



**A meeting of the Council will be held in the Civic Hall, Leeds on Wednesday, 10th November, 2021 at 1.00 pm**

**Members of the Council are invited to attend and transact the following business:**

**1 Minutes of the last Meeting 7 - 20**

To approve the minutes of the Council Meeting held on 14<sup>th</sup> September 2021.

**2 Declaration of Interest**

To disclose or draw attention to any interests in accordance with Leeds City Council's 'Councillor Code of Conduct'.

**3 Communications**

To receive such communications as the Lord Mayor, the Leader, Members of the Executive Board or the Chief Executive consider appropriate.

**4 Deputations**

To receive deputations in accordance with Council Procedure Rule 10.

**5 Recommendations of the Executive Board - Gambling Act 2005 Statement of Licensing Policy 21 - 92**

To consider the report of the Director of Communities, Housing and Environment setting out recommendations from the Executive Board on 20 October 2021 to Full Council to consider approving the Gambling Act 2005 Statement of Licensing Policy 2022-2024 to have effect from 31<sup>st</sup> January 2022.

**6 Recommendations of the General Purposes Committee - Amendments to Constitution - Best City Ambition 93 - 98**

To consider the report of the Chief Officer Strategy and Improvement setting out recommendations from the General Purposes Committee on 25 October 2021 to Full Council to make amendments to the Constitution as set out in Appendix 1 to the Budget and Policy Framework in Part 2, Article 4.1 (ii) of the council's constitution and to receive a further report in February 2022 detailing the full proposals for the adoption of the Best City Ambition.



Council therefore calls on the Administration to review its current Council Housing Growth Strategy to:

Vary the housing delivery options allowed within the business model; constitute a housing company to enable council housing growth opportunities in communities with little council owned land; commit to refurbishing properties to create new council housing; ensure that policy compliant affordable housing is built within and reflects the needs of individual local communities; commit to delivery of new Council housing in every Leeds City Council ward within the next five years.

14

**White Paper Motion (in the name of Councillor Andrew Carter) - Community Safety**

161 - 162

This Council calls on the administration to make community safety and the prevention of crime and disorder a priority for funding and resources.

Council remains concerned about the administration's February budget decision to cut funding for Police Community Support Officers (PCSOs). At a time when residents are concerned about crime and disorder, and when central government is providing substantial funds to recruit more police officers, the local Leeds decision to cut community safety funding will seem inexplicable to many communities, and risks undermining wider efforts to build back better after the pandemic.

Whilst supporting the right to peaceful protest, Council also notes events in other parts of the country which have highlighted concerns about some protest groups, whose extreme actions threaten to damage the economy and cause an unacceptable level of disruption to the public.

Council also notes recent tragic events which have highlighted the specific threats posed to elected representatives carrying out their duties on behalf of the public.

Council calls on the administration to work with the West Yorkshire Mayor and other partners to urgently action the following:

1. Reverse the budget cut to PCSOs and uphold the long-standing Leeds commitment to financially support PCSO deployment across the city to boost community safety for residents;
2. Put in place local measures and allocate sufficient resources to ensure Leeds is prepared to respond effectively if disruptive protests of the type seen elsewhere come to the streets of Leeds and threaten to damage the city's post-pandemic recovery;
3. Ensure the appropriate level of resources are provided for the safety and protection of council officers in front-line roles and elected members carrying out their responsibilities.

15 **White Paper Motion (in the name of Councillor Forsaith) - COP26**

163 - 164

This Council notes the crucial UN Climate Change Conference summit (COP26) currently underway in Glasgow aimed at limiting global temperature rise to 1.5°C. Leeds City Council declared a climate emergency in March 2019, with the target of 2030 for achieving carbon neutrality, recognising the part Leeds has to play in this global challenge.

Council recognises that some communities in Leeds have far larger carbon footprints than others. Climate change is already affecting most those who are least able to pay, whilst those with higher incomes add proportionally more to carbon emissions in the City. Council therefore understands that positive actions by more affluent communities and sectors to reduce their carbon emissions can contribute most effectively to ensuring our City reaches net zero carbon by 2030.

