



Coventry City Council

Council Meeting

12 December 2006

Booklet 2

Recommendations

INDEX TO MINUTES

Page Nos.

Cabinet	
14 November 2006	22
28 November 2006	32
Scrutiny Board 4	
8 November 2006.....	1

SCRUTINY BOARD 4
(COMMUNITY SERVICES AND HOUSING,
NEIGHBOURHOODS, EQUALITIES AND HEALTH)

8th November 2006

Scrutiny Board 4

Members Present:

Councillor Asif (Deputy Chair)
Councillor Bains
Councillor Clifford (Chair)
Councillor Gazey
Councillor Mrs Harper
Councillor Patton
Councillor Skinner
Councillor Mrs. Waters

Other Members Present:

Councillor Foster (Cabinet Member (City Services))
Councillor Matchet (Cabinet Member (Neighbourhoods,
Equalities and Health))
Councillor H Noonan (Cabinet Member (Community Services))

Employees Present:

J. Bolton (Director of Community Services)
J. Jardine (Chief Executive's Directorate)
G. Makin (Community Services Directorate)
S. Rudge (Community Services Directorate)
C. Sinclair (Legal & Democratic Services Directorate)

In Attendance:

Ms J Cairns (UHCWT)
Mr M Patel (Coventry Teaching PCT)
Ms N Pullman (Coventry and Warwickshire PPI Forum)
Mr D Spurgeon (Coventry and Warwickshire PPI Forum)

31. The Future of Ambulance Services in Coventry

The Board agreed a report entitled "The Future of Ambulance Services in Coventry". The report followed on from the Scrutiny Board's earlier response to the proposals for ambulance service reconfiguration and the creation of a new West Midlands Ambulance Service. The report focused on the location of a proposed Emergency Operations Centre and a digital base stations. The Board would consider responses to the recommendations on 17 January 2007.

RESOLVED:

- (1) That the Cabinet and senior officers are recommended to seek to secure an Emergency Operations Centre and digital radio base station in the city.**

- (2) That West Midlands Ambulance Service is recommended to begin urgent negotiations with Coventry Teaching PCT, University Hospitals Coventry and Warwickshire and Coventry City Council, in order to agree the options for provision of a) an Emergency Operations Centre, and b) a digital radio base station in Coventry.**
- (3) That Coventry Teaching Primary Care Trust is recommended to convene a meeting of the Coventry Strategic Partnering Board at which WMAS involvement in the city centre facility could be considered and agreed.**
- (4) That Council is recommended to note and endorse the report.**



**Scrutiny Board 4
(Community Services and Housing,
Neighbourhoods, Equalities and Health)**

3rd Report 2006-07

**The future of ambulance services in
Coventry**

8 November 2006

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Other publications from the Health Scrutiny Board:

2006 – 2007

1st Report of Scrutiny Board 4, *Scrutiny Board 4 response to the Coventry and Warwickshire Acute Services Review*, September 2006

2nd Report of Scrutiny Board 4, *Stakeholder evaluation of health scrutiny*, October 2006

2005 – 2006

1st Report of Scrutiny Board 4 (Health), *Scrutiny Board 4 (Health) response to the consultation on the smokefree elements of the Health Improvement and Protection Bill*, August 2005

2nd Report of Scrutiny Board 4 (Health), *Scrutiny Board 4 (Health) response to the Coventry Teaching Primary Care Trust consultation, "Coventry City Centre Health Services"*, November 2005

3rd Report of Scrutiny Board 4 (Health), *Scrutiny Board 4 (Health) response to "Configuration of ambulance trusts in England"*, March 2006

4th Report of Scrutiny Board 4 (Health), *Review of services to support mothers in Coventry and Warwickshire who wish to breastfeed*, April 2006

2004 – 2005

1st Report of Scrutiny Board 4 (Health), *Statutory Consultation on the Development of Dental Training and Specialist Dentistry for the West Midlands*, January 2005

2nd Report of Scrutiny Board 4 (Health), *Review of Health and Social Care Services, City Centre – Update*, March 2005

2003 – 2004

1st Report of Scrutiny Board 5 (Health), *Review of Community Pharmacy in Coventry*, September 2003

2nd Report of Scrutiny Board 5 (Health), *Review of NHS Dentistry in Coventry*, November 2003

3rd Report of Scrutiny Board 5 (Health), *University Hospitals Coventry and Warwickshire NHS Trust Emergency Services Consultation*, May 2004

2002 – 2003

1st Report of Scrutiny Board 2 (Health), *Review of Health and Social Care Services, City Centre*, February 2003

Contents

	Page
Foreword	4
Background information	5
Background to this issue and evidence received	6
Analysis and recommendations	10
Appendix 1 - Letter from Lord Warner 25.08.06	12
Appendix 2 - WMAS submission to the Health Scrutiny Board 13.09.06	17

Foreword

Councillor Joe Clifford
Chair, Scrutiny Board 4

Ambulance services have been the subject of much debate in recent months. Coventry's health scrutiny board contested the regionalisation of ambulance services. However the aim of this report is not to go over old ground, but to state where we are and where we need to be. I have been heartened that there has been no immediate drop in standards of service provided in Coventry and Warwickshire – response times and conveyance rates have all showed continued improvement despite the reorganisation. This report is about the future. We know that the number of Emergency Operations Centres in the region will fall, and a key investment decision will be the location of a new digital radio base station.



It is my view, and that of the scrutiny board I chair, that Coventry is the best location for both an EOC and the new digital radio facilities. The city centre LIFT project offers the chance to create a new facility tailored precisely to the needs of the ambulance service. Coventry is becoming the home of a well-developed hub of expertise in clinical practice, medical training and, we hope, medical technology, and so placing the EOC here would bring benefits from co-operative networks and experience. Locating an EOC and digital base station here would be a useful addition not only to the health economy but also the continued regeneration of the city.

I would like to thank West Midlands Ambulance Service for the positive and engaged way it has sought to make links with health scrutiny in Coventry and elsewhere. The decision to hold a WMAS board meeting at the Council House in Coventry was a good one that could be replicated by other NHS Trusts as a way to engage councillors. I would also like to thank the members of Scrutiny Board 4 for their continued interest in this issue.

Cllr Clifford
November 2006

Scrutiny Board 4 – Background Information

The Health and Social Care Act 2012 and associated regulations, which came into force in January 2013, give Coventry City Council the power, through its health overview and scrutiny committee (Scrutiny Board 4 – the "Health Scrutiny Board"), to review and make recommendations on matters relating to local health services. The Health Scrutiny Board is made up of Councillors from across political parties. It is not an executive body; it cannot make decisions and then require others to implement them. It can however make recommendations that local NHS organisations and the City Council must consider as part of their decision-making processes. Similarly, when local NHS organisations propose "substantial" changes to their services, they must first consult the Health Scrutiny Board to obtain its views. The Health Scrutiny Board's purpose is threefold. First, to open up health related decision-making to public oversight. Second, to make recommendations that will lead to improvements in the health of Coventry residents and health services they receive. Third, to work with others to help reduce Coventry's health inequalities.

Ambulance services in the West Midlands region

Following recent reorganisation, West Midlands Ambulance Service provides ambulance services in Birmingham and the Black Country, Shropshire, Herefordshire, Worcestershire, Warwickshire and Coventry. Staffordshire Ambulance Service remains separate for now, but it is anticipated that it will join with WMAS within two years to create a service that covers the entire Government Office region. The new trust covers a population of 5.3 million people in an area of approximately 5,000 square miles. In Coventry and Warwickshire, the service maintains a fleet of approximately 226 vehicles (which includes emergency response and patient transport vehicles), and made 76,800 emergency responses last year. A local control centre, one of five, is in Leamington Spa. The performance of ambulance trusts is closely monitored. Ambulance trusts are required to reach 75% of "Category A" calls – the most urgent – within 8 minutes. In Coventry, this target has been met for some years.

Members of Scrutiny Board 4

Chair: Cllr Joe Clifford	(Labour, Holbrooks)
Vice Chair: Cllr Mohammed Asif	(Conservative, Foleshill)
Cllr Sucha Bains	(Labour, Upper Stoke)
Cllr John Gazey	(Conservative, Bablake)
Cllr Catherine Harper	(Conservative, Earlsdon)
Cllr Brian Patton	(Labour, Henley)
Cllr David Skinner	(Conservative, Westwood)
Cllr Angela Waters	(Conservative, Wyken)

Officer Support

John Bolton	Director of Community Services
Michelle Hayes	Chief Executive's Directorate
Jonathan Jardine	Chief Executive's Directorate
Stella Manzie	Chief Executive
Carolyn Sinclair	Legal and Democratic Services

In attendance at the invitation of the Board

Cllr Andy Matchet	Cabinet Member (Neighbourhoods, Health and Equalities)
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Background to this issue and evidence received

1. Following the June 2005 report *Taking Healthcare to the Patient*, the consultation paper *Configuration of Ambulance Trusts in England* was published in December 2005. On 16 May 2006, and in line with the proposals in the consultation paper, Department of Health ministers announced that Coventry and Warwickshire Ambulance Service would be merged with Herefordshire and Worcestershire Ambulance Service, and West Midlands Ambulance Service to form a new "West Midlands Ambulance Service". The new trust came into existence on 1 July 2006. Staffordshire Ambulance Service will be merged with the new ambulance service within two years, at which point the trust would become contiguous with government office regional boundaries.

2. Coventry City Council Health Scrutiny Board responded to the *Configuration of Ambulance Trusts in England* consultation paper.¹ The Health Scrutiny Board concluded that the proposals were not in the interest of health services in its area, and that the consultation had been inadequate. The Health Scrutiny Board then made a formal request that the Secretary of State for Health refer the matter to the NHS Independent Reconfiguration Panel.² Minister of State Caroline Flint, writing on behalf of Lord Warner, denied the request.³ At Cllr Clifford's request, officers made requests for the release of information under the Freedom of Information Act relating to the decision to consult on ambulance service reconfiguration. These requests revealed that the reference group for *Taking Healthcare to the Patient* had not considered the reconfiguration proposals in detail.

3. One of the issues raised in the Health Scrutiny Board's response to the reconfiguration proposals related to the future of ambulance service control centres in Coventry and Warwickshire. The Health Scrutiny Board wrote:

"Local control of ambulance services is at a delicate juncture in Coventry and Warwickshire, and the Health Scrutiny Board is concerned our "local delivery unit" may not have the autonomy to secure a local control centre in the future. Ambulance services are currently headquartered at Leamington Spa. It is planned that the control centre will move to a new purpose built site in the Coventry city centre "Local Improvement Finance Trust" (LIFT) health facility. This new control centre would be co-located with the "walk in centre", out-of-hours service and a range of other services, in order to secure greater synergy and co-operation. Regrettably, the proposed city centre health facility is far behind schedule and poses significant financial challenges to Coventry PCT. The health scrutiny board welcomes the reassurances it received from Stephen Jones [joint Chief Executive, Coventry Teaching PCT] that the new ambulance service control centre will go ahead, but remains concerned that local control in the longer term is not as secure as might be hoped – particularly if financial problems either restrict the size of the city centre LIFT building, or lead to its cancellation. The new regional ambulance trust would also have to decide whether it wishes to continue as a shareholder in Coventry Care Partnerships, Coventry's local LIFTCo. The health scrutiny board is persuaded by evidence...of the value of local control centres, and is therefore keen to maintain a control centre in Coventry and Warwickshire for the indefinite future...In essence, if Coventry and

¹ <http://cmis.coventry.gov.uk/CMISWebPublic/Binary.ashx?Document=4377>

² <http://www.irpanel.org.uk>. Copies of the letter to the Secretary of State are available on request.

³ See appendix 1.

Warwickshire has its own ambulance trust, then it can be more or less certain that it will have a control centre. If all it has is a "local delivery unit", the autonomy, responsibilities and, indeed, the survival of which are reliant on decisions taken by a distant regional hierarchy, then the future of local control in Coventry in Warwickshire is much less certain."⁴

4. The concerns raised in the Health Scrutiny Board report have now come to fruition. In response to questions raised for a Question and Answer session with NHS chief executives on 13 September 2006, Anthony Marsh, Chief Executive of the new West Midlands Ambulance Service, and Craig Cooke, Operations Director for Birmingham and the Black Country, made the following written contribution:

"There will be a comprehensive review of Emergency Operations Centres (EOC) across the new regional service, this work *has started* and will be led by Craig Cooke (previous Operations Director for Coventry and Warwickshire), this review is expected to be *complete by January 2007*. Currently there are five EOCs across the region, this is unlikely to continue being the case due to resiliency issues which exist in small control centres. It is envisaged that two or three EOCs would be the most suitable configuration for the region and the review will consider the options and primary locations.

There is an *option* of utilising the LIFT scheme in Coventry to provide the facility for one of the new region control centres and this will form part of the report for the EOC provision in the new regional service." [emphasis added]⁵

5. In parallel with the review of EOCs, WMAS is in the first tranche of ambulance trusts to procure and install a new digital radio system based on "Airwave" technology.⁶ As the Health Scrutiny Board noted in its response to the reconfiguration proposals, there will be only two Airwave base stations in each regional ambulance service area. A key question therefore is the location of these two base stations. While it is the case that additional EOCs can be connected as "spokes" off the digital base stations, the technology is complex and the networking costs considerable. Again from the written submission to the question and answer session:

"The [Department of Health] has commissioned a new Digital Radio system for the NHS Ambulance Services. This project is known as ARP (Ambulance Radio Procurement), the first role [sic] out of this system is now happening and the West Midlands is part of the first wave of installation and testing. There is a control centre equipment element to this project and the solution provides two complete systems which enable back-to-back resilient working options regardless of location. The first system is being installed now, at Millennium Point, Brierley Hill Dudley. The second system will be located at one of the new EOC facilities as defined in the report mentioned above. It is envisaged that operational crews will be utilising the system from June 2007 and the total project will be complete by early 2008. The new digital system will provide control centres and operational staff with a quality, robust and resilient communications service."

⁴ Scrutiny Board 4, 3rd Report (2005-2006), pp16-17. para. 38

⁵ For the full written submission, see Appendix 2.

⁶ For more information on Airwave, see <http://www.o2-airwave.co.uk/>

6. The position on both issues was clarified further at the public meeting of WMAS Board held in Coventry on 18 October 2006. Following a question from Cllr Clifford, Anthony Marsh made the following points:

- A paper relating to the review of EOCs will come to the WMAS Board meeting in November 2006
- There will definitely be more than one control centre for the regional ambulance service
- While there will be two digital radio base stations, there may be more "satellite" EOCs
- Leamington ambulance station is not suitable for the second digital radio base station
- The Coventry city centre LIFT site could be suitable for both an EOC and a digital radio base station, given that the original requirement was for an EOC and headquarters facilities
- Affordability would be a key issue

7. In an earlier item at this meeting, the complexities of the digital radio procurement were discussed in some detail; the Board agreed to include digital radio procurement on the Trust's risk register as a reflection of the anticipated difficulties with bringing the new system into service across the whole trust.

