preparing their applications / volunteering conditions.

7.11. The licensing authority recommends that applicants also consider the general policy considerations / conditions given within this policy.

7.12. Applicants are advised to consult on their proposals with the licensing authority and other responsible authorities at the earliest possible opportunity. However, it must be noted that these authorities are not responsible for drawing up applications, which remain the sole responsibility of the applicant. It is for the applicant to consider if and how to address the issues outlined in this document.

7.13. Any suggested / volunteered conditions should be precise, clear, unambiguous and enforceable; being realistic and within the control of the applicant / operator / management of the premises.

7.14. Problematic conditions volunteered by the applicant

7.15. Where no other clarification is provided, conditions and restrictions volunteered by the applicant that are ambiguous, unclear or inconsistent will be transposed into suitable conditions based on our interpretation and in a way that we believe best promotes the licensing objectives.

7.16. The licensing authority may, where appropriate, transpose imprecise terms and conditions by drawing from and reference to, its pool of model conditions (see below),

7.17. GENERAL POLICY CONSIDERATIONS / CONDITIONS

7.18. Conditions in respect of gaming machines

7.19. Where category C (or above) gaming machines are available in premises where children can enter, the licensing authority may seek to impose conditions (as are appropriate) to ensure that:

(a) gaming machines are located in an area of the premises which is separated from the rest of the premises by a physical barrier, which is effective to prevent access other than through a designated entrance;

(b) only adults are admitted to the area where these machines are located;

(c) access to the area where the machines are located is suitably supervised;

(d) the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and

(e) at the entrance to and inside any such areas there are prominently displayed notices showing that access to the area is prohibited to persons under 18.

7.20. Conditions in respect of the protection of children

7.21. In relation to the protection of children, the licensing authority will, where appropriate, carefully consider the configuration of any building(s), particularly in multi-purpose developments and, where appropriate, seek measures that:

(a) prevent children from participating in gambling, or being invited to gamble where this is not permitted by law;

(b) prevent children from having accidental access to, or to observe closely, gambling, where they are prohibited from participating; and

(c) make sure entrances and exits from parts of a building covered by one or more licences are separate, identifiable and such that the separation of different premises is not compromised and people are unable to drift into / between gambling areas.

7.22. Other conditional considerations

7.23. On consideration of the licensing objectives, the licensing authority may consider it appropriate for people operating gambling premises (particularly those in buildings subject to multiple premises licences) to:

(a) supervise entrances;

(b) segregate gambling from non-gambling areas used by children;

(c) supervise gaming machines in non-adult gambling specific premises.

7.24. Door supervisors

7.25. On consideration of the licensing objectives, the licensing authority may consider the need to provide door supervisors at particular premises where appropriate and proportionate.

7.26. With the exception of casinos and bingo premises (being exempt from security industry authority (SIA) licensing requirements), individual(s) employed to carry out a security activity (within the meaning of the Private Security Industry Act 2001) must be licensed by the Security Industry Authority (SIA).

7.27. The licensing authority recognises that this does not prevent consideration of other supervisory activities falling outside of the Private Security Industry Act 2001 by non-SIA licensed individuals. However, the licensing authority will generally expect such individuals to be suitably trained and/or competent.

8. REVIEWS OF PREMISES LICENCES

8.1. WHAT WE MEAN BY 'REVIEW'

8.2. The purpose of a review is to determine whether the licensing authority should take any action(s) relating to an existing premises licence.

8.3. WHAT MAY HAPPEN FOLLOWING REVIEW

8.4. If action is justified on review, the licensing authority may:

(a) revoke the licence;

(b) suspend the premises licence for a period (not more than three months);

(c) exclude a default condition, or remove or amend such an exclusion; and

(d) add, remove or amend a licence condition imposed by the licensing authority.

8.5. APPLYING FOR REVIEW

8.6. An application for a review may be made by a responsible authority, an interested party and, in appropriate circumstances, by the authority itself. It is, however, a matter for the licensing authority to decide if a review should be carried out.

8.7. Generally, the licensing authority will grant an application for a review, but may refuse it if it thinks that the grounds on which the review is sought:

(a) are not relevant to the principles that must be applied by the licensing authority in line with the Commission guidance and / or codes of practice, this policy statement or the licensing objectives;

(b) raise general objections to gambling as an activity, that is likely to be irrelevant to the principles contained in (a) above;

(c) are frivolous;

(d) are vexatious;

(e) will certainly not cause the authority to revoke or suspend a licence or to remove, amend or attach conditions on the premises licence;

(f) are substantially the same as reasons given in a previous application relating to the same premises; or

(g) are substantially the same as representations made at the time the application for a premises licence was considered.

8.8. The licensing authority considers that general objections to gambling as an activity, need, demand and/or competition between gambling premises / facilities are likely to be irrelevant.

8.9. Where previous representations or review applications which were substantially the same have been made, the licensing authority will take into account how much time has passed since the earlier application was determined to decide if it is reasonable to rely on this as a reason not to review the licence.

8.10. The licensing authority believes that a licence should not be reviewed on the basis of the same arguments considered on the granting of the premises licence.

8.11. LICENSING AUTHORITY REVIEWS

8.12. The licensing authority itself can also initiate a review of a premises licence in its own right and/or on the basis of any reason which it thinks is appropriate. Generally, the licensing authority may initiate a review of a premises licence on consideration of the use made of the premises, associated complaints and / or disputes, non-compliance with the law and/or licence conditions, together with matters not otherwise compatible with the licensing objectives. This list is not exhaustive.

8.13. ACTIONS ON REVIEW

8.14. Where it receives and grants a valid application for review, the licensing authority will, subject to regulations, advertise the application and give notice of the intention to start a review to all relevant parties. These notices will specify the grounds on which the application has been made and invite representations about the application by other interested parties and responsible authorities, specifying the dates between which representations can be made.

8.15. Once the last date, by which representations may be made, has passed, the licensing authority will give notice to all relevant parties of a date, time and venue at which a hearing will be held. This is unless the applicant and any person who has made representations consent to the review being conducted without one.

8.16. In deciding what action, if any, should be taken on review, the licensing authority will have regard to any relevant representations so far as it thinks it is:

(a) in accordance with any relevant code of practice issued by the Gambling Commission;

(b) in accordance with any guidance issued by the Gambling Commission;

(c) reasonably consistent with the licensing objectives; and

(d) in accordance with this statement of licensing policy.

8.17. The licensing authority will, as soon as possible, notify its decision on review, together with its reasons to:

(a) the licence holder;

(b) the applicant for review;

(c) the Commission;

(d) any person who made representations;

(e) the chief officer of police or chief constable; and

(f) Her Majesty's Commissioners for Revenue and Customs.

9. PROVISIONAL STATEMENTS

9.1. WHAT WE MEAN BY 'PROVISIONAL STATEMENT'

9.2. A provisional statement provides some assurance to prospective applicants of the likely grant of a premises licence (i.e. in principle) for premises that are expected to be constructed, altered or otherwise acquired / occupied when construction, alteration and/or acquisition has been completed.

9.3. PROVISIONAL STATEMENT APPLICATIONS & REPRESENTATIONS

9.4. Except for certain criteria, an application for, and the process for consideration of a provisional statement is similar to that of a premises licence and the policies and provisions that apply to premises licences shall apply in the same way to this part for provisional statements.

9.5. In considering an application for a provisional statement, the licensing authority will not speculate on, or otherwise take into account, the likelihood of the proposal being granted permission under planning or building law and / or subsequently being granted an operating licence by the Gambling Commission.

9.6. CONVERTING A PROVISIONAL STATEMENT TO A PREMISES LICENCE

9.7. The holder of a provisional statement may subsequently apply to the licensing authority for the associated premises licence.