Whilst supporting the current work of Leeds City Council on a range of issues that includes fuel poverty reduction and home insulation, Council resolves to focus Leeds City Council carbon reduction plans, and any related policies, on those sectors and those communities that through reducing their high carbon footprints will contribute most to reaching our carbon neutral target. In this way, Council's response can aim to deliver climate and social justice together with carbon neutrality by 2030.

16 **White Paper Motion (in the name of Councillor Coupar) - Funding**

165 - 166

This Council regrets the additional funding identified by the cross-party Local Government Association as essential to help councils maintain services just at 2019/20 levels wasn't in the Chancellor's budget. Council is very concerned by the effect this will have on services for the people of Leeds and calls on the Government to rethink.



Tom Riordan CBE  
Chief Executive

Civic Hall  
Leeds  
LS1 1UR

Please note: this meeting may be filmed for live or subsequent broadcast via the City Council's website on the internet - at the start of the meeting the Lord Mayor will confirm if all or part of the meeting is to be filmed. The images and sound recording may be used for training purposes by the Council. Generally the public gallery is not filmed. However, by entering the Council Chamber and using the public seating area you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If you have any queries regarding this, please contact the City Solicitor.

### **Third Party Recording**

Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the clerk.

Use of Recordings by Third Parties– code of practice

- a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.
- b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.

**Please Note:** Members of the public are now able to attend the meeting in person, but please be mindful that Coronavirus is still circulating in Leeds. Therefore, even if you have had the vaccine, if you have Coronavirus symptoms: a high temperature; a new, continuous cough; or a loss or change to your sense of smell or taste, you should NOT attend the meeting and stay at home and get a PCR test. For those who are attending the meeting, please bring a face covering, unless you are exempt.

**Note to observers of the meeting:** To remotely observe this meeting, please click on the 'View the Meeting Recording' link which will feature on the meeting's webpage (linked below) ahead of the meeting. The webcast will become available at the commencement of the meeting.

<https://democracy.leeds.gov.uk/ieListDocuments.aspx?CId=111&MId=11483>

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Proceedings of the Meeting of the Leeds City Council held  
Civic Hall, Leeds on Tuesday, 14th September, 2021

**PRESENT:** The Lord Mayor Councillor Asghar Khan in the Chair.

**WARD**

**ADEL & WHARFEDALE**

Caroline Anderson  
Billy Flynn  
Barry John Anderson

**ALWOODLEY**

Neil Alan Buckley  
Peter Mervyn Harrand  
Dan Cohen

**ARDSLEY & ROBIN HOOD**

Mike Foster  
Lisa Mulherin  
Karen Renshaw

**ARMLEY**

James McKenna  
Lou Cunningham  
Alice Smart

**BEESTON & HOLBECK**

Gohar Almas  
Andrew Scopes  
Angela Gabriel

**BRAMLEY & STANNINGLEY**

Caroline Gruen  
Julie Heselwood  
Kevin Ritchie

**BURMANTOFTS & RICHMOND HILL**

Asghar Khan  
Denise Ragan  
Ron Grahame

**WARD**

**CALVERLEY & FARSLEY**

Peter Carlill

**CHAPEL ALLERTON**

Mohammed Rafique  
Jane Dowson  
Eileen Taylor

**CROSS GATES & WHINMOOR**

James Gibson  
Jessica Lennox  
Pauleen Grahame

**FARNLEY & WORTLEY**

David Blackburn

Ann Blackburn

**GARFORTH & SWILLINGTON**

Sarah Field  
Suzanne McCormack  
Mark Dobson

**GIPTON & HAREHILLS**

Arif Hussain  
Kamila Maqsood  
Salma Arif

**GUISELEY & RAWDON**

Paul Alderson  
Paul John Spencer Wadsworth  
Graham Latty

**HAREWOOD**

Sam Firth  
Ryan Stephenson  
Matthew James Robinson  
**HEADINGLEY & HYDE PARK**