8. The creation of an EOC and digital radio base station in Coventry may depend on the availability of the city centre LIFT facility.⁷ This new health centre has been the subject of ongoing review by the Health Scrutiny Board. The lead agency for LIFT is Coventry Teaching Primary Care Trust; it and other key agencies (including Coventry City Council) are members of a "Strategic Partnering Board" that decides how the LIFT programme will move forward. The latest available information suggests that "phase 1" of the new health centre will not open until August 2009; the Health Scrutiny Board understand that this is the date by which Coventry Teaching PCT has to vacate former hospital buildings on the Coventry and Warwickshire Hospital site. The Health Scrutiny Board also understands that Coventry Teaching PCT board will consider a report with the outline business case for phase 1 of city centre LIFT in early 2007. Once agreed by the PCT board, the outline business case would then need to be approved by West Midlands Strategic Health Authority, and from then negotiations with Coventry Care Partnerships (Coventry's LIFT company) would follow leading to financial close. After that, work could start on what would probably be a twelve-month construction phase. The complexity of agreeing the detailed specification for a LIFT project, coupled to the requirement of the private sector partner to secure finances, and then the construction phase itself, mean that the August 2009 deadline is actually a challenging one. It is proposed to then go through the same process for a phase 2 city centre site, to be built adjacent to phase 1. The timetable and budget for phase 2 have not been published; it is the health scrutiny board's understanding that neither have been agreed.

9. It is not clear at this point whether the city centre LIFT phase 1 timetable will fit with the WMAS plans for either its review of EOCs or the decision on where to locate

⁷ "LIFT" stands for "Local Improvement Finance Trust" and is an innovative form of public-private partnership whereby the NHS, private sector and other partners form a sort of joint venture "public interest company" to build and maintain capital projects for the provision of primary care services. The "LIFTCo" in Coventry is known as "Coventry Care Partnerships", and two new health facilities, in Keresley and Longford, and been procured by this means. For more information, see Scrutiny Board 4, 2nd Report 2005-2006: <http://cmis.coventry.gov.uk/CMISWebPublic/Binary.ashx?Document=219>

a second digital base station. Unfortunately, the written evidence from WMAS suggests that they wish to see the digital radio project concluded by "early 2008", but it is not understood by the Health Scrutiny Board whether this means that both base stations have to be operational by this date. The Health Scrutiny Board understands that it is the view of Coventry Teaching PCT that an EOC and digital radio base station could be included in phase 2 of LIFT, not phase 1, though again, it is not clear whether this proposal potentially fits with WMAS planning.

Analysis and recommendations

10. It is clear to the Health Scrutiny Board that negotiations between Coventry Teaching PCT, West Midlands Ambulance Service, University Hospitals Coventry and Warwickshire and Coventry Care Partnerships, facilitated by Coventry City Council, need to take place urgently.

11. The Health Scrutiny Board understands that the issue of continued ambulance service involvement in LIFT has not been formally considered as yet by the LIFT Strategic Partnering Board (as of September 2006), even though WMAS is reviewing its estates portfolio at the moment.

12. Similarly, the Health Scrutiny Board is of the view that Coventry Teaching PCT, West Midlands Ambulance Service and Coventry Care Partnerships should explore the possibility of the EOC and digital radio base station being included in phase 1 of city centre LIFT.

13. If it is not possible for the EOC and digital radio base station to be included in phase 1, then the Health Scrutiny Board's view is that consideration should be given to whether phase 2 can be developed in more detail to include an EOC and digital radio base station. Coventry Teaching PCT and Coventry Care Partnerships should consider if there are steps they could take to better accommodate the timetable requirements of West Midlands Ambulance Service. The Health Scrutiny Board believes that such collaboration could do much to revive the impetus for the wider LIFT project.

14. However, the Health Scrutiny Board acknowledges that, taken at face value, the timetables for city centre LIFT and WMAS are not compatible. It is not clear whether any alternative options to LIFT exist for supporting the provision of an EOC and base station in Coventry, in an existing building for example, and the health scrutiny board recommends that this approach receive consideration, and encourages all stakeholders to offer what support they can. The Health Scrutiny Board is of the view that an EOC and digital radio base station somewhere in Coventry is better than none at all.

15. It is the Health Scrutiny Board's view that locating the EOC and digital radio base station in Coventry would be to the advantage of health services and patients in the area.

16. Coventry's health economy is developing rapidly, with a number of important local elements:

- The opening of the new University Hospital Walsgrave
- Warwick Medical School
- Coventry University's role in training medical practitioners – notably Emergency Care Practitioners, nurses and midwives
- The other components of city centre LIFT phase 1
- NHS Institute for Improvement and Innovation
- The NHS Centre for Involvement at Warwick University
- The possibility of a major new medical technology park

17. An ambulance service presence in the city centre would be well placed to build links with all these elements.

18. Furthermore, locating the EOC and base station in Coventry would bring employment to the city, meeting the requirement for the NHS to support regeneration as part of its activities. One estimate suggests that approximately fifty jobs could be brought to the city.

19. Recommendation 1: Coventry City Council's Cabinet and senior officers are recommended to seek to secure an Emergency Operations Centre and digital radio base station in the city.

20. Recommendation 2: West Midlands Ambulance Service is recommended to begin urgent negotiations with Coventry Teaching PCT, University Hospitals Coventry and Warwickshire and Coventry City Council, in order to agree the options for provision of a) an Emergency Operations Centre, and b) a digital radio base station in Coventry.

21. Recommendation 3: Coventry Teaching Primary Care Trust is recommended to convene a meeting of the Coventry Strategic Partnering Board at which WMAS involvement in LIFT can be considered and agreed.

22. The health scrutiny board will consider this issue again at its meeting on 17 January 2007, and requests that responses to the recommendations be ready for that time.

From the Rt Hon the Lord Warner
Minister of State (NHS Reform)



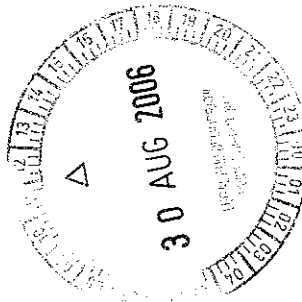
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Ms Kathy Rice
Head of Legal Services
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25 AUG 2006

Dear Ms Rice

Thank you for your letter of 14 June about configuration of NHS Ambulance Trusts and referral under regulation 4(5) of the Local Authority (Overview of Scrutiny Committee's Health Scrutiny Function) Regulations 2002 ("the 2002 Regulations") and your request for referral to the Independent Reconfiguration Panel. Firstly, may I apologise that officials misinterpreted the content of the original letter of 10 May from Councillor Clifford to Patricia Hewitt.

As the Minister responsible for ambulance policy, I am responding on behalf of the Secretary of State. My response consists of three parts: to set out the legal context, to address the concerns you raised and to respond to your referral.

Before I turn to the reasons why you made this referral, you may wish to be aware that the 2002 Regulations do not apply in these circumstances. Strategic Health Authorities (SHAs) undertook the consultation on behalf of the Secretary of State, and the Secretary of State is not a "local NHS body" within the meaning of regulation 1(3) of the 2002 Regulations. Furthermore, the 2002 Regulations apply to substantial service changes, not to organisational changes and the Department has been clear that the consultation was not about changes to service provision. However, the Department wished to ensure that overview and scrutiny committees, as well as many organisations and individuals as possible, had the opportunity to respond. That is why we asked SHAs to send copies of the consultation document to all Overview and Scrutiny Committees, and why consultation lasted for 14 weeks.

Notwithstanding that regulation 4(5) of the 2002 Regulations does not apply here, the Department has reviewed the consultation that the Secretary of State asked SHAs to undertake in light of your letters. We consider that was adequate for the reasons set out below and therefore do not propose to ask the SHA to undertake further consultation. Should a new NHS Trust wish to make changes to service provision

that were a substantial variation of service, regulation 4 of the 2002 Regulations would apply.

Turning to your first concern that the consultation was inadequate, consultation on this issue was conducted under the *NHS Trusts (Consultation on Establishment and Dissolution) Regulations 1996*, which require consultation to take place with staff, staff interests and the now abolished Community Health Councils. The Cabinet Office Guidance on formal public consultation therefore does not apply in this instance.

However, recognising that there was wider interest in the proposals, and that it was desirable to take account of representative bodies, the Department of Health asked Strategic Health Authorities to consult more widely with a variety of stakeholders, including Health Overview and Scrutiny Committees.

Following this consultation exercise, Ministers considered all of the feedback received from across the country against the criteria set out in the consultation document. This included both expressions of concern and support for the proposals. These suggestions were acted upon in a number of instances.

For example, in response to the concern that local responsiveness and flexibility could be lost through the establishment of larger Trusts, the Secretary of State decided that Ambulance Trusts would be required to ensure that their services are meeting the needs of all localities and populations within their boundaries. A direction to this effect was issued to the new Trusts at the time of establishment. In addition, changes were made to the boundaries that were originally proposed, such as those proposed for Staffordshire, Lincolnshire, North East Hampshire, Shrivenham, Glossop and the Isle of Wight.

You refer to the appointment of chairs and chief executives to the proposed organisations, and the timing of consultation on transfer of NHS staff. Since we published the ambulance review last year, we have made it clear that the reorganisation of Ambulance Trusts is subject to consultation. The advertisements for these posts did not pre-empt any decisions that Ministers made following the end of the consultation process. Both the advertisement and the application packs clearly stated that these appointments were to a pool of potential Ambulance Trust chairs and chief executives and that whether or not they were appointed to permanent posts would depend on ministerial decisions on Ambulance Trust configuration.

This was necessary contingency planning. We needed to be able to move quickly to establish the new organisations in order to minimise uncertainty for staff and for business continuity, should a decision be made to change Ambulance Trust configuration. This includes having full boards as soon as possible so that decisions can be made and staff transferred to the new organisations. If new organisations had not been established, appointments would not have been made from the pools, and the pools would have been disbanded.

Similarly, although consultation with Ambulance Trust staff on their proposed transfer to the new organisations began on 23 March, it was made clear to staff that the consultation was subject to a decision from Ministers. An example of this relates to Staffordshire, where consultation was initiated with staff, but was ended when Ministerial decisions were announced. It was necessary to begin consultation prior to a ministerial decision in order to be able to ensure business continuity and rapid transition should reconfiguration proceed.

Implementation of digital radio communication systems will be to all current control rooms. We did undertake planning to ensure that, given uncertainty about the future number of Ambulance Trusts and their operational requirements, flexibility and enhanced resilience was built in to the implementation of digital radio communication systems. This did not pre-empt the Secretary of State's decision on the number of Ambulance Trusts, as the technical solution put in place is able to support the current number of control rooms, regardless of which Trust houses the Integrated Communications Controls System, or how many Trusts there are.

The second issue you noted was that the proposals represent a substantial variation and development to services. These changes are administrative and managerial and do not involve changes to service provision. Any subsequent substantial variation or development of services by the new organisations would be subject to consultation. The establishment of the new Trusts is about Ambulance Trusts having the infrastructure, capacity and capability to deliver and sustain the changes needed. Services need to shift the focus more towards patient-centred care, towards prevention and moving more services out of hospital wherever it is safe and effective to do so, and ensuring all communities get the services they need.

As to the location and number of local control rooms, this is a matter for the new Trusts to determine. The Department is clear that it has no fixed model in mind in that respect, although clearly the control room arrangements of the new Trusts would need to deliver the necessary operational functionality and resilience.

Turning to your concern about reduced public accountability, as I mentioned earlier, Ambulance Trusts will be required to ensure that their services are meeting the needs of all localities and populations within their boundaries. A direction to this effect was issued to the new Trusts at the time of establishment.

In addition:

- Primary Care Trusts (PCTs) are required to commission ambulance services for their populations that meet national performance and quality standards. Guidance to support commissioning of ambulance services should be issued later this year;
- the new Ambulance Trusts are still subject to scrutiny by Local Authority Health Overview and Scrutiny Committees and local Patient and Public Involvement Forums; and

- we expect the new Trusts to work in partnership with the new PCTs and with practice based commissioning groups to ensure that a local focus on service delivery and development is not just maintained but also developed and improved.

You refer to SHA reports made in April 2006. We would expect services to make necessary contingency plans, in the event of the reconfiguration of services taking place. As I have previously mentioned, should a new NHS Trust wish to make changes that were a substantial variation of service provision, regulation 4 of the 2002 Regulations would apply. Should you require further clarification on the specific points covered by the SHA reports you refer to, I would suggest that you contact them directly.

Your final point was that the proposals were not in the interest of health services. *Taking Healthcare to the Patient* looks at how to further improve the services provided by Ambulance Trusts to patients. An integral part of that is considering how to best ensure that Ambulance Trusts have the strategic capacity and capability to deliver the vision outlined in the review and looking at how resources can be used more efficiently to release capacity for further investment and improvement in patient care. The review recommended that there should be a reduction in the number of ambulance service broadly in line with SHA boundaries. The Department accepted the intent of this recommendation, but felt that the arguments being applied for bigger SHAs – in terms of greater capacity and capability and the benefits of co-terminosity with Government Offices of the regions and therefore the other emergency services and local authorities, also applied to Ambulance Trusts. Therefore, our proposal was that there should be co-terminosity with SHAs as far as possible in order to deliver both the benefits of larger Trusts outlined in the ambulance review and the benefits of co-terminosity.

Ambulance Trusts need to fit with NHS and local/regional organisational boundaries to support better planning and better services. They also have a duty to work at a regional level to plan for major incidents such as terrorist attack or natural disasters. Having fewer, larger Trusts makes it simpler to build effective relationships with stakeholders that are so important in successfully dealing with major incidents and effective delivery of integrated patient-centred health services.

One of the major benefits of larger Ambulance Trusts is improved patient care, by raising the standards of services provided by all Trusts to the level of the best. This will be done through greater investment in training and development of staff, and sharing best practice, skills and expertise amongst a smaller number of services, coupled with the capacity to invest in life and time-saving technology and equipment. Larger services will also be better able to quality assure the care provided through improved clinical audit and research into areas for improvement.

The new Ambulance Trusts would build on existing good practice and high performance to provide efficient, effective, locally responsive Ambulance Trusts that best meet patient need.