9.8. Where it has granted a provisional statement, the licensing authority may, by law, be constrained in the matters it can then consider on a subsequent application for a premises licence. Representations from relevant authorities or interested parties may only be taken into account where they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances.

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

a) which could not have been raised by objectors at the provisional licence stage; or

b) which, in the licensing authority's opinion, reflect a change in the operator's circumstances.

9.10. The above constraints will not apply where the licensing authority has reason to believe that the premises have not been constructed or altered in line with the plans and/or information included under the provisional statement. While it will decide such cases objectively on its own merits, the licensing authority believes this to be a question of fact and degree. The licensing authority may therefore check to ensure that the premises have been constructed / altered in accordance with the provisional statement, as may be appropriate.

10. TEMPORARY USE NOTICES

10.1. WHAT WE MEAN BY 'TEMPORARY USE NOTICES'

10.2. A temporary use notice (TUN) allows the temporary use of 'a set of premises' (not subject to a premises licence) by a gambling operator to provide facilities for gambling. TUNs may only be granted for use of premises for up to and, no more than a total of, 21 days in a 12 month period and to individuals or companies holding a relevant operating licence (issued by the Commission).

10.3. Only prescribed bodies and individuals (including the licensing authority) may object to a proposed TUN. If, within 14 days of the notice being given, no objections are received, the TUN must be endorsed.

10.4. POLICY CONSIDERATIONS

10.5. It is noted that it falls to the Licensing Authority to decide what constitutes a 'set of premises' where Temporary Use Notices are received relating to the same building/site. For these purposes, the licensing authority considers that a set of premises is the subject of a temporary use notice if any part of the premises is covered by such a notice. This will be a question of fact and degree in the particular circumstances of each notice given.

10.6. However, in considering whether any place falls within a set of premises, the licensing authority will look at, amongst other matters, the ownership, occupation and control of the premises and, in appropriate circumstances, if different units are in fact different sets of premises.

10.7. DETERMINATION OF TUNs

10.8. The licensing authority recognises and will apply the statutory limits for Temporary Use Notices in all cases. In particular, the licensing authority will disregard any temporary use notice that is lodged with it less than three months and one day before the day on which the gambling event for which it is required will begin. Any such TUN will be considered void.

10.9. On receiving a TUN, the licensing authority will consider if it should give notice of objection (a counter notice). In considering whether to do so, the licensing authority will take account of the licensing objectives and whether the gambling should take place, or only with modifications.

10.10. The licensing authority will object to TUNs where it appears that the effect of such a notice would be to permit regular gambling in a place that could be described as one set of premises.

10.11. In all other respects, the principles the licensing authority will apply in consideration of TUNs are the same as those for determining premises licence applications; and that section should be construed accordingly.

11. OCCASIONAL USE NOTICES

11.1. WHAT WE MEAN BY 'OCCASIONAL USE NOTICES'

11.2. Occasional use notices (OUNs) can only be issued in relation to tracks and the provision of betting facilities (and not for the provision of gaming machines) for up to and, no more than a total of, eight days in a calendar year. There is no provision for objections to be submitted about OUNs.

11.3. POLICY CONSIDERATIONS

11.4. As there is no provision for objections to be submitted about OUNs, the licensing authority has very little discretion on these notices apart from ensuring that the statutory limit of eight days in a calendar year is not exceeded.

11.5. The licensing authority will however consider the definition of a 'track' and if the applicant is permitted to service and/or avail him / herself of such a notice. For the purposes of this part, the meaning of track shall not be limited to permanent race courses, but also any other premises, on any part of which a race or other sporting event takes place or is intended to take place.

PART D

12. PERMITS

12.1. WHAT WE MEAN BY 'PERMITS'

12.2. Generally, permits regulate gambling and the use of gaming machines in specific premises.

12.3. Subject to the definitions and exemptions under the Act, permits are usually required when premises provide a gambling facility in which the stakes and prizes are very low or otherwise when gambling is not the main function of the premises.

12.4. The following types of permit are available:

(a) (Un-licensed) family entertainment centre gaming machine permits;

(b) Club gaming permits and club machine permits;

(c) Prize gaming and prize gaming permits; and

(d) (Alcohol) licensed premises gaming machine permits.

12.5. DETERMINATION OF PERMIT APPLICATIONS

12.6. Generally, the licensing authority may only grant or reject an application for a permit. The licensing authority cannot generally attach conditions to such permits, but it may modify them in appropriate circumstances, where it has the power to do so.

12.7. Where, on consideration of an application, a permit is granted, the licensing authority will issue the permit as soon as is reasonably practicable.

PART E

13. RIGHTS OF APPEAL

13.1. LICENSING AUTHORITY DECISIONS & RIGHTS OF APPEAL

13.2. The licensing authority is aware that its decisions may be subject to judicial review and appeal in accordance with the provisions of the Act. Accordingly, and to ensure transparent decision making, the licensing authority will:

(a) give clear and comprehensive reasons for the rejection of any application where there is a requirement in the Act to do so;

(b) wherever practicable, and as a matter of best practice, give clear and comprehensive reasons for all decisions connected to its functions under the Act, regardless of whether there is a requirement under the Act to do so; and

(c) advise any involved party concerned with the decision of the licensing authority of their rights to appeal.

13.3. MAKING AN APPEAL

13.4. Individuals who want to appeal against any decision made by the licensing authority have the right to appeal to the Aldershot Magistrates' Court at the Court House, Civic Centre, Aldershot, Hampshire, GU11 1NY in 21 days; beginning on the day the person making the appeal was notified by the licensing authority of the decision against which (s)he is appealing.

13.5. FURTHER INFORMATION

13.6. We are advised that a fee must accompany any appeal. The amount payable may change from time to time and appellants are advised to check with the court. Please note an appeal will not be accepted by the Court as validly made until such time as this fee is paid.

13.7. Although advice on the appeal procedure is available from the Clerk to the Court, anyone wanting to pursue an appeal is advised to seek independent professional legal advice.

PART F

14. OTHER MATTERS

14.1. TRAVELLING FAIRS

14.2. The licensing authority recognises that certain gaming activities / facilities provided by travelling fairs may amount to ancillary amusement(s) at such a fair and therefore do not require authorisation under the Act. Such activities / facilities include the provision of gaming machines (category D only) and / or equal chance prize gaming.

14.3. Although it recognises that there are no application or notification requirements, the licensing authority may wish to satisfy itself from time to time that such gambling does not require authorisation under the Act. With respect to the provision of gaming machines at fairs, the licensing authority may also seek to check that the way the machines operate, meet legal requirements.

14.4. In all cases, it will fall to the licensing authority to decide whether or not the provision of such gaming machines and / or equal chance prize gaming at travelling fairs amounts to an ancillary amusement at the fair.

14.5. In appropriate cases, the licensing authority will also consider whether a fair falls within the statutory definition of a travelling fair to benefit from this exemption.

14.6. The licensing authority recognises that land being used as a fair may only be used on a (statutory) maximum 27 days per calendar year, and that this applies to the piece of land on which fairs are held, regardless of whether it is the same or a different fair occupying the land. The licensing authority will therefore work with neighbouring authorities to ensure that land crossing its boundaries is monitored so as to ensure the statutory limits are not exceeded.

14.7. SMALL SOCIETY LOTTERIES

14.8. All lotteries will be regarded as unlawful unless they are run in accordance with an operating licence issued by the Commission or are otherwise exempt and, where appropriate, registered with the licensing authority.

14.9. Although various exemptions exist, only small societies will be permitted to register with the licensing authority, and only where the lottery in question is a non-commercial lottery and is established and conducted:

(a) for charitable purposes;

(b) for the purpose of enabling participation in, or of supporting, sport, athletics or other cultural activity; or

(c) for any other non-commercial purposes (other than private gain).