Alison Garthwaite  
Neil Walshaw  
Jonathon Pryor

**HORSFORTH**

Jonathon Taylor

Dawn Collins  
**HUNSLET & RIVERSIDE**

Mohammed Iqbal  
Paul Wray  
Elizabeth Nash  
**KILLINGBECK & SEACROFT**

David Jenkins  
Katie Dye  
Paul Drinkwater  
**KIPPAX & METHLEY**

James Lewis  
Mirelle Midgley  
Mary Elizabeth Harland

**KIRKSTALL**

Fiona Elizabeth Venner  
John Anthony Illingworth

**LITTLE LONDON & WOODHOUSE**

Javaid Akhtar  
Abigail Marshall-Katung  
Kayleigh Brooks  
**MIDDLETON PARK**  
Sharon Burke  
Paul Anthony Truswell  
Kim Groves  
**MOORTOWN**

Mohammed Shahzad  
Rebecca Charlwood

**MORLEY NORTH**

Andy Hutchison  
Robert Finnigan  
Robert Gettings MBE JP  
**MORLEY SOUTH**

Wyn Kidger

**OTLEY & YEADON**

Sandy Edward Charles Lay  
Ryk Downes  
Colin Campbell  
**PUDSEY**

Dawn Seary

Simon Seary  
**ROTHWELL**

Conrad Hart-Brooke  
Diane Chapman  
Barry Stewart Golton  
**ROUNDHAY**

Lisa Martin  
Jacob Goddard  
Zara Hussain

**TEMPLE NEWSAM**

Helen Hayden  
Nicole Sharp  
Debra Coupar  
**WEETWOOD**

Emma Flint  
Chris Howley  
Jonathan Bentley  
**WETHERBY**  
Alan James Lamb  
Linda Richards  
Norma Harrington

**25 Announcements**

(a) The Lord Mayor welcomed members to this meeting of Full Council and also any members of the public who were joining the meeting and reminded those present that the meeting was to be streamed live.

(b) The Lord Mayor informed Council of the risk management work that had been undertaken to ensure the safety of the Chamber and that the ventilation system was working well and both he and whips would be kept informed of the CO2 levels within the Chamber. The Lord Mayor also informed Council that he had asked for the Banquet Hall to be set up and available should the need arise.

(c) The Lord Mayor also congratulated the Olympians and Para Olympians from Leeds or based in Leeds for their performances at the Tokyo Olympic games.

(d) The Lord Mayor also congratulated Emma Raducanu for her recent success at the 2021 US Tennis Open.

**26 Minutes of the last Meeting**

It was moved by Councillor Lennox, seconded by Councillor Cohen and

**RESOLVED** – That the minutes of the meeting held on 14<sup>th</sup> July 2021 be approved.

**27 Declaration of Interest**

There were no declarations of interests.

**28 Communications**

There were no communications.

**29 Deputations**

Three deputations were admitted to the meeting and addressed Council, as follows:-

- 1) Leeds Disabled People`s City Accessibility Network.
- 2) XR Families Leeds
- 3) Freedom4Girls

**RESOLVED** – That the subject matter in respect of deputation 1 be referred to the Director of City Development for consideration in consultation with the relevant Executive Member, that the subject matter in respect of deputations 2 and 3 be referred to the Director of Children and Families for consideration in consultation with the relevant Executive Member.

**30 Report on Appointments**

It was moved by Councillor Lennox, seconded by Councillor Coupar and

**RESOLVED** – That the report of the City Solicitor on appointments be approved, namely;

- a) Pat McGeever (Health for All) to the Health and Wellbeing Board as the Representative of the Third Sector.

- b) Councillor Billy Flynn replace Councillor Matthew Robinson on the Strategy and Resources Scrutiny Board.
- c) Councillor Linda Richards replace Councillor Billy Flynn on the Children and Families Scrutiny Board.

**31 Leeds Award**

It was moved by Councillor Lennox, seconded by Councillor Venner and

**RESOLVED** – That the recommendation of the Leeds Award Panel to nominate Val Hewison to receive the Leeds Award, as presented by the report of the City Solicitor, be approved.

**32 Report on Community Committee Annual Report**

It was moved by Councillor Harland, seconded by Councillor Lennox and

**RESOLVED** – That the report of the Director of Communities, Housing and Environment presenting to Council the Community Committees' Annual report for 2020/21 be received and that the work now being progressed to further improve the effectiveness, community engagement role and improvement work of Community Committees be noted.