We believe these changes to reorganise Ambulance Trusts, coupled with all other recommendations made in the ambulance review will put the NHS in the best position to provide more convenient, consistently high quality and appropriate mobile healthcare for the people of England.

I am confident that due process was followed. Therefore, I do not feel it is necessary to proceed with a referral to the Independent Reconfiguration Panel.

Yours Sincerely
G. A. Warner

NORMAN WARNER

PP

West Midlands Ambulance Service NHS TrustExecutive report to Coventry County Council – Health Overview and Scrutiny Committee meeting of 13th September 2006

The new regional West Midlands Ambulance Service came into effect from July 1st 2006, taking over responsibilities from three previous Ambulances Services which included Coventry and Warwickshire.

This report answers specific questions posed by the Health Overview and Scrutiny Committee in-order to be assured that the merger process has not affected the services delivered to the public and patients of Coventry and Warwickshire, but also to re-assure members that improvements will be delivered by the new Regional Service.

Performance and Activity

The following table shows the performance which has been achieved in terms of operational delivery and services to patients, and in addition a number of wider organisational indicators.

Performance has continued to improve since the merger took place, this has been achieved despite demand increase of 17.5% and 9% respectively for July and August since merger. Additionally, the Service has assisted in the smooth transition of services between the old Walsgrave Hospital site and the new PFI Hospital, a total of 585 patients were moved under direct contract to the hospital.

An increase in ambulances being delayed at A&E departments has been experienced. This is largely due to seasonal weather demand increases and UHCW getting to grips with the new department flows. Managers from the Ambulance Service have been actively managing this situation and in the last two weeks the delays have reduced significantly, for example only 11 delays have been reported in the final two weeks of August.

<u>WEST MIDLANDS AMBULANCE SERVICE NHS TRUST</u>						
<u>Coventry and Warwickshire Locality Performance Report</u>						
<u>Standards E & U</u>	<u>KPI</u>	<u>Apr-06</u>	<u>May-06</u>	<u>Jun-06</u>	<u>Jul-06</u>	<u>Aug-06</u>
<u>Emergency</u>						
Total Cat A 8 Minute response	75%	82.99%	82.52%	82.10%	84.06%	84.27%
Total Cat A 19 Minute response	95%	98.75%	98.64%	98.86%	99.39%	99.31%
Total Cat B 19 Minute response	95%	95.78%	96.64%	96.44%	97.02%	97.15%
Patient conveyance rate(kpi 2005/06)	65%	66.50%	64.00%	63.90%	62.30%	63.00%
<u>Urgent</u>						
Total Urgent Response	95%	96.60%	95.10%	95.40%	96.35%	96.61%
<u>Hospitals</u>						
Ambulances blocked at A&E	<15mins	33	36	50	35	104
<u>HR Workforce</u>						
Recruitment & Retention	%turn-over	1.22	0.12	1.97	0.87%	n/a
Sickness	%	4.78%	3.96%	4.08%	4.18%	n/a

Plans for the Coventry and Warwickshire Locality

The previous Headquarters function has been scaled to meet the needs of the new locality centre, there remains an administrative function and considerable control facilities which remain unchanged at Leamington Spa.

There will be a comprehensive review of Emergency Operations Centres (EOC) across the new regional service, this work has started and will be lead by Craig Cooke (previous Operations Director for Coventry and Warwickshire), this review is expected to be complete by January 2007. Currently there are five EOC's across the region, this is unlikely to continue being the case due to resiliency issues which exist in small control centres. It is envisaged that two or three EOC's would be the most suitable configuration for the region and the review will consider the options and primary locations.

There is an option of utilising the LIFT scheme in Coventry to provide the facility for one of the new region control centres and this will form part of the report for EOC provision in the new regional service.

The DOH has commissioned a new Digital Radio system for the NHS Ambulance Services. The project is known as ARP (Ambulance Radio Procurement), the first role out of this system is now happening and the West Midlands is part of the first wave of installation and testing. There is a control centre equipment element to this project and the solution provides two complete systems which enable back-to-back resilient working options regardless of location. The first system is being installed now, at Millennium Point Brierley Hill Dudley. The second system will be located at the site of one of the new EOC facilities as defined in the report mentioned above. It is envisaged that operational crews will be utilising the system from June 2007 and the total project will be complete by early 2008. The new digital system will provide control centres and operational staff with a quality, robust and resilient communications service.

Staff in Coventry and Warwickshire continue to receive education and training from the University of Coventry, there is much to be learnt from this model of training and it is without doubt the case that staff will receive their formal education through a University route. The Trust is developing an Education, Training and Development strategy which will deliver the aspirations of the National Ambulance Review - Taking Healthcare to the Patient policy of last year. This firmly promotes the development of degree based education for ECP and diploma level education for Paramedics.

At this stage it is not clear how the commissioning arrangements will be handled for the regional service, it would clearly be beneficial to commission this specialist service on a region wide basis with a lead from the West Midlands Health region. There would need to be local performance indicator monitoring and involvement from local key stakeholders to ensure the local service provision is correct for the local public and patient profile. There are satisfactory commissioning arrangements for the Coventry and Warwickshire locality at this time and any change will need to be mindful of this position.

In regard to Patient Transport Services, the commissioning arrangements are traditionally more fragmented and individual to each Acute / PCT delivery organisation, the reason for this is that the service can be tailored for the patient requirements more closely. With the emergence of Payment by Result arrangements and Foundation Trusts, this is likely to remain the case and Coventry and Warwickshire locality provides a very flexible approach to this type of service provision.

Financial Management

The main focus of the new organisation is to accelerate all savings plans and reinvest these savings into Frontline Services.

The new Trust has worked tirelessly, removing all unnecessary spend in non-operational areas within the locality of Birmingham, Black Country and Shropshire. No monies have been diverted away from the Coventry and Warwickshire locality to support the old west Midlands deficit position. Each locality will be held accountable for the financial management performance in their respective areas and Coventry and Warwickshire has a balanced financial plan for 2006/07. The new Trust is now in recurrent balance, month on month.

The organisational direction is to drive down administrative cost and overhead to a minimum whilst maintaining an effective organisational structure. These efficiencies are already being re-deployed into the frontline services, this will lead to more ECPs and newer vehicles and equipment to deliver a more effective service to the patients and public. All savings will be re-invested into staff and equipment, for example all emergency vehicles will be less than 5 years old by December 2007 and indeed an order for 60 new vehicles has already been placed.

Organisational Structure

The organisation has made considerable progress in assembling the organisational structures and governance framework. The executive director's selection process is currently on-going and the following substantive posts and persons have been selected at this time. Both Diane Lee and Craig Cooke were previous directors of the old Coventry and Warwickshire service and their knowledge will be retained in the organisation.

Position	Appointed/Interview Dates
Executive Director of Human Resources and Organisational Development *	Kim Nurse
Executive Director of Finance, Planning and Performance Management *	25.09.06
Associate Director of Information Management and Technology * #	Barry Thurston
Executive Director of Corporate Services *	Diane Lee
Associate Director of Clinical Performance *	Interviews 15.09.06
(Associate Director) General Managers	Peter Murtagh Coventry and Warwickshire Locality Craig Cooke Birmingham, Black Country and Shropshire Locality Interviews 15.09.06 Hereford and Worcester Locality
Regional Head of Communications	Murray Mcgregor

Executive Assistant	Interviews 15.09.06
Staffordshire Ambulance Service Chief Operating Officer	To be confirmed

* Joint appointment with Staffordshire Ambulance Service, reporting through Chief Executive Officer of West Midlands Ambulance Service NHS Trust

Joint appointment with North West Ambulance Service NHS Trust

The locality of Coventry and Warwickshire is clearly a strong link in the new regional service, performance standards are high and patients receive a very high level of clinical care. This is in no doubt due the abilities of managers and the dedication of the operational staff. There is no need for diversion of operational staff or resources in-order to support service provision elsewhere, as other localities are also achieving key national targets. We have improved the deployment to cases in previous boarder areas through effective policy and sensible working arrangements. Indeed the plan is to make efficiencies and provide more operational resources to further improve services and support our partner organisations deliver key health service wide improvements. Some support service and administrative staff have been mobilised to share best practice across the region, this will only strength the regional service by embracing these practices much wider, for example the region will adopt the Patient Report Form system and process which have developed in Coventry and Warwickshire.

Public and Patient Involvement

The Chief Executive, Anthony Marsh, has met with all the leads from the previous PPI Forum groups and a strategy for local involvement and regional meeting has been developed and agreed by the Forum members. The first regional PPI meeting will be held on 19 September, these will be quarterly and in-between the local groups will meet 2-3 times. The DOH has published proposals for Local involvement Networks (LINKS) although the timescales for these to be assemble is not clear at this stage.

Arrangements with Staffordshire Ambulance

Arrangements have been made to integrate Staffordshire with the West Midlands. A Chief Operating Officer will be appointed until the organisation is fully merged with West Midlands. As outlined in the table above, most of the new director positions are shared across West Midlands and Staffordshire in order to effect this fully merged position sooner. Anthony Marsh will attend Staffordshire's board meetings as a special advisor and a Partnership Board has been assembled (including an independent project director) to bring the merger to fruition, for example back-office functions will be merged by December this year.

Summary

A great deal has been achieved by the regional Trust and there is recognition at a national level that the merger of this region has already brought about real improvements and is well progressed with governance arrangements etc. The new Executive team looks forward to working in close partnership with the Health Overview and Scrutiny Committee members in order to provide even better services to the patients and public of Coventry and Warwickshire. Anthony Marsh, Chief Executive, and Peter Murtagh, General Manager (associate director) for Coventry

and Warwickshire are personally committed to full involvement with the OSC and regular attendance is part of the General Managers portfolio of work.

CABINET

14th November 2006

Cabinet Members
Present:-
Councillor Blundell
Councillor Foster
Councillor Mrs Johnson
Councillor Matchet
Councillor H Noonan
Councillor O'Neill
Councillor Ridley
Councillor Taylor (Chair)

Non-Voting Opposition
Representatives present:-
Councillor Duggins
Councillor Field (Substitute for Councillor Benefield)
Councillor Mutton
Councillor Nellist

Employees Present:-
J. Bolton (Director of Community Services)
D. Briggs (Chief Executive's Directorate)
F. Collingham (Chief Executive's Directorate)
A. Davey (Community Services Directorate)
C. Hinde (Director of Legal and Democratic Services)
R. Hughes (Head of Corporate Policy)
L. Knight (Legal and Democratic Services Directorate)
S. Manzie (Chief Executive)
A. Simpson (Children, Learning and Young People's
Directorate)
C. West (Finance and ICT Directorate)

Apologies:-
Councillor Arrowsmith
Councillor Benefield

130. Building Schools for the Future – Project Governance Arrangements

The Cabinet considered a joint report of the Director of Children, Learning and Young People, Director of Finance and ICT and Director of Legal and Democratic Services, which sought approval of the proposed governance arrangements for elected members in relation to the Building Schools for the Future (BSF) programme.

The Cabinet, at their meeting on 3rd October 2006 approved a 'Readiness to Deliver' submission for Coventry to be included as a wave 4 BSF authority (Minute 88/06 refers). The proposed governance arrangements were detailed in criteria 4 'Project Management' and were identified as an appendix to the report now submitted. Currently, elected members are represented on the BSF Project Board through the Cabinet and Shadow Cabinet Members respectively for Children, Learning and Young People Services.

It is recognised however that BSF projects may be amongst the highest value contracts that the authority will enter into, and as such the establishment of a proper process for engaging with all elected members is essential. During discussion at Cabinet on 3rd October 2006, employees undertook to establish how best to involve Scrutiny in the development of the BSF programme, especially given the tight deadlines and the need to avoid using the urgency procedure that denied Scrutiny the opportunity for proper consideration and comment.

Formal approvals by elected members will be required at key stages within the project, at Cabinet or full Council level, and some delegated to the Project Board. In particular formal approvals will be required for the approval of the Strategy for Change and Outline Business Case (OBC); the initial shortlisting stage; selection of bidders; selection of a preferred bidder; and approval of the Final Business Case (FBC).

Employees have therefore further reviewed the proposed project management arrangements in light of the timescale for wave 4 authorities published by the Department for Education and Skills (DfES) and the necessary political approvals process, which were detailed within the submitted report.

The DfES/PfS (Partnerships for Schools) are anticipating that allocations to waves will be announced in December 2006, subject to confirmation by Ministers. At that point wave 4 local authorities will be contacted regarding a further launch conference. PfS in conjunction with DfES will also be holding BSF Remit meetings for wave 4 projects in mid January 2007. The timetable for completion and submission of the Strategy for Change Part 1 documentation is therefore extremely tight, as the deadline for submission is 28th February 2007.

It is therefore proposed that a political management structure be established that will enable the necessary decisions to be taken within the context of the overall BSF development and procurement timetable. The two options considered were the establishment of either a Cabinet Advisory Panel (as already approved in the Readiness to Deliver submission) or a Scrutiny Review Group.

Having considered both options and consulted with the Chairs of both Scrutiny Co-ordinating Committee and Scrutiny Board 2, employees are of the view that a BSF Scrutiny Review Group would provide an appropriate forum for elected members to monitor progress of the BSF Programme. The Group would have a remit to understand the wider context of BSF and to examine objectively BSF proposals at key stages within the project. The Cabinet would then be asked to take any views raised by the Group into account when making decisions in relation to BSF matters. The Group would therefore act in a similar capacity as the Review Group established to examine the City Academies proposals, although the membership would not include headteachers, who are already represented on the Project Board and the Stakeholder Board. By adopting this approach the City Council would be able to meet DfES timetable requirements and it is proposed that the Scrutiny Review Group is established by the end of December 2006.

In summary, therefore, a standing BSF Scrutiny Review Group would be an ongoing and integral part of the BSF process. At key points Cabinet decisions will be required and although, where possible, the normal decision-making procedures will be followed it is likely that in most cases the timescales for this will be too tight to build in

existing 'call in' scrutiny arrangements. However, in these cases, in accordance with the "urgent decisions" procedure, the Chair of the Scrutiny Co-ordination Committee (or his nominee) will be invited to attend the Cabinet meeting to agree the reasons for urgency. This is not ideal and would only be used if completely unavoidable. Nevertheless, it is anticipated that the creation of the BSF Scrutiny Review Group would offer further reassurance to Members that there is clear accountability and opportunity to comment on proposals despite the very tight timescales imposed by government.

It is further proposed that a report be submitted to the Cabinet at their meeting scheduled or 6th February 2007, to approve the Strategy for Change Part 1 submission which has to be returned to DfES by 28th February 2007. Due to the timescale involved, Cabinet will be asked to delegate authority for any minor changes to the submission to the Director of Children, Learning and Young People in consultation with the Cabinet Member and shadow Cabinet Member for Children, Learning and Young People, both of whom are the elected member representatives on the BSF Project Board.