14.10. Although guidance on the different types of lottery permitted will be made available on our website (www.rushmoor.gov.uk), the licensing authority recommends those seeking to run a lottery take their own legal advice on the type of lottery they propose.

14.11. In exercising its functions relating to small society and exempt lotteries, the licensing authority will consider any Commission guidance.

14.12. The licensing authority will keep and maintain a public register of all society's registered by us to carry out small society lotteries and submit relevant information to the Commission.

PART G

15. COMPLIANCE & ENFORCEMENT

15.1. By virtue of this part, the licensing authority sets out the principles it will apply when exercising its compliance, enforcement and responsible authority powers under the act, including the instigating of criminal proceedings.

15.2. GENERAL EXPECTATION OF COMPLIANCE

15.3. The licensing authority expects all individuals, businesses and operators involved in gambling etc to comply with the requirements of the Gambling Act 2005 and associated regulations. Further to this, the licensing authority expects those to whom it has issued licences and/or permits under the Act, to fully comply with such authorisations; together with their terms and conditions.

15.4. Subject to the considerations outlined below, the Licensing Authority will, in recognition of the licensing objectives and the implicit safeguards required by the Act, take a **serious view** of any individual(s), business(es) and operator(s) that fail to comply with any aspect of the law or any authorisation provided for thereunder.

15.5. INSPECTION & MONITORING

15.6. To monitor compliance, the licensing authority may reactively investigate and/or inspect premises, associated records and documents where it receives complaint, expressions of concern and/or other intelligence about (un)licensed premises and/or (un)authorised activities.

15.7. The licensing authority may also monitor compliance by undertaking proactive programmes of inspection of premises where authorised gambling activities are provided. Whilst the licensing authority will normally have regard to any primary authority arrangements, this activity will generally be risk-based and target higher-risk premises that require greater attention, while operating a lighter touch for low risk businesses that are well managed and maintained.

15.8. In monitoring the compliance of licensed operators with aspects of the Act, both reactive and proactive compliance activities may also include test purchasing activities.

15.9. ENFORCEMENT

15.10. Where necessary to ensure compliance, the licensing authority may take enforcement action. Any enforcement action will be taken with regard to -

(a) Gambling Commission guidance and codes of practice;

(b) the principles of the Regulators Code;

(c) any Primary Authority advice, actions and/or guidance; and

(d) the Council's Corporate Sanctions & Enforcement Policy.

15.11. In all cases, the licensing authority will endeavour to ensure that inspections and enforcement are carried out with regard to the following principles; namely -

a) Targeting	-	The licensing authority will focus on problems and/or higher risk activities and seek to minimise side effects.
b) Proportionality	-	The licensing authority will only intervene when necessary, ensuring remedies are appropriate to the risk posed and, where appropriate, that costs are identified and minimised.
c) Accountability	-	The licensing authority will justify its decisions and be subject to public scrutiny.
d) Consistency	-	The licensing authority will seek to ensure rules and standards are joined up, applied in similar circumstances and are implemented fairly.
e) Transparency	-	The licensing authority will be open and seek to ensure that rules, standards and its regulation are simple and user friendly.

15.12. LIAISON & REFERRAL

15.13. In recognition of the scope of the licensing objectives and the functions, duties and responsibilities of others, the licensing authority will, where appropriate, work closely with other relevant regulatory bodies and agencies (e.g. Police, responsible authorities, neighbouring local authorities and others) on any issue(s) of concern, compliance and/or enforcement. The licensing authority will endeavour to avoid duplication with other regulatory regimes and will, where appropriate, refer any

matter that it finds or that appears to be a contravention of legislation enforced by another authority, to the relevant agency concerned.

15.14. In particular, the licensing authority notes that the Gambling Commission is the lead investigative and enforcement body in respect of illegal gambling, the operator (including remote gambling facilities) and personal licences it issues, together with matters concerning the manufacture, supply or repair of gaming machines. For this reason, concerns over any of these matters will be notified and referred to the Gambling Commission for action as appropriate.

PART H

16. CONSULTATION & PUBLICATION

16.1. CONSULTATION PRINCIPLES

16.2. The licensing authority will consult the following parties on any statement of principles (including any interim revision) it prepares and seeks to publish.

(a) The Chief Officer of Police for Hampshire Constabulary;

(b) One or more people who appear to the authority to represent the interests of those carrying on gambling businesses in the Rushmoor area; and

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

16.3. Following consultation and in determining its policy, the licensing authority will always:

(a) Have regard to the Gambling Commission guidance to licensing authorities; and

(b) Give appropriate weight to the views of those it has consulted.

16.4. In determining what weight to give to particular representations on its statement, the factors to be taken into account will include:

(a) Who is making the representation in terms of their expertise or interest;

(b) Relevance of the factors to the licensing objectives;

(c) How many other people have expressed the same or similar view(s);

(d) How far the representations relate to matters that the licensing authority should be including in its policy statement.

16.5. In all cases, it will be for the licensing authority to ensure that it looks at the views of its consultees and to consider carefully whether, and to what extent, they should be taken into account.

16.6. Where reasonably practicable, the licensing authority will give reasons for the decisions it has made about comments or representations on its policy following consultation. Where appropriate, it will make the details of these available on request.

16.7. ADVERTISING

16.8. Before publishing a statement or revision, the licensing authority will publish a notice of its intention to do so, no less than two weeks before the statement or revision is to be published. The notice will:

(a) specify the date on which the statement or revision is to be published;

(b) specify the date on which the statement or revision will come into effect;

(c) specify the internet address where the statement or revision will be published and the address of the premises at which it may be inspected; and

(d) be published on the authority's website and in/on one or more of the following places:

- A local newspaper circulating in the area covered by the statement;
- A local newsletter, circular, or similar document circulating in the area covered by the statement;
- A public notice board on or near the principle office of the authority;
- A public notice board on the premises of public libraries in the area covered by the statement.

16.9. PUBLICATION

16.10. This statement and / or any subsequent revision will be published on our website (www.rushmoor.gov.uk) and be available for inspection at Rushmoor Borough Council Offices, Farnborough Road, Farnborough, Hampshire GU14 7JU.

16.11. CONSULTATION

16.12. Having regard to the above, this document was subject to wide consultation between 21st January 2025 and 15th April 2025. A list of those consulted is given at **appendix C** (unsolicited comments not included).

16.13. A full list of the comments made, together with our response is available on request.

16.14. Any comments as regards this policy should be sent to:

The Licensing Manager
Rushmoor Borough Council
Council Offices
Farnborough Road
Farnborough
Hampshire
GU14 7JU

Tel: 01252 398855
Email: licensing@rushmoor.gov.uk

APPENDIX A

17. LICENSING FUNCTIONS & RESPONSIBILITIES

17.1. LICENSING AUTHORITY FUNCTIONS

17.2. This document applies to the functions of Rushmoor Borough Council (RBC) as a licensing authority under the Gambling Act 2005, which is responsible for the -

(a) licensing of premises where gambling activities are to take place by issuing Premises Licences;

(b) issue of provisional statements;

(c) regulation of members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits;

(d) Issue of Club Machine Permits to Commercial Clubs;

(e) granting of permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres;

(f) administration and receipt of notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines;

(g) issue of licensed premises gaming machine permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where more than two machines;

(h) registration of small society lotteries below prescribed thresholds;

(i) issue of prize gaming permits;

(j) receipt and endorsement of temporary use notices;

(k) receipt of occasional use notices; and

(l) setting and collection of fees.

17.3. The licensing authority is also required to provide information to the Gambling Commission regarding details of the licences it issues (see

section on ‘information exchange), and to maintain registers of the licences and permits it issues.