**33 Executive Questions**

Q1 Councillor Wadsworth to the Executive Member (Environment and Housing):-

Will the Executive Member for Environment and Housing please update Council on the number of drivers employed by the Council who are qualified to drive refuse vehicles and the mitigation actions already taken to retain these skilled operatives?

The Executive Member (Environment and Housing) replied.

Q2 Councillor Bentley to the Executive Member (Public Health and Active Lifestyles):-

Would the Executive Member for Public Health and Active Lifestyles explain why a Council committed to improving children's health and reducing pollution allows ice-cream vendors to operate diesel generators close to children's play areas?

The Executive Member (Public Health and Active Lifestyles) replied.

Q3 Councillor Jenkins to the Leader of Council:-

Please can the Leader of Council update members on the implications of the recent adult social care announcement?

The Leader of Council replied.

Q4 Councillor McCormack to the Executive Member (Environment and Housing):-

Does the Executive Member for Environment and Housing believe that the mechanisms for dealing with antisocial tenants and their associates is robust and fit for purpose?

The Executive Member (Environment and Housing) replied.

Q5 Councillor Smart to the Executive Member (Communities):-

Please can the Executive Member outline what the Council has done to support refugees from Afghanistan?

The Executive Member (Communities) replied.

Q6 Councillor Robinson to the Executive Member (Infrastructure and Climate):-

Given the perceived attempts to sneak a park & ride (P&R) proposal into the Harewood ward in a location that many residents feel isn't appropriate, will the Executive Member confirm (a) the value of the land upon which LCC are seeking to build a P&R and (b) will they agree to meet with myself and a delegation of residents to discuss this proposal and look to review the preferred site and consultation process?

The Executive Member (Infrastructure and Climate) replied.

Q7 Councillor Golton to the Executive Member (Environment and Housing):-

Does the executive member responsible for waste management believe it is reasonable to excuse repeated citywide missed bin collections on 'Covid pressures' when on a given day only 3 out of 83 staff absences could be attributed to directly related Covid sickness or quarantine?

The Executive Member (Environment and Housing) replied.

At the conclusion of question time, the following questions remained unanswered and it was noted that, under the provisions of Council Procedure Rule 11.6, written answers would be sent to each Member of Council:-

Q8 Councillor Garthwaite to the Executive Member (Resources):-

Q9 Councillor Finnigan to the Leader of Council:-

Q10 Councillor Heselwood to the Executive Member (Public Health and Active Lifestyles):-

Q11 Councillor Cohen to the Executive Member (Environment and Housing).

Q12 Councillor Bentley to the Executive Member (Environment and Housing).

Q13 Councillor Marshall-Katung to the Executive Member (Economy, Culture and Education).

Q14 Councillor D Blackburn to the Executive Member (Infrastructure and Climate).

Q15 Councillor Truswell to the Executive Member (Infrastructure and Climate).

Q16 Councillor Buckley to the Executive Member (Public Health and Active Lifestyles).

Q17 Councillor Golton to the Executive Member (Economy, Culture and Education).

- Q18 Councillor Dobson to the Executive Member (Environment and Housing).
- Q19 Councillor Robinson to the Leader of Council.
- Q20 Councillor Downes to the Executive Member (Environment and Housing).
- Q21 Councillor D Blackburn to the Executive Member (Environment and Housing).
- Q22 Councillor B Anderson to the Executive Member (Infrastructure and Climate).
- Q23 Councillor Downes to the Executive Member (Environment and Housing).
- Q24 Councillor Dobson to the Executive Member (Infrastructure and Climate).
- Q25 Councillor Cohen to the Executive Member (Public Health and Active Lifestyles).
- Q26 Councillor Downes to the Executive Member (Environment and Housing).
- Q27 Councillor A Blackburn to the Executive Member (Infrastructure and Climate).
- Q28 Councillor B Anderson to the Executive Member (Infrastructure and Climate).
- Q29 Councillor Downes to the Executive Member (Infrastructure and Climate).
- Q30 Councillor Dobson to the Executive Member (Economy, Culture and Education).
- Q31 Councillor Smith to the Executive Member (Public Health and Active Lifestyles).
- Q32 Councillor Hart-Brooke to the Executive Member (Adult and Children's Social Care and Health Partnership).
- Q33 Councillor Dobson to the Executive Member (Adult and Children's Social Care and Health Partnership).
- Q34 Councillor Robinson to the Executive Member (Public Health and Active Lifestyles).
- Q35 Councillor Howley to the Executive Member (Resources).
- Q36 Councillor Dobson to the Executive Member (Infrastructure and Climate).
- Q37 Councillor B Anderson to the Executive Member (Public Health and Active Lifestyles).
- Q38 Councillor Chapman to the Executive Member (Infrastructure and Climate).
- Q39 Councillor Buckley to the Executive Member (Resources).
- Q40 Councillor Downes to the Executive Member (Environment and Housing).
- Q41 Councillor Robinson to the Executive Member (Infrastructure and Climate).
- Q42 Councillor Hart-Brooke to the Executive Member (Environment and Housing).