Coventry has also submitted an expression of interest to be included as a pilot for the national roll out of the Every Child Matters: Primary Schools Capital Programme. This is a new capital programme to support educational transformation in primary schools. The aim of this national programme is to rebuild, remodel or refurbish at least 50% of all primary schools. The development of this programme needs to be progressed collectively with BSF, because of the interface between the two. It is therefore proposed that the BSF governance arrangements be used for this purpose as this will be more cost effective than to set up separate project management arrangements for the primary programme.

The opposition members present at the meeting expressed concern in relation to the establishment of the BSF Scrutiny Review Group as there are not representatives of all of the Council's political groups on Scrutiny Board 2. The Cabinet Member (Children, Learning and Young People) gave an assurance that the process used during the Scrutiny Review Group for Academies would be followed, which allowed for those political groups not represented on the main Scrutiny Board to be invited to take part in the Review Group.

RESOLVED that, after due consideration of the options and proposals contained in the report and matters referred to at the meeting, the Cabinet:-

- (1) Approve the variation of the project management and governance arrangements agreed at your meeting on 3rd October 2006 by discontinuing the Cabinet Advisory Panel.**
- (2) Request that Scrutiny Board (2) consider establishing a standing Scrutiny Review Group with appropriate membership and terms of reference along the lines indicated in paragraph 4.1 of the report submitted.**
- (3) Adopt the BSF Scrutiny Review Group and governance arrangements for the implementation of the Every Child Matters: Primary School Capital Programme.**
- (4) Refer consideration of the participation of the Authority in BSF to the meeting of the City Council on 12th December 2006;**

Report to

Cabinet
Scrutiny Board (2)

14th November 2006
22nd November 2006

Report of

Director of Children, Learning and Young People, Director of Finance and ICT and Director of Legal and Democratic Services

Title

Building Schools for the Future: Project Governance Arrangements

1. Purpose of the Report

The purpose of this report is to seek your agreement to the proposed governance arrangements for elected members in relation to the Building Schools for the Future (BSF) programme.

2. Recommendations

You are recommended to:

- 2.1 vary the project management and governance arrangements agreed at your meeting on 3rd October 2006 by discontinuing the Cabinet Advisory Panel;
- 2.2 ask Scrutiny Board (2) to consider establishing a standing Scrutiny Review Group with appropriate membership and terms of reference along the lines indicated in paragraph 4.1 below;
- 2.3 adopt the BSF Scrutiny Review Group and governance arrangements for the implementation of the Every Child Matters: Primary School Capital Programme;
- 2.4 refer consideration of the participation of the Authority in BSF to the meeting of the City Council on 12th December 2006;

3. Information/Background

- 3.1 At your meeting on 3rd October 2006 you considered and approved a '*Readiness to Deliver*' submission for Coventry to be included as a wave 4 BSF authority.
- 3.2 The proposed governance arrangements were detailed in criteria 4 '*Project Management*' and are shown in the Appendix to this report. Currently elected members are represented on the BSF Project Board through the Cabinet and Shadow Cabinet Members respectively for Children, Learning and Young People Services.

- 3.3 It is recognised however that BSF projects may be amongst the highest value contracts that the Authority will enter into, and as such the establishment of a proper process for engaging with all elected members is essential. During discussion at Cabinet on 3rd October, officers undertook to establish how best to involve scrutiny in the development of the BSF programme, especially given the tight deadlines and the need to avoid using the urgency procedure that denied Scrutiny the opportunity for proper consideration and comment.
- 3.4 Formal approvals by elected members will be required at key stages within the project, at Cabinet or full City Council level, and some delegated to the Project Board. In particularly formal approvals will be required for:
- The approval of the Strategy for Change and Outline Business Case (OBC);
 - The initial shortlisting stage;
 - Selection of bidders;
 - Selection of a preferred bidder;
 - Approval of the Final Business Case (FBC).
- 3.5 Your officers have therefore further reviewed the proposed project management arrangements in light of the published DfES timescale for wave 4 authorities and the necessary political approvals process.
- 3.6 The DfES published timescale is detailed in the table below. DfES/PfS are anticipating that allocations to waves will be announced in December, subject to confirmation by Ministers. At that point wave 4 local authorities will be contacted regarding a further launch conference. PfS in conjunction with DfES will also be holding BSF Remit meetings for wave 4 projects in mid January 2007. The timetable for completion and submission of the *Strategy for Change Part 1* documentation is therefore extremely tight.

Date	Phase	Activities
By 31 st January 2007	Project Inception	Gateway 0 , mobilise Project Resources; Appoint advisers, PID,
By 28 th February 2007	Strategy for Change Part 1	Strategic Overview, School & FE Estate summary
By 31 st July 2007	Strategy for Change Part 2	Produce detail on delivery for approval by PfS/DfES.
By 31 st December 2007	Outline Business Case (OBC)	Gateway 1 , Submit OBC for approval by PfS/DfES
By 1 st January 2008	Prepare to Procure	Prepare procurement documents including OJEU
By 21 st April 2008	Official Journal of the European Journal (OJEU) to Invitation to Participate in Dialogue (ITPD)	Publish OJEU, Bidders Day, PQQ's, issue and evaluate ITPD & shortlist bidders.
By 30 th December 2008	Invitation to Competitive Dialogue (ITCD) to Invitation to Submit Final Bids (ITSFB)	Issue ITCD, evaluate bids, finalise & issue ITSFB.
By 9 th April 2009	Appointment of Preferred Partner to Financial Close	Gateway 2 , appoint preferred partner, Final Business Case approved, contract close, financial close.

3.7 It is therefore proposed that a political management structure be established that will enable the necessary decisions to be taken within the context of the overall BSF development and procurement timetable.

4. Proposal and Other Option(s) to be Considered

4.1 Your officers have considered two options, the establishment of either a:

- Cabinet Advisory Panel (as already approved in the *Readiness to Deliver submission*)
OR;
- Scrutiny Review Group

Having considered both options and consulted with the Chairs of both Scrutiny Co-ordinating Committee and Scrutiny Review Panel No.2, your officers are of the view that a BSF Scrutiny Review Group would provide an appropriate forum for elected members to monitor progress of the BSF Programme. The Group would have a remit to understand the wider context of BSF and to examine objectively BSF proposals at key stages within the project. Cabinet would then be asked to take any views raised by the Group into account when making decisions in relation to BSF matters. The Group would therefore act in a similar capacity as the Review Group established to examine the City Academies proposals, although the membership would not include headteachers, who are already represented on the Project Board and the Stakeholder Board. By adopting this approach the City Council would be able to meet DfES timetable requirements. It is proposed that the Scrutiny Review Group is established by the end of December 2006.

4.2 In summary therefore, a standing BSF Scrutiny Review Group would be an ongoing and integral part of the BSF process. At key points Cabinet decisions will be required (see paragraph 3.4) and although where possible the normal decision-making procedures will be followed it is likely that in most cases the timescales for this will be too tight to build in existing 'call in' scrutiny arrangements. However, in these cases, in accordance with the "urgent decisions" procedure, the Chair of the Scrutiny Co-ordination Committee (or his nominee) will be invited to attend the Cabinet meeting to agree the reasons for urgency. This is not ideal and would only be used if completely unavoidable. Nevertheless, it is anticipated that the creation of the BSF Scrutiny Review Group would offer further reassurance to Members that there is clear accountability and opportunity to comment on proposals despite the very tight timescales imposed by government.

4.3 It is further proposed that at its meeting on 6th February 2007, a report will be taken to Cabinet to approve the *Strategy for Change Part 1* submission which has to be returned to DfES by 28th February 2007. Due to the timescale involved, Cabinet will be asked to delegate authority for any minor changes to the submission to the Director of Children, Learning and Young People in consultation with the Cabinet Member and shadow Cabinet Member for Children, Learning and Young People, both of whom are the elected member representatives on the BSF Project Board.

4.4 Coventry has also submitted an expression of interest to be included as a pilot for the national roll out of the Every Child Matters: Primary Schools Capital Programme. This is a new capital programme to support educational transformation in primary schools. The aim of this national programme is to rebuild, remodel or refurbish at least 50% of all primary schools. The development of this programme needs to be progressed collectively with BSF, because of the interface between the two. It is therefore proposed that the BSF governance arrangements be used for this purpose. This will be more cost effective than to set up separate project management arrangements for the primary programme.

5. Other specific implications

	Implications (See below)	No Implications
Area Co-ordination		✓
Best Value		✓
Children and Young People	✓	
Comparable Benchmark Data		✓
Corporate Parenting		✓
Coventry Community Plan	✓	
Crime and Disorder		✓
Equal Opportunities		✓
Finance		✓
Health and Safety		✓
Human Resources		✓
Human Rights Act		✓
Impact on Partner Organisations		✓
Information and Communications Technology		✓
Legal Implications		✓
Property Implications		✓
Race Equality Scheme		✓
Risk Management		✓
Sustainable Development		✓
Trade Union Consultation		✓
Voluntary Sector – The Coventry Compact		✓

5.1 Children and Young People

This project will make a significant contribution to improving the outcomes for children and young people as set out in the Children and young People's Plan. The new teaching facilities developed under BSF will create a positive and stimulating teaching and learning environment, which is inclusive and encourages an atmosphere of lifelong learning. The new facilities will also enable pupils to access extended services and support when and where they need it and provide a base for multi agency teams to deliver their services locally.

5.2 Coventry Community Plan

BSF will support the key objective of the Coventry Community Plan to *"bring together resources, energy and creativity of key organisations, groups, communities and people to work to meet the economic, social and environmental needs of the City of Coventry and the*

health and well-being of its people". The Council is committed to "a city where people feel safe and confident and no-one is disadvantaged by the neighbourhood in which they live". The Plan sets out the City's priorities for investing in young people, with targets to reduce the number of young people who leave School without any qualifications and to meet the Government's educational attainment targets for young people. Specifically this project will support priorities 1 to 4 of the CCP.

6. Monitoring

A project structure has been put in place to deliver BSF, which has been submitted as part of our 'Readiness to Deliver' document to DfES/ PFS. Within these governance arrangements the standing Scrutiny Review Group and BSF Project Board will have a key responsibility for monitoring progress with the project.

7. Timescale and expected outcomes

The indicative political timetable for the period November 2006 to February 2007 is therefore as follows:

Date	Meeting	Comments
14th November 2006	Cabinet	To agree governance arrangements
12th December 2006	City Council	Motion and debate on principles of BSF followed by consideration of Cabinet Governance Report.
January 2007	BSF Scrutiny Review Group	To consider Strategy for Change (1)
6th February 2007	Cabinet	To consider Strategy for Change (1)

This is of course, subject to Coventry's inclusion within Wave 4 of the BSF Programme.

	Yes	No
Key Decision		✓
Scrutiny Consideration (if yes, which Scrutiny meeting and date)	✓ 22 nd November 2006 (Scrutiny Board 2)	
Council Consideration (if yes, date of Council meeting)		✓

List of background papers

Proper officers: Jim Crook, Interim Director of Children, Learning and Young People
Christopher Hinde, Director of Legal and Democratic Services

Author: Ashley Simpson, BSF Project Manager, Children, Learning and Young People
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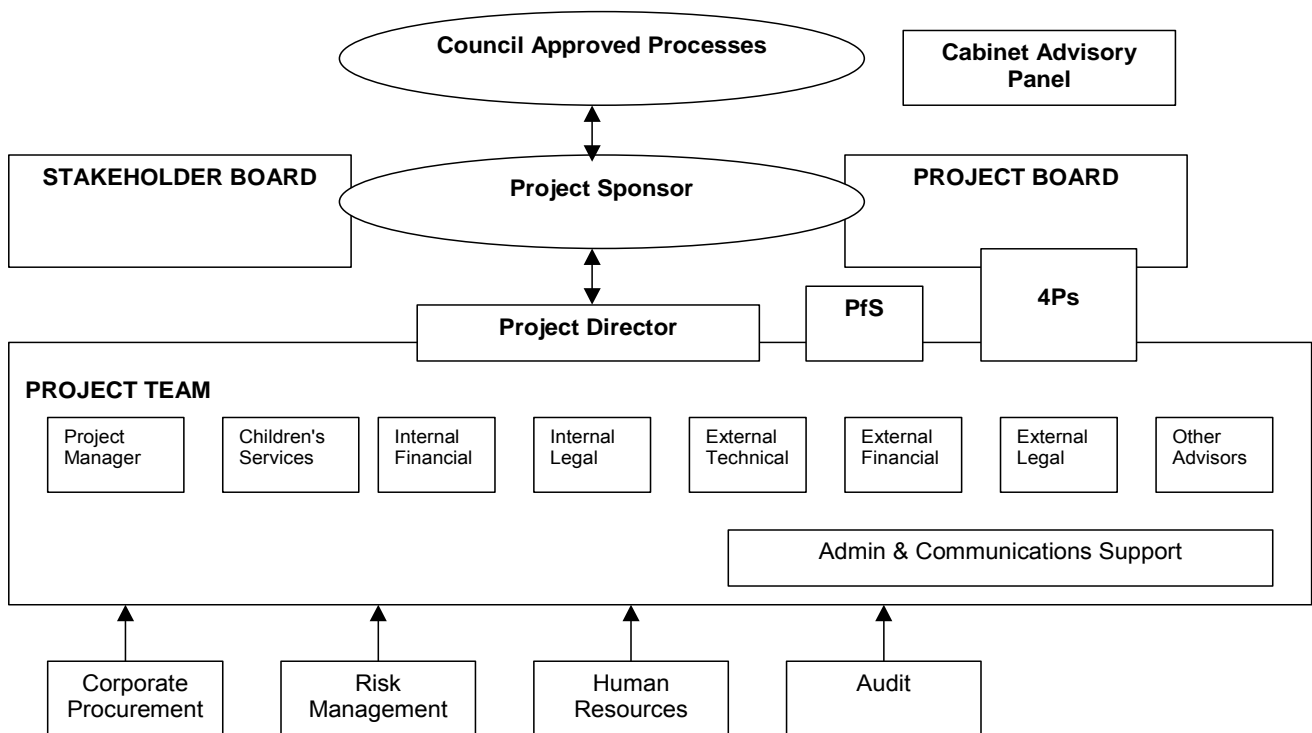
Papers open to Public Inspection

Description of paper

Location

None

APPENDIX



Coventry Building Schools for the Future Programme: Project Structure

CABINET

28th November, 2006

Cabinet Members
Present:-
Councillor Blundell
Councillor Foster
Councillor Mrs Johnson
Councillor Matchet
Councillor H Noonan
Councillor O'Neill
Councillor Ridley
Councillor Taylor (Chair)

Non-Voting Opposition
Representatives present:-
Councillor Duggins
Councillor Mutton

Employees Present:-
J. Bolton (Director of Community Services)
R. Brankowski (Legal and Democratic Services Directorate)
F. Collingham (Communications and Media Relations Manager)
M. Green (Head of Public Protection)
C. Hinde (Director of Legal and Democratic Services)
T. Jones (City Development Directorate)
I. Lahel (Community Services Directorate)
S. Manzie (Chief Executive)
A. Newland (City Development Directorate)
A. Ridgwell (Director of Finance and ICT)
J. Russell (Head of Planning and Transportation)
L. West (City Development Directorate)
V. Mitchell (City Development Directorate)

Apologies:-
Councillor Arrowsmith
Councillor Benefield
Councillor Nellist

RECOMMENDATION

136. Gambling Act 2005 – Statement of Gambling Policy and Delegations

Further to Minute 13/06, the Cabinet considered a joint report of the Director of City Services and the Director of Legal and Democratic Services (already considered by the Licensing and Regulatory Committee at their meeting on the 21st November, 2006 (their Minute 55/06 refers)) summarising the results of the consultation on the draft Statement of Gambling Policy. In addition, the report sought authority for the delegation of powers in accordance with the Draft Statement of Gambling Policy. The report also advised on the need to adopt a Statement of Principles for certain Gambling Permits and to put in place appropriate delegated powers prior to the Council receiving applications in April 2007.