17.4. GAMBLING COMMISSION FUNCTIONS

17.5. For clarity and distinction, the licensing authority notes that the Gambling Act 2005 empowers the Gambling Commission to -

(a) issue operating licences;

(b) issue personal licences;

(c) specify general and specific licence conditions;

(d) issue codes of practice;

(e) monitor licence holders to ensure compliance with licences;

(f) investigate and prosecute illegal gambling and other offences;

(g) issue guidance to licencsing authorities on their functions, including the issuing of premises licences;

(h) advise the Secretary of State on gambling matters.

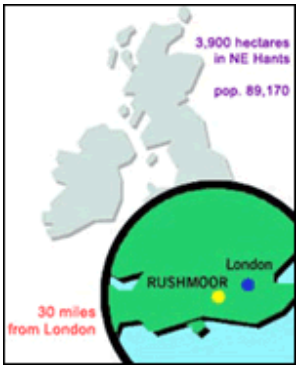
17.6. The Gambling Commission will be the lead investigative and enforcement body for these and associated purposes.

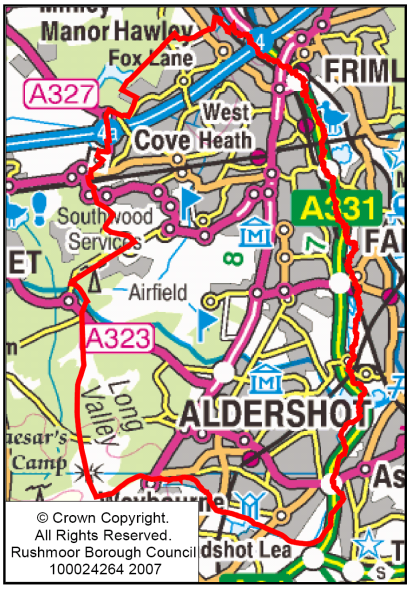
APPENDIX B

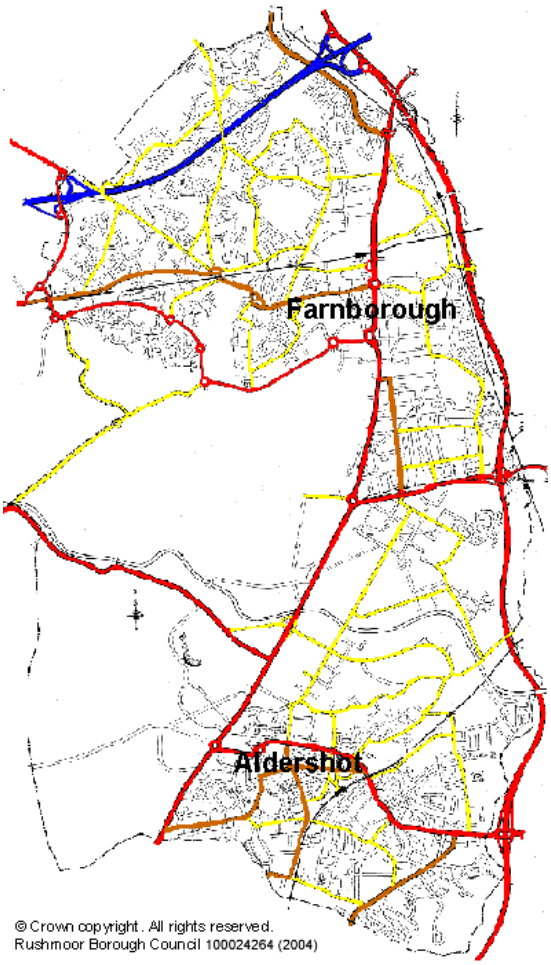
18. THE BOROUGH OF RUSHMOOR

18.1. OVERVIEW

18.2. Situated in the north-east corner of Hampshire between the towns of Camberley, Guildford, Fleet and Farnham, Rushmoor is located in the Blackwater Valley and includes the towns of Farnborough and Aldershot.







18.3. Only 30 miles from London, the Borough covers an area of 40 square kilometres (3,900 hectares) of a mainly residential and varied light industrial mix. It is home to the British Army and has a domestic population of approximately 90,000 (2001 estimate).

18.4. ADDITIONAL INFORMATION

18.5. Further information about RBC and the borough can be found on our website www.rushmoor.gov.uk.

APPENDIX C

19. CONSULTATION

19.1. The following individuals, bodies and organisations have been consulted on this policy, in addition to all responsible authorities and those who held a licence under the Gambling Act 2005 within Rushmoor at the time of the consultation

Abri Homes
Advance Housing & Support Ltd
Aldershot Magistrates' Court
Anchor Trust
Association of Licensed Multiple Retailers
BACTA
British Amusement & Catering Trades Association
British Beer & Pub Association
British Greyhound Racing Board
British Institute of Innkeeping
Canal and River Trust
Citizens Advice Bureau
Coral Bookmakers
Elles Housing Co-operative Housing Society Ltd
Elm Group
Farnborough Aerodrome Residents' Association
Federation of Licensed Victuallers
Frimley Health
Gamblers Anonymous (UK)
GamCare
Gordon Moody Association
Haig Homes
Hampshire Constabulary
Hampshire County Council
Hampshire & Isle of Wight Fire & Rescue Service
HM Revenue & Customs
Home Group
Horseracing Regulatory Authority
Housing 21
Hyde Housing Association
Joe Jennings Bookmakers Ltd
Kossway Automatics Ltd
Ladbrooks Betting & Gaming Ltd
London & Quadrant Housing Trust Ltd
Moat Housing Society Ltd
North Hampshire Chamber of Commerce
Racecourse Association Ltd
Ravendive Ltd
RBC Community Services
RBC Democratic Services
RBC Environmental Health Services
RBC Health & Safety Enforcing Authority
RBC Legal Services
RBC Planning Services
Riverside Group
Rushmoor Community Safety
Rushmoor Pubwatch
Sandy Hill Residents' Association
Security Industry Authority
Stonewater Ltd
Thames Valley Charitable Housing Association
The Bingo Association
The Environment Agency
The Gambling Commission
The Lotteries Council
The Magistrates Association
The Working Men's Club & Institute Union
Vivid Housing Association
William Hill Plc

APPENDIX D

20. ADULT GAMING CENTRES

20.1. WHAT WE MEAN BY 'ADULT GAMING CENTRES'

20.2. Adult gaming centres are premises licensed to make certain prescribed gaming machines available only to persons aged 18 years or over.

20.3. POLICY CONSIDERATIONS / CONDITIONS

20.4. With respect to premises licence applications for an adult gaming centre, the licensing authority will have particular regard to the need to protect children and vulnerable persons from harm or being exploited by gambling. The licensing authority will therefore expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

20.5. The licensing authority will expect applicants to offer their own measures to meet the licensing objectives, but considers appropriate measures / licence conditions and/or risk assessments may cover the following matters:

(a) Proof of age schemes;
(b) Sight of approved age ID cards e.g. passports, PASS etc;
(c) CCTV;
(d) Supervision of entrances / machine areas;
(e) Physical separation of areas e.g. clear barriers;
(f) Location of entry;
(g) Notices / signage;
(h) Specific opening hours;
(i) Self-exclusion schemes;
(j) Provision of information leaflets / contact details for helpline organisations e.g. GamCare, debt management counsellors etc;
(k) Separation of gaming facilities from ATM's.

NB: This list is not mandatory, nor exhaustive, and merely shows examples of possible measures.

DRAFT

APPENDIX E

21. FAMILY ENTERTAINMENT CENTRES

21.1. WHAT WE MEAN BY FAMILY ENTERTAINMENT CENTRES

21.2. Premises licensed to provide certain gaming machines (categories C and D) constitute a licensed family entertainment centre.