- Q43 Councillor B Anderson to the Executive Member (Communities).
- Q44 Councillor Golton to the Executive Member (Public Health and Active Lifestyles).
- Q45 Councillor Smith to the Executive Member (Public Health and Active Lifestyles).
- Q46 Councillor Golton to the Executive Member (Communities).
- Q47 Councillor Robinson to the Executive Member (Infrastructure and Climate).
- Q48 Councillor Campbell to the Executive Member (Environment and Housing).
- Q49 Councillor B Anderson to the Executive Member (Infrastructure and Climate).
- Q50 Councillor Campbell to the Executive Member (Environment and Housing).
- Q51 Councillor Smith to the Executive Member (Public Health and Active Lifestyles).
- Q52 Councillor Campbell to the Executive Member (Environment and Housing).
- Q53 Councillor Campbell to the Executive Member (Economy, Culture and Education).
- Q54 Councillor Campbell to the Executive Member (Environment and Housing).

**34 Minutes of the Health and Wellbeing Board and the Executive Board**

It was moved by Councillor Lewis, seconded by Councillor Lennox that the minutes be received in accordance with Council Procedure Rule 2.2(i).

**RESOLVED** – That the minutes be received in accordance with Council Procedure Rule 2.2(i).

Council Procedure Rule 4, providing for the winding up of business, was applied prior to all notified comments on the minutes having been debated.

At the conclusion of this item Council adjourned from 16.20 to 16.50

**35 White Paper Motion (in the name of Councillor Stephenson) - Ofsted Children's Services**

It was moved by Councillor Stephenson, seconded by Councillor Richards that this Council notes the outcome of Ofsted's focussed visit to Leeds children's services on 20 and 21 July 2021.

Her Majesty's Inspectors found that the front door is well resourced, observing that continued investment in early help services means there are a wide range of effective help services available to children and families.

Regrettably, Ofsted also found that social work practice is not consistently strong; decision making is not always timely where a child protection risk is not clear; the cumulative impact of domestic abuse is not always considered in the assessment of

risk and decision-making; and audits do not provide sufficient evidence to drive forward practice.

Council calls on the Executive Member for Adult and Children's Social Care and Health Partnerships to implement an urgent three-point plan to monitor progress of the improvement plan:

1. Call-in best practice advice from local authorities that are making good progress in areas we are not.
2. Ask the Children & Families Scrutiny Board to establish 'monitoring workshops' to track progress on the quality and consistency of assessments, the quality and impact of management oversight and supervision, and the quality and independence of audits.
3. Publish recent informal peer reviews and commit to a further peer review within six months to monitor progress of the improvement plan.

An amendment was moved by Councillor Venner, seconded by Councillor Marshall-Katung

Delete all after:

"This Council notes the outcome of Ofsted's focussed visit to Leeds children's services on 20 and 21 July 2021.

Her Majesty's Inspectors found that the front door is well resourced, observing that continued investment in early help services means there are a wide range of effective help services available to children and families."

Replace with:

"Council notes Ofsted's positive feedback that services have adapted to meet demands during the pandemic and ensured that children and families receive support that helps avoid the need for more formal statutory interventions. Council notes, also, Ofsted's positive comments regarding our committed and stable workforce who have felt supported throughout the Covid 19 crisis and are proud to work for Leeds.