The Statement of Gambling Policy (appended to the report submitted) would have to be published before the Council could carry out any functions as the licensing authority under the Act. The statutory guidance on drafting local policy statement was released in May 2006, giving local authorities eight months to draft a policy, carry out a wide consultation, obtain full Council approval and publish the policy.

The consultation exercise ran from the 3rd July to the 24th September, 2006, and included addressing area consultation meetings, mail-shots to local gambling businesses, key partners, residents' groups, trade organisations and organisations such as faith groups, voluntary groups, groups working with problem gamblers and advocacy groups. The results of the consultation process were also appended to the report submitted.

Last month, the Department for Culture, Media and Sports bowed to concerns from local authorities and the Local Authority Co-ordinating Body on Regulatory Services and delayed the timetable for making advanced applications for premises licences during the transitional period. The delay amounted to three months and gave local authorities more time to prepare and train licensing members and staff on the new procedures. No other changes in date had been announced and the Act would still come into force on the 1st September, 2007.

Applications to the Gambling Commission for Operating Licences would be made from January 2007 and Licensing Authorities would begin to accept applications for Premises Licences from April 2007. Enforcement of the Gambling Act 2005 would be shared between the local authority, the Police and the Gambling Commission.

The Council's powers in respect of Premises Licences (Part 8 of the Act) and various Permits (Schedules 10,12,13 and14) would be directly delegated to the Licensing and Regulatory Committee by the Act itself. The remaining powers under the Act would be vested in full Council. These included setting fees, maintaining the licensing register, acting as a Responsible Authority, authorising prosecutions, inspection of premises, registration of small lotteries and Temporary Use Notices.

With the exception of approving a Statement of Local Policy (which cannot be delegated by full Council) and dealing with licence reviews or applications that attract objections (which cannot be dealt with by employees), all other powers under the Act could be delegated to a committee, sub-committee or employee. The proposed Scheme of Delegation under the Act was also appended to the report submitted and was based on a model suggested by the Gambling Commission. The underlying aim would be to increase efficiency and reduce costs by delegating routine or technical matters to employees whilst reserving policy issues and contested matters to elected members.

Under the Gambling Act 2005, a representation made by a Responsible Authority or Interested Party would not be accepted unless it was relevant and not otherwise frivolous, vexatious or incapable of influencing the licensing decision (the "threshold test"). Unlike under the Licensing Act 2003, the licensing authority could itself be a Responsible Authority and make representations on applications and initiate licence reviews. To ensure as much impartiality as possible under the new system, it was proposed that the Head of Public Protection would apply the "threshold test" in respect of Interested Parties and Responsible Authorities external to the Council and that the Director of Legal and

Democratic Services would apply the "threshold test" in respect of internal Responsible Authorities (i.e. Planning, Environmental Health and Licensing).

The Cabinet noted that Prize Gaming Permits and Family Entertainment Centre permits would be granted directly by the Licensing Authority, without the involvement of the Gambling Commission. The Licensing Authority may prepare a Statement of Principles, that details which matters would be taken into consideration when determining the suitability of the applicant for such a permit.

At the time of the consultation, a Statement of Principles had not been prepared. It was now considered pertinent for such a statement to be prepared and it was also appended to the report submitted. Should full Council agree, the Statement of Principles would be provided to applicants upon request and the policy document amended to reflect the change.

The Licensing and Regulatory Committee had considered each of the responses received as part of the consultation process and, following discussions, had agreed all the proposed action, subject to the following:-

Ref 1	In order to facilitate the efficient administration of the licensing procedures, the Committee agrees to allow up to 4 gaming machines on licensed premises without the need for applications to be heard by the Committee.
Ref 2	The Committee does not consider that a definition of "vulnerable adult centre" should be included in the policy. This will allow the widest possible consideration of the matters in each and every individual circumstance.
Ref 13	The Committee agreed to the adoption of a Statement of Principles for the consideration of applications for the permits detailed in Appendix D, subject to the following amendment. The addition of a requirement that applicants will be expected to demonstrate that documented systems are in place for the training of staff in the procedures required to meet the licensing objectives in paragraph 1.1 of the policy.
Ref 14	The Committee supports the addition of the proposed wording to clarify the requirements for granting Casino licences.
Ref 15	The Committee agrees to delete the wording in order to clarify the requirements for the licensing of door supervisors by the Security Industry Authority.

The Cabinet considered the Statement of Gambling Policy, together with the results of the consultation, and decided to take on board the comments received from the Licensing and Regulatory Committee as summarised above.

In addition, in the context of the passing reference to "remote gambling" in paragraph 1.3 of the Policy itself, the Head of Public Protection undertook to bring a report on internet gambling to a future meeting of the Cabinet Member (City Services), and

Scrutiny if appropriate.

RESOLVED that the City Council be recommended:-

- (1) To adopt the Statement of Gambling Policy for the purposes of Section 349 of the Gambling Act 2005, subject to the incorporation of appropriate wording giving effect to the observations (summarised above) of the Licensing and Regulatory Committee.**
- (2) To delegate to the Licensing and Regulatory Committee the power to set fees under Section 212 of the Gambling Act 2005.**
- (3) To delegate to the Head of Public Protection all necessary powers to deal with Small Society Lottery Registrations, to receive Temporary and Occasional Use Notices, to maintain the licensing public register and to enter and inspect premises (as detailed in Appendix C of the report submitted).**
- (4) To delegate to the Head of Public Protection all necessary powers to facilitate the Responsible Authority function as a Licensing Authority and as a Pollution / Environmental Health body.**
- (5) To delegate to the Director of City Development all necessary powers to facilitate the Responsible Authority function as a Local Planning Authority.**
- (6) To delegate to the Licensing and Regulatory Committee the power to authorise legal proceedings in respect of any offences under the Gambling Act 2005 where such authority is not already directly delegated to it by the Act.**

Report to

Licensing and Regulatory Committee
Cabinet
Full Council

21st November, 2006
28th November, 2006
12th December 2006

Report of

Director of City Services
Director of Legal and Democratic Services

Title

Gambling Act 2005 – Statement of Gambling Policy & Delegations

1 Purpose of the Report

- 1.1 The purpose of this report is to advise Members of the results of the consultation on the draft Statement of Gambling Policy, to adopt a Statement of Principles for certain Gambling Permits and to put in place appropriate delegated powers prior to the Council receiving applications in April 2007.

2 Recommendations

- 2.1 That the Licensing and Regulatory Committee considers the Statement of Gambling Policy, produced in compliance with Government guidance (Appendix A) and the results of the consultation (Appendix B) and forwards any comments it may have to Cabinet.
- 2.2 That the Licensing and Regulatory Committee agrees to delegate to the Head of Public Protection, all necessary powers under Part 8 and Schedules 10,12,13 and 14 of the Gambling Act 2005 required to deal with Premises Licences and Gambling Permits as detailed in Appendix C of this report.
- 2.3 That the Licensing and Regulatory Committee agree to adopt a Statement of Principles in relation to unlicensed family entertainment centres and prize gaming permits (attached as Appendix D).
- 2.4 That Cabinet considers the Statement of Gambling Policy (Appendix A) and the results of the consultation (Appendix B) and in light of any comments made, recommends to full Council on 12th December 2006 that it adopts the Statement of Gambling Policy for the purposes of Section 349 of the Gambling Act 2005.
- 2.5 That Cabinet recommends to full Council on 12th December 2006 that: -
- (1) It delegates the power to set fees under Section 212 of the Gambling Act 2005 to the Licensing and Regulatory Committee.

- (2) It delegates to the Head of Public Protection all necessary powers to deal with Small Society Lottery Registrations, to receive Temporary and Occasional Use Notices, maintain the licensing public register and to enter and inspect premises (as detailed in Appendix C).
- (3) It delegates to the Head of Public Protection all necessary powers to facilitate the Responsible Authority function as a Licensing Authority and as a Pollution / Environmental Health body.
- (4) It delegates to the Director of City Development all necessary powers to facilitate the Responsible Authority function as a Local Planning Authority.
- (5) It delegates to the Licensing and Regulatory Committee the power to authorise legal proceedings in respect of any offences under the Gambling Act 2005 where such authority is not already directly delegated to it by the Act.

3 Information / Background

Gambling Policy

- 3.1 On 13th June 2006, Cabinet considered a report on the draft Statement of Gambling Policy and authorised the Head of Public Protection to consult on its contents.
- 3.2 Before determining the policy for any three-year period, Licensing Authorities are required to carry out a wide consultation process. The Council must consult the police and has authority to include in the process, any other individuals or organisations it deems appropriate. These are detailed in 3.3. In addition, West Midlands Fire Service, the Community Safety Team, Social Services, Education, Culture & Leisure, Building Control and Planning were involved in the production of the draft policy.
- 3.3 The public consultation exercise started on 3rd July and finished on 24th September 2006, and included the following elements:
 - Area consultation meetings involving presentations, displays and question times, utilising Area Forums wherever possible
 - Mail shots to local gambling businesses and key partners
 - Mail shots to residents groups and trade organisations
 - Mail shots to organisations including faith groups, voluntary groups working with children and young people, groups working with problem gamblers, advocacy groups such as the CRB and Trade Unions
 - Mail shots to Responsible Authorities under the Act
 - Mail shots to Allesley and Keresley Parish Councils
 - Access to the consultation through the City Council Web Site
- 3.4 The results of the consultation process are attached as Appendix B. Matters raised at Licensing and Regulatory Committee will be included with the report when it is submitted for consideration at Cabinet on 28th November 2006, before being presented to the full Council on 12th December 2006.
- 3.5 The Statutory Guidance on drafting local policy statements was released in May 2006, giving Local Authorities eight months to draft a policy, carry out a wide consultation, obtain final full Council approval and publish the policy. Last month the Department of Media, Culture and Sport bowed to concerns from Local Authorities and the Local Authority Co-ordinating Body on Regulatory Services (LACORS) and delayed the timetable for making advanced applications for premises licences during the transitional period. The delay amounts to three months and is aimed at giving Local Authorities more time to prepare and train Licensing

Members and staff on the new procedures. No other date changes have been announced and the Act will still come into force on 1st September 2007.

Applications to the Gambling Commission for Operating Licences are to be made from January 2007 and Licensing Authorities will begin to accept applications for Premises Licences from April 2007. The Statement of Gambling Policy must be published by the 3rd January 2007, before the Council can carry out any function in respect of individual applications made under the authority of the Gambling Act 2005.

- 3.6 Enforcement of the Gambling Act 2005 will be shared between the Local Authority, the police and the Gambling Commission.

Delegations

- 3.7 The Council's powers in respect of Premises Licenses (Part 8 of the Act) and various Permits (Schedule 10,12,13,14) are directly delegated to the Licensing and Regulatory Committee by the Act itself. The remaining powers under the Act are vested in full Council. These include: setting fees, maintaining the licensing register, acting as a Responsible Authority, authorising prosecutions, inspection of premises, registration of small lotteries and Temporary Use Notices.
- 3.8 With the exception of approving a Statement of Local Policy (which cannot be delegated by full Council) and dealing with licence reviews or applications that attract objections (which cannot be dealt with by employees); all other powers under the Act can be delegated to a Committee, Sub-committee or employee. Appendix C contains the proposed scheme of delegation under the Act. It closely follows the model suggested by the Gambling Commission. The underlying aim is to increase efficiency and reduce costs by delegating routine or technical matters to employees whilst reserving policy issues and contested matters to Elected Members.
- 3.9 Under the Gambling Act 2005 a representation made by a Responsible Authority or Interested Party cannot be accepted unless it is relevant and not otherwise frivolous, vexatious or incapable of influencing the licensing decision (the "threshold test"). Unlike under the Licensing Act 2003, the Licensing Authority can itself be a Responsible Authority and make representations on applications and initiate licence reviews. To ensure as much impartiality as possible under the new system, it is proposed that the Head of Public Protection will apply the "threshold test" in respect of Interested Parties and Responsible Authorities external to the Council and that the Director of Legal and Democratic Services will apply the "threshold test" in respect of internal Responsible Authorities (i.e. Planning, Environmental Health and Licensing).

4 Proposal and Other Option(s) to be Considered

- 4.1 Prize Gaming Permits and Family Entertainment Centre permits are granted directly by the Licensing Authority, without the involvement of the Gambling Commission. The Licensing Authority may prepare a Statement of Principles, which specifies the matters, which will be taken into consideration when determining the suitability of the applicant for such a permit.

At the time of the consultation a Statement of Principles had not been prepared. It is now considered pertinent for such a statement to be prepared and it is attached as Appendix D. Should full Council agree, the Statement of Principles will be provided to applicants upon request and the policy document amended to reflect the change.