21.3. Premises that provide category D gaming machines only are non-licensed family entertainment centres and are regulated through gaming machine permits.

21.4. POLICY CONSIDERATIONS / CONDITIONS

21.5. With respect to Family Entertainment Centres, the licensing authority will have particular regard to the need to protect children and vulnerable people from harm or being exploited by gambling. The licensing authority will therefore expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to any adult only gaming machines and/or associated gaming areas.

21.6. The licensing authority will expect applicants to offer their own measures to meet the licensing objectives, but considers appropriate measures / licence conditions and/or risk assessments may cover the following matters:

(a) CCTV;
(b) Supervision of entrances / gaming machine areas;
(c) Physical separation of gaming machines / areas e.g. clear barriers;
(d) Location of entry;
(e) Location of adult gaming machines
(f) Notices / signage;
(g) Specific opening hours;
(h) Self-barring schemes;
(i) Age restriction policy / proof of age schemes;
(l) Sight of approved age ID cards e.g. passports, PASS etc
(j) Provision of information leaflets / contact details for helpline organisations e.g. GamCare, debt management counsellors etc (preferably in prominent positions and in discrete locations to preserve anonymity);
(k) Measures / training for staff on how to deal with suspected truant school children on the premises;
(l) Ensuring there are no inducements to remain in the gaming areas longer than anyone can reasonably afford to; and
(m) Separation of gaming facilities from ATM's.

NB: This list is not mandatory, nor exhaustive, and merely shows examples of possible measures.

21.7. In determining any conditions in respect of this part, the licensing authority will, where appropriate, take account of any conditions applying to the operating licence (issued by the Commission) of the premises concerning the way in which the area containing the category C machines should be delineated / segregated from adult only areas. The licensing authority will also be mindful of the mandatory and default conditions applicable to these types of premises licences, and the requirements in the relevant code of practice.

APPENDIX F

22. TRACKS

22.1. WHAT WE MEAN BY 'TRACKS'

22.2. Tracks are sites where races or other sporting events take place such as horse race courses, dog tracks etc.

22.3. POLICY CONSIDERATIONS / CONDITIONS

22.4. The licensing authority is aware and will be mindful that -

(a) betting is a major gambling activity on tracks, both in the form of pool betting (often known as the "totalisator" or "tote"), and also general betting, often known as "fixed-odds" betting; and

(b) as an exception to the general rule, tracks -

(i) do not require the operator to hold an operators' licence (as usually granted by the Commission); and

(ii) may be subject to one or more premises licences, providing each licence relates to a specified area of the track (without overlap).

22.5. Accordingly, to ensure clarity between the respective responsibilities of the track operator and any off-course betting operator(s), the licensing authority will prefer that all self-contained premises operated by off-course betting operators on tracks are the subject of a separate premises licence.

22.6. However, mindful of the need to protect children and vulnerable people from being harmed or exploited by gambling, the licensing authority will expect all applicants to demonstrate suitable measures to ensure –

(a) children do not have access to adult only gaming facilities;

(b) entrances to each type of premises are distinct; and

(c) children are excluded from gambling areas where they are not permitted to enter.

22.7. In particular, whilst children and young people may be allowed to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, the licensing authority asserts

that they must still be excluded from areas where gaming machines (other than category D machines) are provided.

22.8. The licensing authority will expect applicants to offer their own measures to meet the licensing objectives, but considers appropriate measures / licence conditions and/or risk assessments may cover the following matters:

(a) Proof of age schemes
(b) Sight of approved age ID cards e.g. passports, PASS etc
(c) CCTV
(d) Supervision of entrances / machine areas
(e) Physical separation of areas e.g. clear barriers
(f) Location of entry
(g) Notices / signage
(h) Specific opening hours
(i) Self-exclusion schemes
(j) Provision of information leaflets / contact details for helpline organisations e.g. GamCare, debt management counsellors etc (preferably in prominent positions and in discrete locations to preserve anonymity)
(k) Separation of gaming facilities from ATM's.

NB: This list is not mandatory, nor exhaustive, and merely shows examples of possible measures.

22.9. The licensing authority considers that all track operators have an important role to play, for example, in ensuring betting areas are properly administered and supervised. In the absence of an operating licence (as usually issued by the Commission), the licensing authority will also expect applicants to demonstrate suitable measures to ensure the proper co-ordination and conduct of betting.

22.10. With respects to tracks, the licensing authority recognises that they will, generally, be the subject of a betting premises licence, but that a number of subsidiary authorisations may be required for other gambling activities. The following is therefore provided to outline the conditions / considerations the licensing authority may apply in respect of subsidiary activities at tracks.

22.11. Gaming machines at tracks

22.12. Although it recognises that children and young persons are not prohibited from playing certain (category D) gaming machines on a track, the licensing authority will take particular account of the nature and location of gaming machines at tracks. In such respects, applications for track premises licences will need to demonstrate that age restricted machines are located in suitable areas in which children are excluded as may be appropriate (i.e. where applicants hold a pool

betting operating licence and are to use their entitlement to four gaming machines).

22.13. Betting machines at tracks

22.14. In appropriate circumstances, the licensing authority may consider restricting the number and location of betting machines in respect of applications for track betting premises licences.

22.15. In considering the number, nature and / or circumstances of betting machines an operator wants to offer, the licensing authority will take into account the size of the premises, the number of counter positions available for person-to-person transactions and the ability of staff to monitor and prevent the use of betting machines by children and young persons or by vulnerable people (it being an offence for those under 18 to bet).

22.16. Condition on rules being displayed at tracks

22.17. The licensing authority will normally consider and attach conditions to track premises licences requiring the track operator to ensure that the rules are made available to the public by, for example:

(a) prominently displaying the rules in or near betting areas;

(b) printing the rules in the race-card; and/or

(c) making the rules available in leaflet form from the track office.

22.18. TRACK APPLICATIONS AND PLANS

22.19. By way of making an informed judgement on any track premises licence application, the licensing authority will normally require applicants to provide sufficiently detailed, drawn to scale plans of the premises that show -

(a) the extent and boundaries of the premises;

(b) the location of any race track;

(c) the nature and location of any proposed gambling activities / facilities (other than betting);

(d) the nature and location of any gaming machines; and

(e) any other information required by Regulation(s).

22.20. The licensing authority expects that plans make clear what is being sought for authorisation under the track premises licence and what, if any, other areas and/or activities are to be subject to a separate application for a different type of premises licence.

22.21. It should be noted that the location of betting facilities to be provided at tracks is not required to be shown on track premises plans, both by virtue of the fact that betting is permitted anywhere on licensed track premises and because of the difficulties associated with pinpointing exact locations for some types of track. However, the licensing authority asserts that applications may be rejected where the associated plan(s) provide(s) insufficient information to enable it to suitably assess the application.

22.22. Premises layout changes and associated applications for variation

22.23. In recognition of the nature of licensed track premises, the licensing authority will not normally require an operator to submit application to vary the track premises licence for relatively small changes in premises layout. Application for variation(s) will normally be required only where a significant change to the track layout is proposed. The significance of any proposed layout change(s) will be determined on the basis of any impact on the purpose of the licence or the conditions attached to it with reference to the following examples.

22.24. For example, moving a category C gaming machine from one end of a bar that has been marked on the plan as a gaming machine area to another may not necessitate a full variation to a track premises licence, nor would the establishment of a new betting area at a racetrack, as neither of these events have any impact on the purpose of the licence or the conditions attached to it. However, relocating category C machines to entirely different parts of a track premises would generally need to be the subject of an application to vary the premises licence.