Council fully accepts the three recommendations for improvement in the published letter of the Ofsted Focused Visit and offers its support to the Children and Families Directorate in the delivery of their action plan developed following the visit. Social work teams are now being paired to carry out audits and moderation put in place. Learning for team managers is being updated around assessments and recording of supervisions and an action plan is in place for the front door that includes a focus on timeliness and ensuring that all conversations are comprehensively recorded.

After a decade of austerity and cuts to Local Authority Funding of Children's Services, and three years since the Conservative MP and former Children's Minister Tim Loughton highlighted the consequences of the "woeful underfunding" of children's services; Council calls on the government to properly fund Children's Social Care and agree to the call made by the Local Government Association's "A Child-centred recovery" report to restore £1.7bn in lost Early Intervention Grant funding. This is desperately needed to support children, young people and families recover from the pandemic and address the Tory government's wilful neglect of children's needs during the Covid 19 crisis."

The amendment in the name of Councillor Venner was declared carried and upon being put to the vote it was

**RESOLVED** – That this Council notes Ofsted’s positive feedback that services have adapted to meet demands during the pandemic and ensured that children and families receive support that helps avoid the need for more formal statutory interventions. Council notes, also, Ofsted’s positive comments regarding our committed and stable workforce who have felt supported throughout the Covid 19 crisis and are proud to work for Leeds.

Council fully accepts the three recommendations for improvement in the published letter of the Ofsted Focused Visit and offers its support to the Children and Families Directorate in the delivery of their action plan developed following the visit. Social work teams are now being paired to carry out audits and moderation put in place. Learning for team managers is being updated around assessments and recording of supervisions and an action plan is in place for the front door that includes a focus on timeliness and ensuring that all conversations are comprehensively recorded.

After a decade of austerity and cuts to Local Authority Funding of Children’s Services, and three years since the Conservative MP and former Children’s Minister Tim Loughton highlighted the consequences of the “woeful underfunding” of children’s services; Council calls on the government to properly fund Children’s Social Care and agree to the call made by the Local Government Association’s “A Child-centred recovery” report to restore £1.7bn in lost Early Intervention Grant funding. This is desperately needed to support children, young people and families recover from the pandemic and address the Tory government’s wilful neglect of children’s needs during the Covid 19 crisis.”

**36 White Paper Motion (in the name of Councillor Golton) - Sugar Hill Estate**

It was moved by Councillor Golton, seconded by Councillor Drinkwater that this Council notes and endorses the following Resolution to Leeds City Council from the Save Our Homes LS26 Campaign representing the community of the Sugar Hill estate in Oulton:

“We the undersigned confirm our support for the SOH LS26 Campaign and recognise that only the City Council can protect this community from the profit-motivated threat of eviction by the current landlord.

We call upon the Labour Group of the Council to support the immediate initiation of negotiations with the owner for the purpose of buying the houses, backed by the willingness to resort, if necessary, to the exercise of the Council’s powers of compulsory purchase.

Whilst recognising the financial and practical challenges implicit in this course of action, we note that it is entirely consistent with the Council’s established policies, which are fundamental to the ‘Best Council’ strategic plan. We also consider that this step is essential to creating conditions conducive to the development of a partnership approach with other providers, such as housing associations, to secure the retention and refurbishment of these homes and the survival of this community.”

Council therefore calls upon the Chief Executive to immediately implement the necessary arrangements for such interventions to take place.

An amendment was moved by Councillor B Anderson, seconded by Councillor Buckley

Delete all after “This Council” and replace with:

“notes the Save Our Homes LS26 Campaign representing the community of the Sugar Hill estate in Oulton and understands the concerns of residents in this community who are facing the threat of eviction.

“Council notes that the condition of the properties on this estate has deteriorated significantly, meaning that residents are living in accommodation that is sub-standard and which does not meet the city’s ambitions on being the Best City for Health and Wellbeing, nor the city’s aspirations for tackling Climate Change, particularly around energy efficiency and sustainability.