5 Other specific implications

	Implications (See below)	No Implications
Area Co-ordination		✓
Best Value		✓
Children and young people	✓	
Comparable Benchmark Data		✓
Corporate Parenting		✓
Coventry Community Plan	✓	
Crime and Disorder	✓	
Equal Opportunities		✓
Finance	✓	
Health and Safety		✓
Human Resources	✓	
Human Rights Act	✓	
Impact on partner organisations	✓	
Information and Communications Technology	✓	
Legal Implications	✓	
Property Implications		✓
Race equality scheme	✓	
Risk Management		✓
Sustainable Development		✓
Trades Union Consultation		✓
Voluntary Sector – The Coventry Compact		✓

6 Children and young people

- 6.1 One of the three licensing objectives is 'protecting children and other vulnerable persons from being harmed or exploited by gambling'. Applicants will be required to indicate how they will address this objective when making applications in their operational schedules. The Coventry Area Child Protection Committee will be the Responsible Authority consulted when applications are made.

7 Coventry Community Plan and Crime and Disorder

- 7.1 Another of the three licensing objectives is 'preventing gambling from being a source of crime or disorder'. By consulting widely, the Council will take full account of local policies covering, for example, crime prevention and anti-social behaviour. The policy acknowledges the Crime and Disorder Reduction Strategy and also gives information about proposed enforcement protocols with the police and other enforcement authorities.

8 Financial Implications

- 8.1 The Secretary of State advises that Licensing Authorities should have regard to cost and time during the consultation period.

The Government guidance also indicates that fee levels (yet to be released to Licensing Authorities) will provide full cost recovery of all licensing functions including the preparation and publication of a Statement of Gambling Policy. Where Authorities exceed these requirements, they will have to absorb those costs.

- 8.2 The Government has provided some revenue support to Local Authorities in

relation to the implementation of the Gambling Act. However, we have not yet included specific budgetary provision for this area because the timetable has yet to be finalised for implementing the new arrangements and the one-off and on-going costs and income levels cannot yet be determined.

8.3 The net cost in 2006/07 will be managed as far as possible within the overall licensing budget. If this proves not to be possible in practice a decision will be made to either

- Carry forward implementation costs to be set against future income streams in the service area; or
- Manage the costs from one-off funding held centrally.

The longer term budgetary position for the Authority's Gambling Act responsibilities will be considered, if necessary, as part of the budget setting process for 2007/08

Coventry, like all Local Authorities, is waiting to see if the proposed Government statutory fees will cover ongoing costs of administration and enforcement. The budgetary position will be kept under review as information become clearer.

9 Human Resources

9.1 The Licensing Team, located in Environmental Health, will carry out the new licensing duties. It has been necessary to recruit an additional temporary Licensing Officer into this team to meet the demands of the new licensing function. The long-term size of the team will depend upon the workload set by the eventual regulations and the fee levels set.

10 Human Rights

10.1 The Statement of Gambling Policy will inform decisions taken by the Licensing Authority that will have an impact on the interests of private individuals and businesses. The policy reflects the need to respect the relevant rights given by the Human Rights Act.

11 Impact on Partner Organisations

11.1 The policy was drafted in consultation with partner organisations. Applications will be made to Responsible Authorities, as well as the Licensing Authority, who will need to ensure sufficient resources to meet their statutory obligations under the Act.

12 Information and Communications Technology

12.1 A public register of all licenses and permits issued under the Gambling Act 2005 will be kept and will be accessible via the City Council web site. Electronic information on applications will be shared with the Gambling Commission.

13 Legal Implications

13.1 The Council cannot undertake its role as a Licensing Authority until it has approved and published its Statement of Gambling Policy. The policy must be reviewed every three years, however, it can be reviewed more often if appropriate.

13.2 The licensing function is to be carried out by the Council's Licensing and Regulatory Committee and / or employees with the exception of the approval of the Policy Statement, which must be approved by full Council.

13.3 It is necessary for full Council and the Licensing and Regulatory Committee to

formally delegate powers under the Act so that your officers can fulfil their duties without the possibility of a successful legal challenge. Some of these powers are not yet in force and the delegations will therefore only become effective once the DCMS has made the relevant commencement orders.

14 Race Equality Scheme

- 14.1 The Statement of Gambling Policy refers to the Council's Race Equality Scheme.

15 Monitoring

- 15.1 The policy mentions a number of mechanisms for the licensing function to receive and give reports to other Committees and authorities as well as monitor representations made during the application and review process. During the first year, it is appropriate to monitor the effect of the new policy and, if necessary, review its contents at any time.

16 Timescale and expected outcomes

- 16.1 It is proposed to obtain full Council approval in December 2006, to give sufficient time to publish the Policy prior to the Licensing Authority accepting applications for Premises Licences from April 2007.

List of background papers

Proper officer: Head of Public Protection

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Papers open to Public Inspection

Description of paper

Gambling Act, 2005
Guidance to Licensing authorities of the
Gambling Act, 2005
Cabinet Office - Code of Practice on
Consultation

Location

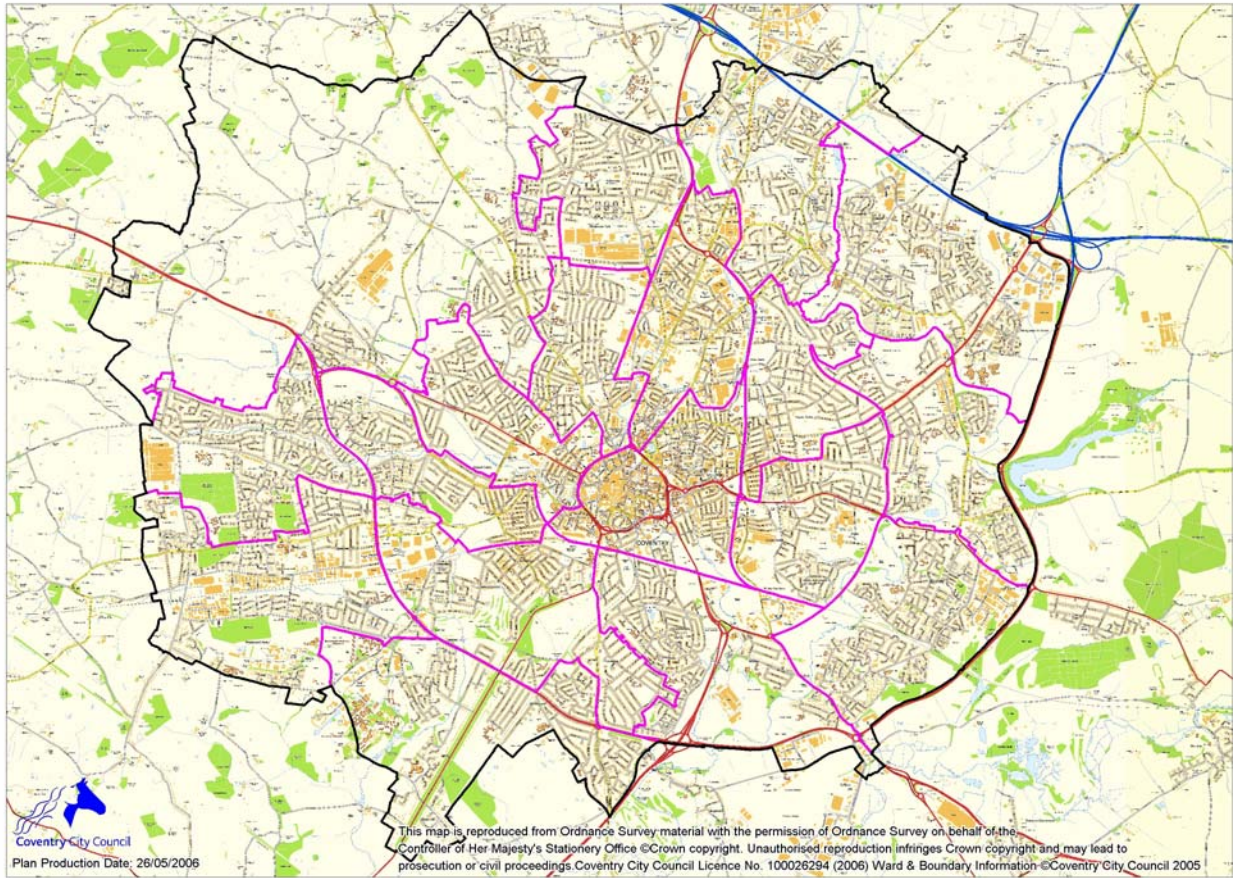
Public Protection, Broadgate House

Public Consultation

Gambling Act 2005

Draft Gambling Policy





map of the area covered by Coventry City Council

STATEMENT OF GAMBLING POLICY

This Statement has been drafted at a time when a number of Regulations, Operating/Personal conditions, Codes of Practice and guidance are not yet published. Should anything in these impact upon the content of this document it will need to be borne in mind and amended at a later stage, bearing in mind resource implications for the Council. All references to the Gambling Commission's Guidance for local authorities refer to the Guidance published on 28th April 2006.

PART A

1. INTRODUCTION

1.1 Coventry City Council ('the Council') has a duty under the terms of the Gambling Act 2005 ('the Act') whilst carrying out most of its functions as the Licensing Authority, to have regard to the following licensing objectives:

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

The Council is aware that is required by S.153 of the Act to permit the use of premises for gambling in so far as it thinks it:

- **in accordance with any relevant code of practice issued by the Gambling Commission;**
- **in accordance with any relevant guidance issued by the Gambling Commission;**
- **reasonably consistent with the licensing objectives;**
- **in accordance with the Council's Statement of Gambling Policy.**

1.2.1 Coventry is a city situated in the West Midlands with a population of 304,000 inhabitants. It is mainly urban but includes significant areas that are semi-rural. A map of the area is shown on the previous page.

This Statement of Licensing Policy relates to all those district council licensing functions specified under the Act namely:

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

- Grant *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 are required
- Register *small society lotteries* below prescribed thresholds
- Issue *Prize Gaming Permits*
- Receive and Endorse *Temporary Use Notices*
- Receive *Occasional Use Notices*
- Provide information to the Gambling Commission regarding details of licences issued (see section below on 'information exchange')
- Maintain registers of the permits and licences that are issued under these functions

1.3 It should be noted that local licensing authorities will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via Operator Licences. The Council recognises that the licensing function is only one means of promoting delivery of the above objectives and should not therefore be seen as a means for solving all problems within the community. The licensing authority will therefore continue to work in partnership with neighbouring authorities, the West Midlands Police ('the police'), the Coventry Community Safety Partnership, local businesses, local people and those involved in child protection to promote the licensing objectives as outlined. In addition, the Council recognises its duty under S.17 of the Crime and Disorder Act, 1998, with regard to the prevention of crime and disorder.

1.4 This policy statement has been prepared in accordance with the provisions of the Act, policy statement regulations and the guidance issued by the Gambling Commission and is valid for a period of 3 years from 1 January, 2007. This policy statement will be reviewed from "time to time" and any amended parts re-consulted upon. The statement would then be re-published.

2. CONSULTATION

2.1 Before publishing this policy statement the licensing authority has consulted with and given proper consideration to the views of the following in line with the Act and the Gambling Commission's Guidance:

- The Chief Officer of Police
- The Fire Authority
- Representatives of persons currently carrying on gambling businesses in Coventry
- Representatives of local businesses
- Representatives of local residents
- Coventry licensing forum
- Departments (including Responsible Authorities) within the Council with an interest in the licensing of gambling
- Coventry Safeguarding Children Board
- Allesley Parish Council
- Keresley Parish Council
- Local bodies representing consumers, the disabled, children's charities, promotion of tourism and neighbouring licensing authorities.
- Gambling Commission
- HM Revenue & Customs

2.2 Consultation on this policy took place between 3 July 2006 and 24 September 2006 and the Council followed the Revised Code of Practice (April 2004) and the Cabinet Office Guidance on consultations by the Public Sector.

- 2.3 The full list of comments received are available by request to or via the Council's website at (www.coventry.gov.uk).
- 2.4 This policy was approved at a meeting of the Full Council on **date** and was published via the Council's website on 1st January 2007. Copies were placed in public libraries in the area as well as being available in the Council House.

3. RESPONSIBLE AUTHORITIES

In exercising this licensing authority's powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm, the following principles have been applied:

- The need for the body to be responsible for an area covering the whole of the licensing authority's area
- The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group etc.

- 3.1 In accordance with the Gambling Commission's Guidance for local authorities this authority designates the Coventry Safeguarding Children Board
- 3.2 The contact details of all the Responsible Authorities under the Gambling Act 2005 are available via the Council's website at (www.coventry.gov.uk).

4. INTERESTED PARTIES

- 4.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence based on the three licensing objectives as detailed in paragraph 1.1 of this policy statement.

An interested party is someone who: -“

- a. lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b. has business interests that might be affected by the authorised activities, or
- c. represents persons in either of the two groups above”

The principles the licensing authority will apply to determine whether a person is an interested party are:

Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities at 8.14 and 8.15. It will also consider the Gambling Commission's Guidance that "business interests" could include charities, faith groups and medical practices.

Interested parties could include trade associations and trade unions, and residents and tenants' associations. This authority will not however generally view these bodies as interested parties unless they have a member who can be classed as an interested person under the terms of the Gambling Act 2005 e.g. lives sufficiently close to the premises or has business interests likely to be affected by the activities being applied for.

Interested parties can be persons who are democratically elected such as Councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the Councillor/MP represents the ward likely to be affected. Other than these persons, this authority will require written evidence that a person 'represents'

someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

If individuals wish to approach Councillors to ask them to represent their views then care should be taken that the Councillors are not part of the Licensing and Regulatory Committee dealing with the licence application or in any other way have a personal interest that would preclude them from participating in a hearing. If there are any doubts then please contact the licensing team.

It should be noted that, unlike the Licensing Act, the Gambling Act does not include as a specific licensing objective the prevention of public nuisance. There is however other relevant legislation which deals with public nuisance.

5. EXCHANGE OF INFORMATION

- 5.1 The principle that the licensing authority will apply in respect of the exchange of information between it and the Gambling Commission and those bodies listed in Schedule 6 of the Act is that it will act in accordance with the provisions of the Gambling Act 2005 which includes the provision that the Data Protection Act 1998 will not be contravened. The licensing authority will also have regard to any guidance issued by the Gambling Commission to Local Authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

6. ENFORCEMENT

- 6.1 The Council intends to establish protocols with the Gambling Commission and other enforcing authorities on enforcement issues. These protocols will include agreements relating to joint inspections and joint strategies. This will provide a more efficient deployment of the Council's officers and other officers that are commonly engaged in enforcing gambling law and inspection of licensed premises. For example, these protocols should also provide for the targeting of resources towards high-risk premises and activities that require greater attention. A lighter touch will apply in respect of low risk premises, which are well run.
- 6.2 In general, action will only be taken in accordance with the principles of the Regulatory Compliance Code and the Gambling Enforcement Policy. To this end the key principles of consistency, transparency and proportionality will be maintained.
- 6.3 The Council will also be guided by the Gambling Commission's Guidance for local authorities and will endeavour to be:
- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
 - Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
 - Consistent: rules and standards must be joined up and implemented fairly;
 - Transparent: regulators should be open, and keep regulations simple and user friendly; and
 - Targeted: regulation should be focused on the problem, and minimise side effects
- 6.4 The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the Premises Licences and other permissions, which it authorises. The Gambling Commission will be the enforcement body for the Operator and Personal Licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission.