APPENDIX G

23. CASINOS

23.1. WHAT WE MEAN BY 'CASINO'

23.2. A casino is an arrangement whereby people are given the opportunity to participate in casino games i.e. games of chance that are not equal chance gaming.

23.3. POLICY CONSIDERATIONS / CONDITIONS

23.4. 'No Casinos' resolution

23.5. The licensing authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. If the licensing authority decides at some future point to pass such a resolution, it will revise this policy statement as may be appropriate, including the details of the resolution and the principles / factors on which it was made.

23.6. Casinos and competitive bidding

23.7. Where it can grant a premises licence for a casino (subject to authorisation by the Secretary of State), the licensing authority is aware that there are likely to be a number of operators which will want to run the casino. In this situation, the local authority will run a 'competition' under Schedule 9 of the Gambling Act 2005 and relevant regulations.

23.8. Other casino considerations / conditions

23.9. The licensing authority will have regard to relevant guidance from the Gambling Commission, in relation to the suitability and layout of casino premises, and will consider each application on its own merits.

23.10. Betting machines at casinos

23.11. In appropriate circumstances, the licensing authority may consider restricting the number and location of betting machines in respect of applications for casino premises licences.

23.12. In considering the number, nature and / or circumstances of betting machines an operator wants to offer, the licensing authority will take into account the size of the premises, the number of positions available for person-to-person transactions and the ability of staff to monitor and prevent the use of betting machines by children and young persons or by vulnerable people.

APPENDIX H

24. BINGO

24.1. WHAT WE MEAN BY 'BINGO'

24.2. Bingo is a class of equal chance gaming and has its ordinary and natural meaning.

24.3. Although licensed bingo operators may provide any type of bingo game including cash or prize bingo, a commercial bingo hall will require a bingo premises licence and amusement arcades providing prize bingo will require a prize gaming permit. Licence holders may also make certain gaming machines available for use.

24.4. POLICY CONSIDERATIONS / CONDITIONS

24.5. The licensing authority recognises that there may be no restriction of access to bingo premises by children or young people. The licensing authority will therefore have particular regard to the need to protect children and vulnerable people from harm or being exploited by gambling and will expect applicants to satisfy the authority, for example, that children allowed to enter bingo premises do not participate in any gambling activities, other than on gaming machines (category D) to which they may be entitled.

24.6. The licensing authority will expect applicants to offer their own measures to meet the licensing objectives, but considers appropriate measures / licence conditions may cover the following matters:

(a) CCTV;
(b) Supervision of entrances / gaming machine areas;
(c) Physical separation of gaming machines / areas e.g. clear barriers;
(d) Location of entry;
(e) Location of adult gaming machines
(f) Notices / signage;
(g) Specific opening hours;
(h) Self-barring schemes;
(i) Age restriction policy / proof of age schemes;
(j) Sight of approved age ID cards e.g. passports, PASS etc
(k) Provision of information leaflets / contact details for helpline organisations e.g. GamCare, debt management counsellors etc (preferably in prominent positions and in discrete locations to preserve anonymity); and
(l) Measures / training for staff on how to deal with suspected truant school children on the premises
(m) Separation of gaming facilities from ATM's.

NB: This list is not mandatory, nor exhaustive, and merely shows examples of possible measures.

24.7. In accordance with the Act, the licensing authority will also expect applicants to satisfy the authority that there will be suitable and sufficient measures to ensure:-

(a) that under 16 year olds are not employed in any capacity at bingo premises at a time when facilities for playing bingo are being offered; and

(b) under 18 year olds are not be employed in providing any facilities for gambling on the bingo premises.

24.8. Gaming machines on bingo premises

24.9. Where gaming machines (category C or above) are available in bingo premises to which children and young people are admitted, the licensing authority will seek to ensure that:

(a) all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier to prevent access other than through a designated entrance;

(b) only adults are admitted to the area where the machines are located;

(c) access to the area where the machines are located is supervised;

(d) the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and

(e) at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

24.10. Bingo in clubs and alcohol licensed premises

24.11. The licensing authority is aware that bingo will, subject to certain allowance thresholds, normally be classed as exempt gaming where provided in alcohol-licensed premises, clubs and miners' welfare institutes. The licensing authority will monitor such activities and will seek to ensure it is appropriately regulated where it suspects that allowance thresholds have been exceeded.

24.12. Other bingo-related considerations / conditions

24.13. The licensing authority notes Gambling Commission guidance that authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a particularly relevant consideration where any bingo operator of an

existing bingo premises applies to vary their licence to exclude an area of the existing premises and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

24.14. The number of Category B (sub-category B3) gaming machines will not be permitted to exceed 20% of the total number of gaming machines within the bingo premises unless the premises was licensed before 13 July 2013. Premises licensed before that date will retain an entitlement to 8 Category B (sub Category B3) machines or 20% of the total number whichever is the greater.

APPENDIX I

25. BETTING PREMISES

25.1. WHAT WE MEAN BY 'BETTING PREMISES'

25.2. Premises on which betting takes place (e.g. betting office) will usually require a betting premises licence (casinos are entitled to provide facilities for betting without a separate licence).

25.3. A betting premises licence holder may also make betting and certain gaming machines available for use on the premises.

25.4. POLICY CONSIDERATIONS / CONDITIONS

25.5. The licensing authority will therefore have particular regard to the need to protect vulnerable persons from harm or being exploited by gambling. For this reason, and other than in the case of tracks (for which special rules apply), the licensing authority does not consider it appropriate for children and young persons to be permitted to enter any premises with a betting premises licence.

25.6. The licensing authority will expect applicants to offer their own measures to meet the licensing objectives, but considers appropriate measures / licence conditions and/or risk assessments may cover the following matters:

(a) CCTV;
(b) Supervision of entrances / gaming machine areas;
(c) Location of entry;
(d) Notices / signage;
(e) Specific opening hours;
(f) Self-barring schemes;
(g) Age restriction policy / proof of age schemes;
(h) Sight of approved age ID cards e.g. passports, PASS etc
(i) Provision of information leaflets / contact details for helpline organisations e.g. GamCare, debt management counsellors etc (preferably in prominent positions and in discrete locations to preserve anonymity); and
(j) Measures / training for staff on how to deal with vulnerable individuals
(k) Separation of gaming facilities from ATM's.

NB: This list is not mandatory, nor exhaustive, and merely shows examples of possible measures.

25.7. Betting / gaming machines in betting premises

25.8. While recognising the difference between betting and gaming machines, the licensing authority may, in appropriate circumstances, consider restricting the number and location of betting / gaming machines in respect of applications for betting premises licences.

25.9. In considering the number, nature and / or circumstances of machines an operator wants to offer, the licensing authority will take into account the size of the premises, the number of counter positions available for person-to-person transactions and the ability of staff to monitor and prevent the use of the machines by vulnerable people.

25.10. Single point of contact

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

APPENDIX J

26. (UNLICENSED) FAMILY ENTERTAINMENT CENTRE GAMING MACHINE PERMITS

26.1. WHAT WE MEAN BY 'FEC GAMING MACHINE PERMITS'

26.2. For premises that do not hold a premises licence, unlicensed family entertainment centres (FECs) may offer certain gaming machines (category D only) by way of an FEC gaming machine permit. Any number of such machines can be made available with such a permit which is usually valid for 10 years.

26.3. POLICY CONSIDERATIONS / PRINCIPLES

26.4. The nature of permit applications

26.5. In accordance with the Act, the licensing authority will accept permit applications only from and in respect of those:

(a) who occupy, or plan to occupy premises to be used as an unlicensed FEC;

(b) who are aged 18 or over (where the applicant is an individual);

(c) premises where there is not a premises licence; and

(d) premises that are wholly or partly situated in the area.

26.6. To make sure there is suitable protection and to enable informed consideration and decision-making, the licensing authority will, subject to any Regulation(s), expect permit applications to be submitted with:

(a) Plans of the premises at a scale of 1:100 showing:-

(i) The extent of the boundary of the building, if relevant and any external walls of the building and, if different, the perimeter of the premises;

(ii) The location of points of entry to and exit from the premises;

(iii) The location of escape routes from the premises;

(iv) The number and location of gaming machines;

(v) Fixed structures (including furniture) or similar objects;

(vi) Where appropriate, the location and height of any raised area relative to the floor;

(vii) Where appropriate, the location of any steps, stairs, elevators or lifts;

(viii) Where appropriate, the location of any room or rooms containing public conveniences;

(ix) Where appropriate, the location of automated teller machines (ATMs) and other dispensers; and

(x) The nature and location of any safety and / or security equipment, notice, barrier (or other thing whatsoever) that may assist in the promotion of the licensing objectives.

(b) A suitable certificate of public liability insurance that covers the premises and the activities carried on there to at least £10,000,000 per individual claim.

(c) Where appropriate, a suitable certificate of employers liability insurance.

26.7. In accordance with the Act, the licensing authority will expect the premises to be wholly or mainly used for making gaming machines available for use as an unlicensed FEC and that the chief officer of police has been consulted on the application.

26.8. Consideration of permit applications

26.9. In considering applications for such permits, the licensing authority shall have regard to the licensing objectives and any relevant guidance issued by the Commission.

26.10. As unlicensed FECs will be open to children and young people, the licensing authority will expect the applicant to show that there are suitable policies and procedures in place to protect children from harm. Harm in this context shall not be limited to harm from gambling but shall include wider child protection considerations. The efficiency of such policies and procedures will be considered on their merits, but may include:

(a) appropriate measures / training for staff as regards suspected truant school children on the premises, including:

(i) management and staff awareness of local school hours and holidays; and

(ii) provision of sufficient details and facilities for contacting the local education office and other relevant agencies;

(b) measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises; and

(c) suitable disclosure / background checks on staff employed at the premises.

26.11. Generally, the licensing authority will expect applicants to demonstrate:

(a) a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;

(b) that staff are trained to have a full understanding of the maximum stakes and prizes;

(c) that the applicant and his/her staff have no relevant convictions (those that are set out in Schedule 7 of the Act) (**NB:** the applicant should disclose all relevant convictions in order that the Licensing Authority may consider whether it would be contrary to the licensing objectives to grant a permit);

(d) suitable space and arrangements to prevent the jostling or intimidation of players;

(e) suitable supervision of automated teller machines (ATMs) and similar dispensers and their adequate separation from gaming facilities;

(f) suitable and sufficient arrangements at the premises to assist in the prevention of crime and disorder; and

(g) compliance with any relevant industry code of practice / guidance e.g. British Amusement & Catering Trades Association (BACTA); and

(h) any other matter that may be prescribed or specified from time to time.

26.12. In appropriate circumstances, the licensing authority may also take account of an applicants previous history and experience in running similar premises.

26.13. The licensing authority may refuse an application for a permit and / or its renewal on grounds that:

(a) an authorised officer has been refused access to the premises without reasonable excuse; and/or

(b) it would not be reasonably consistent with the licensing objectives.

APPENDIX K

27. PRIZE GAMING PERMITS

27.1. WHAT WE MEAN BY 'PRIZE GAMING PERMITS'

27.2. Prize gaming permits authorise the provision of facilities for gaming with prizes in certain premises. Permits are valid for 10 years.

27.3. However, prize gaming permits are not generally required in bingo premises or in casino premises (otherwise than possibly for bingo) because of their respective operating licences issued by the Commission.

27.4. Similarly, prize gaming permits are not required in adult gaming centres and licensed family entertainment centres because of their respective premises licences.

27.5. An unlicensed family entertainment centre may offer equal chance prize gaming only without a permit, and travelling fairs may be exempt providing the gambling facilities are an ancillary amusement.

27.6. POLICY CONSIDERATIONS

27.7. The nature of permit applications

27.8. In accordance with the Act, the licensing authority will accept permit applications only from:

(a) people who occupy, or plan to occupy the premises concerned;

(b) people who are aged 18 or over (where the applicant is an individual);

(c) premises which do not currently have a premises licence or club gaming permit; and

(d) premises that are wholly or partly situated in the area.

27.9. To give suitable protection and to enable informed consideration and decision-making, the licensing authority will, subject to any other prescribed matter, expect permit applications to be submitted with:

(a) Plans of the premises at a scale of 1:100 showing:

(i) The extent of the boundary of the building, if relevant and any external walls of the building and, if different, the perimeter of the premises;

(ii) The location of points of entry to and exit from the premises;

(iii) The location of escape routes from the premises;

(iv) The nature, number and location of prize gaming facilities;

(v) Fixed structures (including furniture) or similar objects;

(vi) Where appropriate, the location and height of any raised area relative to the floor;

(vii) Where appropriate, the location of any steps, stairs, elevators or lifts;

(viii) Where appropriate, the location of any room or rooms containing public conveniences;

(ix) Where appropriate, the location of automated teller machines (ATMs) and other dispensers; and

(x) The nature and location of any safety and / or security equipment, notice, barrier (or other thing whatsoever) that may assist in the promotion of the licensing objectives.

(b) A suitable certificate of public liability insurance that covers the premises and the activities carried on there to at least £10,000,000 per individual claim.

(c) Where appropriate, a suitable certificate of employers liability insurance.

27.10. Consideration of permit applications

27.11. On consideration of applications for such permits, the licensing authority shall have regard to the licensing objectives and any relevant guidance issued by the Commission.

27.12. Generally, the licensing authority will expect applicants to set out the types of gaming that (s)he intends to offer and demonstrate:

(a) that they understand the limits to stakes and prizes that are set out in Regulations; and

(b) that the gaming offered is within the law.

27.13. However, the licensing authority will have particular regard to the need to protect children and vulnerable people from harm or being exploited by gambling. The licensing authority will therefore expect applicants to satisfy the authority, for example, that children and young people will not have access to any prize gaming of unequal chance.

27.14. The licensing authority will also have regard to:-

(a) suitable space and arrangements to prevent the jostling or intimidation of players;

(b) suitable supervision of automated teller machines (ATMs) and similar dispensers and their adequate separation from gaming facilities;

(c) compliance with any relevant industry code of practice / guidance e.g. British Amusement & Catering Trades Association (BACTA); and

(d) any other matter that may be prescribed or specified from time to time.

27.15. The licensing authority will also take account of the following considerations in consultation about any such application with the chief officer of police:

(a) The suitability of the applicant; and

(b) The suitability of the premises as regards their location and issues about crime or disorder.

27.16. Although the licensing authority cannot attach conditions to such permits of its own making, it will apply the following mandatory restrictions:

(a) the limits on participation fees, as set out in regulations, must be complied with;

(b) 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;

(c) the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and

(d) participation in the gaming must not entitle the player to take part in any other gambling.

APPENDIX L

28. CLUB GAMING PERMITS & CLUB MACHINE PERMITS

28.1. Members clubs and miners' welfare institutes (but not commercial clubs) may apply for a club gaming permit or a club machine permit. Each of these is valid for 10 years.

28.2. WHAT WE MEAN BY 'CLUB GAMING PERMITS'

28.3. A club gaming permit enables the premises to provide up to three gaming machines (of categories B, C or D), equal chance gaming and prescribed games of chance.

28.4. WHAT WE MEAN BY 'CLUB MACHINE PERMITS'

28.5. A club gaming machine permit enables the premises to provide up to three gaming machines (of categories B, C or D) only.