7. FUNDAMENTAL RIGHTS

- 7.1 Under the terms of the Act any individual/company may apply for a variety of permissions and have their applications considered on their individual merits. Equally, any interested party or responsible authority has a right to make relevant representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the Act.
- 7.2 Applicants and those making relevant representations in respect of applications to the Council have a right of appeal to Coventry Magistrates' Court against the decisions of the Council.

8. INTEGRATING STRATEGIES AND THE AVOIDANCE OF DUPLICATION

- 8.1 By consulting widely prior to this policy statement being published, the licensing authority will take full account of local policies covering crime prevention, culture, transport, planning and tourism as part of an integrated strategy for the Council, police and other agencies. Many of these strategies may not be directly related to the promotion of the three licensing objectives, but may indirectly impact upon them.
- 8.2 When considering any application, the Council will avoid duplication with other regulatory regimes so far as possible. Therefore, the Council will not attach conditions to a licence unless they are considered necessary, reasonable and proportionate to the use of premises for gambling consistent with the licensing objectives.

Promotion of Racial Equality

- 8.3 The Council recognises its responsibilities under the Race Relations Act, 1976 and the Race Relations (Amendment) Act, 2000 when discharging its functions under the Gambling Act 2005. The impact of this policy on race relations will be monitored through the Council's race equality scheme.

9. ADMINISTRATION, EXERCISE AND DELEGATION OF FUNCTIONS

Licensing and Regulatory Committee

- 9.1 The powers of the Council as a licensing authority under the Act may be carried out by the Licensing and Regulatory Committee, by a Sub-Committee or, instead, by one or more Council officers acting under delegated authority. The Council proposes to adopt the following scheme of delegation:-

Matters to be dealt with	Full Council	Full Commttee	Sub Committee	Officers
Three year Gambling Policy	X			
Policy not to permit casinos	X			
Fee Setting – when appropriate		X		
Application for premises licence			Where representations have been received and not withdrawn	Where no representations received/representati ons have been withdrawn
Application for a variation to a licence			Where representations have been received and not withdrawn	Where no representations received/representati ons have been withdrawn
Application for a transfer of a licence			Where representations have received from the Commission	Where no representation made by the Commission
Application for a provisional statement			Where representations have been received and not withdrawn	Where no representations received/representati ons have been withdrawn
Application to review premises licence/club premises certificate			X	
Application for club gaming/club machine permits			Where objections have been made (and not withdrawn)	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits			X	
Applications for other permits				X
Cancellation of licensed premises gaming machine permits				X
Consideration of temporary use notice				X
Decision to give a counter notice to a temporary use notice			X	
Decision on whether a complaint is irrelevant frivolous vexatious etc				X
Decision as Responsible Authority to call for a Review of a Premises Licence				X

- 9.2 Application forms will be in the format prescribed by Department for Culture Media and Sport regulations. The form will need to contain information that describes the gambling activities to be provided, the operational procedures, hours, nature of the location, needs of the local community, etc. Most importantly, the applicant will have to detail the steps that will be taken to promote the three licensing objectives. Applicants should carry out a risk assessment before they apply for a licence.
- 9.3 Applicants are encouraged to fully consult the Police and other responsible authorities well in advance of submitting their applications. Application forms and guidance leaflets will be available from the City Services Directorate, including contact names for each of the responsible authorities that will be receiving applications. Most applications will require additional documentation and a fee to be included with the form. Incomplete applications will not be considered and will be returned to the applicant.
- 9.4 The Act requires licensing authorities to maintain a register of premises licences issued. The register must be available at any reasonable time to the public, who can request copies of the entries. The register will be located at the address below and will be available via the Council's website.

PART B

PREMISES LICENCES

10 GENERAL PRINCIPLES

- 10.1 Premises Licences will be subject to the permissions/restrictions set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions, which will be detailed in regulations issued by the Secretary of State. This licensing authority will be able to exclude default conditions and also attach others, where it is believed to be appropriate.
- 10.2 This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:
- in accordance with any relevant code of practice issued by the Gambling Commission
 - in accordance with any relevant guidance issued by the Gambling Commission
 - reasonably consistent with the licensing objectives and
 - in accordance with the authority's statement of Gambling Policy
- 10.3 The Gambling Commission's Guidance advises that "moral objections to gambling are not a valid reason to reject applications for premises licences" and also that demand is not a criterion for a licensing authority.

Definition of Premises

- 10.4 Premises is defined in the Act as "any place". Different premises licences cannot apply in respect of a single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. It is for the licensing authority to decide whether different parts of a building can be properly regarded as being separate premises and as the Gambling Commission states in its Guidance for local authorities, it "will always be a question of fact in the circumstances." The Gambling Commission does not however consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.
- 10.5 This licensing authority notes the Gambling Commission's Guidance which states that in considering applications for multiple licences for a building or those for a specific part of the building to be licensed, "entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not 'drift' into a gambling area.
- 10.6 The licensing authority should pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). There will be specific issues that authorities should consider before granting such applications, for example, whether children can gain access; compatibility of the two establishments; and the ability to comply with the requirements of the Act. In addition an overriding consideration should 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.
- 10.7 It should be noted that an applicant cannot obtain a full premises licence until the premises in which it is proposed to offer the gambling are constructed. The Gambling Commission has advised that reference to "the premises" are to the premises in which gambling may now take place. Thus a licence to use premises for gambling will only be

issued in relation to premises that are ready to be used for gambling. The Gambling Commission emphasises that requiring the building to be complete ensures that the authority can, if necessary, inspect it fully as can other responsible authorities with inspection rights.

Location

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

Duplication with other regulatory regimes

- 10.9 This authority will seek to avoid any duplication with other statutory / regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning or building consent, in its consideration of it. This authority will though listen to, and consider carefully, any concerns about conditions, which are not able to be met by licensees due to planning restrictions, should such a situation arise.

Licensing Objectives

- 10.10 Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission's Guidance to local authorities and some comments are made below.
- 10.11 *Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime***

The Gambling Commission will play a leading role in preventing gambling from being a source of crime and will maintain rigorous licensing procedures that aim to prevent criminals from providing facilities for gambling, or being associated with providing such facilities.

When applying to this licensing authority for a premises licence the applicant will have to hold an operating licence from the commission before a licence can be issued so the Council will not be concerned with the suitability of the applicant. Where concerns about a person's suitability arise the Council will bring those concerns to the attention of the Commission.

This licensing authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it. Issues of nuisance cannot be addressed via the Gambling Act.

The Licensing Authority will also consider the location of the premises in the context of this licensing objective. If an application is received in relation to premises that are in an area noted for particular problems with organised crime the licensing authority will consider conditions being put on the licence to promote this licensing objective.

10.12 Ensuring that gambling is conducted in a fair and open way

Generally the Commission would not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be a matter for either the management of the gambling business, and therefore subject to the operating licence, or will be in relation to the suitability and actions of an individual and therefore subject to the personal licence.

However in relation to the licensing of tracks the licensing authorities' role will be different from other premises in that track operators will not necessarily have an operating licence. In those circumstances the premises licence may need to contain conditions to ensure that the environment in which betting takes place is suitable.

10.13 Protecting children and other vulnerable persons from being harmed or exploited by gambling

The Gambling Commission's Guidance states that this objective means preventing children from taking part in gambling (as well as restricting advertising so that gambling products are not aimed at or are, particularly attractive to children). The licensing authority will therefore consider whether specific measures are required at particular premises e.g. supervision of entrances/machines, segregation of areas etc.

This licensing authority will pay particular attention to any Codes of Practice, which the Gambling Commission issues as regards this licensing objective in relation to specific premises such as casinos.

For regulatory purposes "vulnerable persons" includes people who gamble more than they want to; people who are gambling beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs." This licensing authority will consider this licensing objective on a case-by-case basis.

Conditions

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

- Relevant to the need to make the proposed building suitable as a gambling facility
- Directly related to the premises and the type of licence applied for;
- Fairly and reasonably related to the scale and type of premises: and
- Reasonable in all other respects.

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

This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

It is noted that there are conditions, which the licensing authority cannot attach to premises licences, which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated and
- conditions in relation to stakes, fees, winning or prizes

Door Supervisors

The licensing authority may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime. It is noted though that door supervisors at casinos or bingo premises cannot be licensed by the Security Industry Authority.

For premises other than casinos or bingo premises, operators and licensing authorities may decide that supervision of entrances/machines is appropriate for particular cases but it will need to be decided whether these need to be SIA licensed or not. It will not be automatically assumed that they need to be.

11 ADULT GAMING CENTRES

11.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises. Appropriate licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Door supervisors
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours

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

11.2 As regards the protection of vulnerable persons, this licensing authority will consider measures such as the use of self-barring schemes, provision of information leaflets / helpline numbers for organisations such as GamCare.

12 (LICENSED) FAMILY ENTERTAINMENT CENTRES:

12.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas. Appropriate licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Door supervisors
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry

- Notices / signage
- Specific opening hours

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

- 12.2 As regards the protection of vulnerable persons, this licensing authority will consider measures such as the use of self-barring schemes, provision of information leaflets / helpline numbers for organisations such as GamCare.
- 12.3 This licensing authority will, as per the Gambling Commission's draft guidance, refer to the Commission's website to see any conditions that apply to operator licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

13. CASINOS

- 13.1 The Council has submitted a proposal for a premises licence for a regional casino, to the independent Casinos Advisory Panel. Details regarding this proposal can be found at (www.culture.gov.uk/CAP/proposals.htm) or are available via request to the City Development Directorate on 024 76832456.
- 13.2 This Council has not passed a "no casino" resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should this licensing authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution.
- 13.3 *Licence considerations / conditions* - The Gambling Commission has stated that "further guidance will be issued in due course about the particular issues that licensing authorities should take into account in relation to the suitability and layout of casino premises" (Gambling Commission Guidance for local authorities - 17.30) This guidance will be considered by this licensing authority when it is made available.
- 13.4 *Betting machines* - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

14. BINGO PREMISES

- 14.1 Bingo is a class of equal chance gaming that will be permitted on alcohol licensed premises, and in clubs and miners welfare institutes, under the allowances for exempt gaming in Part 12 of the Act.
- 14.2 New rules are laid down in the Act about the playing of bingo specifically in alcohol-licensed premises, clubs and miners welfare institutes. Where the level of bingo played in these premises, under the exempt gaming allowances, reaches a certain threshold, it will no longer be authorised by these allowances, and a bingo operating licence will be required by the commission. For further information relating to the threshold contact the Licensing Team.
- 14.3 It is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted licensing authorities should ensure that:

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

14.4 This licensing authority is also aware that the Gambling Commission is going to issue further guidance about the particular issues that licensing authorities should take into account in relation to the suitability and layout of bingo premises. This guidance will be considered by this licensing authority once it is made available.

15 BETTING PREMISES

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

16 TRACKS

16.1 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

16.2 This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

16.3.1 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:

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

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

- 16.4 *Gaming machines* - Further guidance from the Gambling Commission is awaited as regards where such machines may be located on tracks and any special considerations that should apply in relation, for example, to supervision of the machines and preventing children from playing them. This licensing authority notes the Commission's Guidance that licensing authorities therefore need to consider the location of gaming machines at tracks, and applications for track premises licences will need to demonstrate that, where the applicant holds a pool betting operating licence and is going to use his entitlement to four gaming machines, these machines are located in areas from which children are excluded. Children and young persons are not prohibited from playing category D gaming machines on a track.
- 16.5 *Betting machines* - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. It will also take note of the Gambling Commission's suggestion that licensing authorities will want to consider restricting the number and location of such machines in respect of applications for track betting premises licences.
- 16.6 *Condition on rules being displayed* - The Gambling Commission has advised in its Guidance for local authorities that "...licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office."
- 16.7 *Applications and plans* - This licensing authority awaits regulations setting-out any specific requirements for applications for premises licences but is in accordance with the Gambling Commission's suggestion "To ensure that licensing authorities gain a proper understanding of what they are being asked to license they should, in their licensing policies, set out the information that they will require, which should include detailed plans for the racetrack itself and the area that will be used for temporary "on-course" betting facilities (often known as the "betting ring") and in the case of dog tracks and horse racecourses fixed and mobile pool betting facilities operated by the Tote or track operator, as well as any other proposed gambling facilities." and that "Plans should make clear what is being sought for authorisation under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence."
- 16.8 This licensing authority also notes that in the Commission's view, it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences, to ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

17. TRAVELLING FAIRS

- 17.1 It will fall to this licensing authority to decide whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- 17.2 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.
- 17.3 It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land, which crosses our boundaries, is monitored so that the statutory limits are not exceeded.

18. PROVISIONAL STATEMENTS

- 18.1 It is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence” and that “Requiring the building to be complete ensures that the authority can inspect it fully”.
- 18.2 In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant’s circumstances. In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:
- which could not have been raised by objectors at the provisional licence stage; or
 - which is in the authority’s opinion reflect a change in the operator’s circumstances.
- 18.3 This authority has noted the Gambling Commission’s Guidance that “A licensing authority should not take into account irrelevant matters.... One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal.”

19. REVIEWS:

- 19.1 Interested parties or responsible authorities can make requests for a review of a premises licence; however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below, as well as consideration as to whether the request is frivolous, vexatious, will certainly not cause this authority to wish alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.
- in accordance with any relevant code of practice issued by the Gambling Commission
 - in accordance with any relevant guidance issued by the Gambling Commission
 - reasonably consistent with the licensing objectives and
 - in accordance with the authority’s statement of licensing policy

The licensing authority can also initiate a review of a licence on the basis of any reason, which it thinks is appropriate, including: Whether a premises is based in the proximity to schools/vulnerable adult centres or proximity to residential areas with a high concentration of children

PART C

PERMITS/ TEMPORARY & OCCASSIONAL USE NOTICE

20. UNLICENSED FAMILY ENTERTAINMENT CENTRE GAMING MACHINE PERMITS

- 20.1.1 Where a premise does not hold a Premises Licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use.
- 20.2 The Gambling Act 2005 states that a Licensing Authority may "prepare a statement of principles that they propose to apply in exercising their functions under this Schedule" which "may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the application permit".
- 20.3 This licensing authority has not currently adopted a Statement of Principles. Should it decide to do so it will be available from the licensing department at (www.coventry.gov.uk). Potential applicants / other interested persons are advised to check with the licensing department as to whether a policy has been adopted.
- 20.4 An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application. Relevant considerations to take into account would be the applicant's suitability, such as any convictions that they may have that would make them unsuitably to operate a family entertainment centre. and the suitability of the premises in relation to their location and issues about disorder.
- 20.5 It should be noted that a licensing authority cannot attach conditions to this type of permit and that the "statement of principles" only applies to initial applications and not to renewals.
- 20.6 With regard to renewals of these permits, a licensing authority may refuse an application for renewal of a permit only on the grounds that an authorised local authority officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with pursuit of the licensing objectives.