28.6. POLICY CONSIDERATIONS

28.7. Before granting a permit, the licensing authority will need to be satisfied that:

(a) the premises meet the requirements of a members' club in that -

(i) the club has at least 25 members;

(ii) the club is established and conducted wholly or mainly for purposes other than gaming, unless the gaming is permitted by separate regulations;

(iii) the club is permanent in nature;

(iv) the club is not established to make commercial profit; and

(v) the club is equally controlled by its members.

(b) the majority of members are over 18.

28.8. The licensing authority may refuse such permit applications on the grounds that:

(a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;

(b) the applicant's premises are used wholly or mainly by children and/or young people;

(c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;

(d) a permit held by the applicant has been cancelled in the previous ten years; or

(e) an objection has been lodged by the Commission or the police.

28.9. In respect of club premises holding a Club Premises Certificate under the Licensing Act 2003, the grounds on which the licensing authority may refuse a permit will be restricted to the grounds that:

(a) the club is established primarily for gaming, other than gaming identified under schedule 12;

(b) in addition to the identified gaming, the applicant provides facilities for other gaming; or

(c) a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

NB: Neither the Gambling Commission or the Police may object to permit applications in respect of club premises holding a Club Premises Certificate under the Licensing Act 2003.

28.10. Although the licensing authority cannot attach conditions to such permits of its own making, it will apply the following mandatory restrictions:

(a) In respect of club gaming permits:

(i) that no participation fee is charged other than in accordance with regulations;

(ii) that no amount is deducted or charged from sums staked or won other than in accordance with regulations;

(iii) that the public is excluded from any area of the premises where gaming is taking place; and

(iv) that children and young people are excluded from any area of the premises where gaming is taking place.

(b) In respect of club machine permits:

(i) That no child or young person use gaming machines (category B or C) on the premises; and

(ii) The holder will comply with any relevant code of practice issued by the Commission about the location and operation of gaming machines.

APPENDIX M

29. (ALCOHOL) LICENSED PREMISES GAMING MACHINE PERMITS

29.1. WHAT WE MEAN BY 'LICENSED PREMISES GAMING MACHINE PERMITS'

29.2. Subject to certain restrictions, the Act provides an automatic entitlement to make available up to two gaming machines (of categories C and/or D) in certain premises licensed to sell alcohol. Such premises merely need to notify the licensing authority. A licensed premises gaming machine permit is required where permission is sought to provide more than two such machines. Such permits last indefinitely.

29.3. POLICY CONSIDERATIONS

29.4. Existing authorisations

29.5. The licensing authority may reduce / remove an automatic authorisation in respect of any particular licensed premises if:

(a) provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;

(b) gaming has taken place on the premises that breaches a condition of Section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);

(c) the premises are mainly used for gaming; or

(d) an offence under the Gambling Act has been committed on the premises.

29.6. The nature of permit applications

29.7. By way of enabling informed consideration and decision-making, the licensing authority will, subject to any other prescribed matter, expect permit applications to be submitted with:

(a) Plans of the premises at a scale of 1:100 showing:

(i) The extent of the boundary of the building, if relevant and any external walls of the building and, if different, the perimeter of the premises;

(ii) The location of points of entry to and exit from the premises;

(iii) The location of escape routes from the premises;

(iv) The nature, number and location of gaming facilities;

(v) Fixed structures (including furniture) or similar objects;

(vi) Where appropriate, the location and height of any raised area relative to the floor;

(vii) Where appropriate, the location of any steps, stairs, elevators or lifts;

(viii) Where appropriate, the location of any room or rooms containing public conveniences;

(ix) Where appropriate, the location of automated teller machines (ATMs) and other dispensers; and

(x) The nature and location of any safety and / or security equipment, notice, barrier (or other thing whatsoever) that may assist in the promotion of the licensing objectives.

29.8. Consideration of permit applications

29.9. The licensing authority will consider permit applications based upon the licensing objectives, any guidance issued by the Gambling Commission and such matters as it thinks relevant.

29.10. The licensing authority will determine such matters as it thinks relevant on a case-by-case basis, but generally will have regard to the need to protect children and vulnerable people from being harmed or being exploited by gambling.

29.11. The licensing authority will therefore expect the applicant to satisfy the authority that there will be sufficient measures, for example, to ensure that under 18 year olds do not have access to adult only gaming machines. This may include considerations that:

(a) adult machines are sited in view of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18;

(b) the provision of suitable notices and signage; and

(c) the provision of information leaflets / contact details of helpline organisations e.g. GamCare, debt management counsellors etc.

29.12. The licensing authority will also have regard to

(e) suitable space and arrangements to prevent the jostling or intimidation of players;

(f) suitable supervision of automated teller machines (ATMs) and similar dispensers and their adequate separation from gaming facilities;

(g) compliance with any relevant industry code of practice / guidance e.g. British Amusement & Catering Trades Association (BACTA); and

(h) any other matter that may be prescribed or specified from time to time.

29.13. Although the licensing authority cannot generally attach conditions to such permits of its own making, it may, where appropriate, grant the application subject to:

(a) a smaller number of machine(s) than that applied for;

(b) a different category of machine(s) than that applied for; and

(c) the mandatory condition that the holder of the permit follows any code of practice issued by the Gambling Commission about the location and operation of such machines.

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CABINET **CORPORATE MANAGER – DEMOCRACY**

3RD JUNE 2025 **REPORT NO. DEM2506**

APPOINTMENTS TO CABINET WORKING GROUPS 2025/26

RECOMMENDATION

The Cabinet to consider appointing the proposed Cabinet Working Groups for 2025/26 as set out below.

Following the Cabinet's consideration, the Corporate Manager – Democracy, in consultation with Group Leaders, to finalise the named appointments to Groups as required.

WORKING GROUP	PROPOSED MEMBERSHIP 2025/26
Strategic Housing and Local Plan	Cabinet Member with responsibility for the Local Plan (Cllr Keith Dibble) Chairman of Development Management Committee (Cllr Gaynor Austin) Chairman or Vice-Chairman of the Policy and Project Advisory Board (Cllr Abe Allen) **Plus 1 Labour Member** **2 Conservative Members** **1 Liberal Democrat Member**
Union Yard Project Board	**2 Labour Members:** • Leader or Finance Portfolio Holder • Economy, Skills and Regeneration Portfolio Holder **2 Conservative Members:** Proposed for continuity of membership: • Cllr Martin Tennant • Cllr Paul Taylor

WORKING GROUP	PROPOSED MEMBERSHIP 2025/26
Member Development Group	Cabinet Member with responsibility for Member Development (Cllr Sophie Porter) **Plus 3 Labour Members** **2 Conservative Members** **1 Liberal Democrat Member** (One Executive Director)
Financial Recovery Working Group	Chair of CGAS – Cllr Bill O'Donovan Vice-Chair of CGAS – Cllr Rhian Jones Cabinet Member for Finance and Resources – Cllr Alex Crawford **Plus one Labour Member** – Cllr Tom Day **2 Conservative Members** **1 Liberal Democrat Member**
SERCO Waste Contract Extension To oversee the extension negotiations	Neighbourhood Services Portfolio Holder: • Cllr Christine Guinness Cabinet Champion for Pride in Place • Cllr Lisa Greenway One Labour Member • Cllr Clive Grattan One Conservative Member • Cllr Martin Tennant One Lib Dem Member • Cllr Leola Card
Pathways to Work	Portfolio Holder for Policy, Performance & Sustainability (Cllr Jules Crossley) Plus cross-party group of members

It is not proposed to reappoint to the Capital Projects & Property Advisory Group and the Farnborough Leisure and Cultural Hub Project Board for 2025/26.

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

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