21. (ALCOHOL) LICENSED PREMISES GAMING MACHINE PERMITS

- 21.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority. The licensing authority can remove the automatic authorisation in respect of any particular premises if:
- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
 - gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with)
 - the premises are mainly used for gaming; or
 - an offence under the Gambling Act has been committed on the premises
- 21.2 If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of

the Gambling Act 2005, and “*such matters as they think relevant.*” This licensing authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in site of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be help. As regards the protection of vulnerable persons this applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

- 21.3 It is recognised that some alcohol-licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would need to be applied for, and dealt with as an Adult Entertainment Centre premises licence.
- 21.4 It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.
- 21.5 It should also be noted that the holder of a permit to must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

22 PRIZE GAMING PERMITS

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

23. CLUB GAMING AND CLUB MACHINES PERMITS

- 23.1 Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations. A Club Gaming machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).
- 23.2 Members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations.
- 23.3 Before granting the permit the authority will need to satisfy itself that the premises meet the requirements of a members' club and may grant the permit if the majority of members are over 18.
- 23.4 This Licensing Authority is aware that: "Licensing authorities may only refuse an application on the grounds that:

the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;

- the applicant's premises are used wholly or mainly by children and/or young persons;
 - an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
 - a permit held by the applicant has been cancelled in the previous ten years; or
 - an objection has been lodged by the Commission or the police
- 23.5 It should be noted that there is a 'fast-track' procedure available for premises which hold a Club Premises Certificate under the Licensing Act 2003. As the Gambling Commission's draft Guidance for local authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced" and "The grounds on which an application under the process may be refused are:

- that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

24. TEMPORARY USE NOTICES

There are a number of statutory limits as regards temporary use notices. Gambling Commission Guidance is noted that "The meaning of "premises" in part 8 of the Act is discussed in Part 7 of this guidance. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", licensing authorities will need to look

at, amongst other things, the ownership/occupation and control of the premises...This is a new permission and licensing authorities should be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises."

25. OCCASIONAL USE NOTICES:

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

26. COMMENTS ON THIS POLICY

The Statement of Gambling Policy will be reviewed on a regular basis. Individuals and organisations that wish to comment on the policy are invited to send their comments in writing to:

**Coventry City Council
Environmental Health
Licensing Team
Broadgate House
BroadgateCoventry
CV1 1NH**

Telephone Number: 024 7683 1888

Fax Number: 024 7683 2154

e-mail licensing@coventry.gov.uk

website www.coventry.gov.uk

If you need this information in another format please contact:

Telephone: 024 7683 1888

Fax: 024 7683 2154

Minicom: 0500 431143

e-mail:

licensing@coventry.gov.uk



APPENDIX B

GAMBLING ACT 2005– Draft Statement of Licensing Policy Consultation

COMMENTS RECEIVED

Reference No.	Respondent	Summary of Comments	Appraisal of the Comments	Proposed Action
1.	British Beer & Pub Association	<p>Section 21.2</p> <p>Welcomed our approach Would welcome the inclusion in the policy of an outline of the application procedures for permits for more than two machines. What number would we grant before a hearing would be necessary?</p> <p>Information needed on transitional arrangements</p>	<p>Policy advises of the need to apply to the Local Authority. Applications for more than two gaming machines will be considered on a case-by-case basis unless the Committee have suggested an acceptable number of machines allowed in a premises before a hearing becomes necessary.</p> <p>We will adopt LACORS application form when it becomes available.</p> <p>We will issue letters to the trade on transitional arrangements and run workshops closer to the implementation date.</p>	<p>Whether Committee/Cabinet agrees to allow up to four gaming machines on licensed premises without the need for applications to be heard at committee.</p> <p>No change to policy required.</p>

No.	Respondent	Summary of Comments	Appraisal of the Comments	Proposed Action
2.	Coventry Vulnerable Young Adult Protection Committee	<p>Section 19.1</p> <p>Referred to Mental Capacity Act 2005 and the use of the term "vulnerable person".</p>	<p>LACORS guidance was used to draft section 10.13 of the draft policy. The term "vulnerable persons", as used in the draft policy, comes from the licensing objectives.</p>	No change to policy required.
			<p>The Gambling Commission has not sought to define "vulnerable persons" further than the assumption of its meaning included in 10.13.</p>	No change to policy required.
		<p>Enquired whether there is a Responsible Authority for vulnerable adults.</p>	<p>The DCMS will designate a Responsible Authority through Regulations.</p>	<p>We will consult with the relevant Responsible Authority when we are advised which body that will be.</p>
		<p>Asked to define what is a "vulnerable adult centre"</p>	<p>A vulnerable adult centre is an open term used to describe premises such as gambling addict centres. In context, this issue is concerned with the location of vulnerable adult centres located in close proximity to premises licensed under the Act.</p>	<p>Committee/Cabinet are requested to advise on whether or not a definition of vulnerable adult centre should be included in the policy.</p>

No.	Respondent	Summary of Comments	Appraisal of the Comments	Proposed Action
3.	Association of British Bookmakers	Suggested changes to the wording of the policy regarding door supervisors (section 10 of the policy), betting machines (section 15 of the policy) and risk assessment (section 9.2 of the policy) so they relate to bookmakers.	The matters raised are very specific in nature to betting premises. Our policy has been written with a more general approach to gambling in mind and considers gambling in the wider context.	No change to policy required.
			Risk based decisions about door supervisors will be made and premises history will form part of the decision making process. Section 15.1 (betting machines) of the policy was based on Gambling Commission guidance.	No change to policy required.
			It is recommended that all premises undertake a risk assessment. It does not need to be included with an application for a permit.	No change to policy required.
4	The Redeemed Christian Church of God	Opposed to gambling, in general, as it will have negative social effects upon the community. Included a petition to this effect signed by 178 people.	No matters raised relating specifically to the policy.	No change to policy required.
5	British Casino Association	General comments about self regulation	Needs no action by us. Covers matters of good practice and further future Guidance to be issued by the Gambling Commission.	No change to policy required.

No.	Respondent	Summary of Comments	Appraisal of the Comments	Proposed Action
6.	West Midlands Police	<p>Police will seek to encourage suitable qualifications for door supervisors upon application.</p> <p>In addition, they will be encouraging pro-active action regarding proof of age schemes, supervision of entrances and machine areas and CCTV.</p>	Policy drafted in accordance with Gambling Commission guidance.	No change to policy required.
		Exclusion of commercial clubs from applying for certain permits.	Anomaly in our Gambling Act leaflet. Policy correct.	No change to policy required.
7.	Styvechale & District Residents Association	<p>Has concerns regarding the delegation of all matters to an officer when legislation introduced. Would prefer delegation of some matters once legislation "bedded in" and initially would prefer Sub Committee to review matters raised.</p>	Delegated powers must be clarified and in position for the introduction of the Act.	See Appendix C.
		Reviews should be treated on own merits and not dismissed if it is substantially the same as a previous request.	Drafted in accordance with guidance. The Licensing Authority does not have the power to change this element.	No change to policy required.
		Concern about Licensing Authority's ability to attach conditions & refuse renewal, once granted.	The Gambling Commission can attach conditions to operators' licenses. The Licensing Authority can attach reasonable conditions to premises licenses. The Licensing Authority cannot attach conditions to permits issued.	No change to policy required.

No.	Respondent	Summary of Comments	Appraisal of the Comments	Proposed Action
8.	Mr J Tonkin	Disagrees with under 16s having access to gambling. Wants to see strict controls & monitoring.	Applicants will be required to indicate how they will meet the licensing objective of protecting children from being harmed or exploited, when making an application, in their operating schedule. Under 16's will only be allowed in Family Entertainment Centres	No change to policy required.
9.	Foleshill Charity Football Cup Competition	Enforcement in line with current system, which is welcomed. Concern regarding potentially increased fees.	Fees not yet released. Publicity will be undertaken at that time.	No change to policy required.
10.	National Association for Gambling Care & Educational Resources & Training	Raised issue of "duty of care" & "corporate parenting" for people with gambling addictions.	No specific team in the City Council at current time. The Environmental Health Manager will attend a meeting organised by the Corporate Policy Unit on 22 nd November 2006, to share information on service provision within the City. GAMCARE have been invited to attend the meeting.	No change to policy required.
		A list of 13 items has been provided which GAMCARE would like included in either the policy or as part of licensing conditions. Issues include, for example, prostitution and the laundering of the proceeds of drugs, to feed gambling needs.	Agreed Codes of Practice will cover some of the matters raised and others will be addressed via the Gambling Commission's conditions that will be attached to licenses. We will bring the suggested areas of inclusion to the attention of Responsible Authorities during pre implementation meetings.	No change to policy required.

No.	Respondent	Summary of Comments	Appraisal of the Comments	Proposed Action
11.	Coventry University Student's Union	Asked questions about fees, grandfather rights and conditions.	Queries, none of which relate to the policy, have been answered in a letter to the respondent.	No change to policy required.
12.	British Amusement Catering Trade Association	General comments made as a Trade Association on the Act as a whole.	Information noted.	No change to policy required.
13	Safeguarding Children Service	<p>Paragraph 1.3 to include 'Coventry Safeguarding Children in the sentence</p> <p>Want to draw up a list of joint criteria with other Responsible Authorities, which applicants should seek to adhere to</p> <p>Paragraph 8.1 Licensing Authority will take full account of local policies, to include the inter-agency safeguarding children procedures and policies</p> <p>Want to place on the applicants, if applicable, the duty to ensure safe recruitment of staff who are likely to come into contact with young people/children, e.g. CRB checks on staff.</p> <p>Would like applicants to ensure staff understand/have knowledge of why they have a duty to safeguard young people/children, including relevant training – section 20.3 & 22.1 Section 13</p>	<p>The term 'those involved in child protection' is in the wider context as a partnership with the licensing authority and others</p> <p>Responsible Authority meetings will take place prior to the receipt of applications</p> <p>The local policies referred to in the draft gambling policy are in addition to those of the Responsible Authorities</p> <p>The Gaming Commission has powers to add conditions to operators' licences.</p> <p>We have drawn up a Statement of Principles for permits issued by the authority covering these issues</p>	<p>No change to policy required</p> <p>No change to policy required</p> <p>Committee/Cabinet to decide if the Statement of Principles should be adopted</p>

No.	Respondent	Summary of Comments	Appraisal of the Comments	Proposed Action
14	Cabinet Briefing	Section 13 The policy does not provide sufficient information on the process for new casino licences.	Regulations have not yet been passed as to show in detail how this process be implemented. It would seem sensible to add the suggested paragraph into section 13 to clarify the requirements for granting of Casino licences.	Committee/Cabinet to agree to paragraph being added "Where the Local Authority is authorised to issue new casino licences (regional, large or small) there may well be competition for these licences. The Licensing authority will comply with Schedule 9 of the Act and any relevant code of practice in that regard, in determining the criteria/parameters upon which any competing applications will be judged".
15	DCMS/LACORS	Section 10 – Conditions Further guidance has been given to indicate that there is a need for Door Supervisors in some circumstances to be licensed by the Security Industry Authority	As well as some door supervisors now requiring licensing by the SIA, the licensing authority may place a condition on any premise licence requiring any door supervisors to be SIA licensed if they are satisfied that a case has been made for this in representations from a responsible authority.	Committee/Cabinet to agree to take out the last sentence in the first paragraph under 'Door Supervisors' - section 10.13 sentence to be deleted- "It is noted though that door supervisors at casino or bingo premises cannot be licensed by the Security Industry Authority".

Appendix C - Delegations

The powers of the Council as a Licensing Authority under the Act may be carried out by the Licensing and Regulatory Committee, by a Sub-Committee or, instead, by one or more Council officers acting under delegated authority. The Council proposes to adopt the following scheme of delegation: -

Matters to be dealt with	Full Council	Full Committee	Sub Committee	Officers
Three year Gambling Policy	X			
Policy not to permit casinos	X			
Fee Setting – when appropriate		X		
Application for premises licence			Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a variation to a premises licence			Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a transfer of a premises licence			Where representations have been received from the Commission	Where no representation made by the Commission
Application for a provisional statement			Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Review of premises licence/club premises certificate			X	
Application for club gaming/club machine permits			Where objections have been made and not withdrawn	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits			X	
Applications for other permits				X
Cancellation of licensed premises gaming machine permits				X
Consideration of temporary use notice				X
Decision to give a counter notice to a temporary use notice			X	
Decision on whether a complaint is irrelevant frivolous vexatious etc				X
Decision as Responsible Authority to call for a Review of a Premises Licence				X
Powers to grant small lotteries registration				X
Power to refuse / revoke small lotteries registration			X	
Power of Entry, Inspection / seizure				X
Power to authorise prosecution		X		

Appendix D

Statement of Principles for Unlicensed Family Entertainment Centres and Prize Gaming Permits

The Licensing Authority will take into account the following when making decisions in respect of granting FEC gaming machine permits and prize gaming permits.

- Relevant Gambling Commission Guidance
- The Licensing Authority Gambling Policy
- May (but need not) take into account the licensing objectives

We will expect applicants for these permits to show that policies and procedures are in place to protect children from harm.

Applicants will be expected to demonstrate or set out:

- The types of gaming intended to be offered
- A full understanding of the maximum stakes and prizes of the gambling that is permissible and set out in Regulations.
- That the applicant has no relevant convictions (i.e. those that are set out in Schedule 7 of the Act).
- Staff are trained to have a full understanding of the maximum stakes & prizes.
- That the applicant is a suitable person by providing such other information or documents as required on the application form.
- That premises will not be presented in such a way as to specifically attract under 18's.

In deciding whether to grant or reject applicants, the Licensing Authority will pay particular attention to

- The applicant being suitable, having particular regard to any relevant convictions to operate a Family Entertainment Centre or place where prize gaming will take place.
- The premises being suitable given their location e.g. proximity to schools and vulnerable adult centres, as well as in terms of issues of crime and disorder
- The Police having no legitimate concerns in respect of the applicant or the premises.