“Council regrets that the administration failed to take the advice of opposition groups, over successive budget meetings, to set up a housing company, which would have presented a greater range of options to help residents of the Sugar Hill estate in the current circumstances.

“Council calls for a report to be brought to Executive Board outlining how this administration intends to use its influence to engage with the owners, residents and other housing providers on a plan to try to ensure the refurbishment of the homes and the survival of this community.”

A second amendment was moved by Councillor Hayden, seconded by Councillor Lewis

Delete all after “This Council” and replace with:

“...notes the distressing position the community of Sugar Hill Has been put in by the private developer Pemberstone.

Council notes a Government Planning Inspector approved the application for the redevelopment of the site submitted by Pemberstone, overturning a Leeds City Council decision.

This council remains committed to working with the community and all parties to find an outcome to this situation and will bring forward an Executive Board report on this matter.”

The amendment in the name of Councillor B Anderson was declared lost, the amendment in the name of Councillor Hayden was carried and upon being put to the vote it was

**RESOLVED –** That this Council notes the distressing position the community of Sugar Hill Has been put in by the private developer Pemberstone.

Council notes a Government Planning Inspector approved the application for the redevelopment of the site submitted by Pemberstone, overturning a Leeds City Council decision.

This council remains committed to working with the community and all parties to find an outcome to this situation and will bring forward an Executive Board report on this matter.

On the requisition of Councillors Golton and Finnigan the voting on the substantive motion was recorded as follows;

YES – 51

Akhtar, Almas, Arif, Brooks, Burke, Carlill, Charlwood, Coupar, Cunningham, Dowson, Dye, Flint, Gabriel, Garthwaite, Gibson, Goddard, P Grahame, R Grahame, Groves, C Gruen, Harland, Hayden, Heselwood, A Hussain, Z Hussain, Illingworth, Iqbal, Jenkins, Lennox, Lewis, Maqsood, Marshall-Katung, Martin, McKenna, Midgley, Mulherin, Nash, Pryor, Rafique, Ragan, Renshaw, Ritchie, Scopes, Shahzad, Sharpe, Smart, E Taylor, Truswell, Venner, Walshaw and Wray.

NO - 35

Alderson, B Anderson, C Anderson, Bentley, A Blackburn, D Blackburn, Buckley, Campbell, Chapman, Cohen, Collins, Dobson, Downes, Drinkwater, Field, Finnigan, Firth, Flynn, Foster, Gettings, Golton, Harrand, Harrington, Hart-Brooke, Hutchison, Lamb, G Latty, Lay, Richards, Robinson, D Seary, S Seary, Stephenson, J Taylor and Wadsworth.

ABSTAIN - 1

McCormack

**37 White Paper Motion (in the name of Councillor Harland) - Universal Credit**

It was moved by Councillor Harland, seconded by Councillor Smart that this Council calls on the Government to cancel the £20 cut to Universal Credit that will hit over 70,000 people in Leeds, including many in low-income jobs, at a time when the cost of food in shops and supermarkets has increased by 8% already this year.

An amendment was moved by Councillor D Blackburn, seconded by Councillor A Blackburn

Add “and energy bills are due to rise” to the end of the final sentence. The amended White Paper would then read:

“This Council calls on the Government to cancel the £20 cut to Universal Credit that will hit over 70,000 people in Leeds, including many in low-income jobs, at a time when the cost of food in shops and supermarkets has increased by 8% already this year and energy bills are due to rise.”

A second amendment was moved by Councillor Bentley, seconded by Councillor Lay

Insert further paragraph:

“The Council further calls on the Government to undertake a review and reform of Universal Credit which will deal with the financial hardships caused by:

- the five week waiting period,
- the lack of a second-earner work allowance and
- insufficient support for self-employed claimants”

The amended White Paper will then read:

“This Council calls on the Government to cancel the £20 cut to Universal Credit that will hit over 70,000 people in Leeds, including many in low-income jobs, at a time when the cost of food in shops and supermarkets has increased by 8% already this year.

The Council further calls on the Government to undertake a review and reform of Universal Credit which will deal with the financial hardships caused by:

- the five week waiting period,

- the lack of a second-earner work allowance and
- insufficient support for self-employed claimants”

A third amendment was moved by Councillor Lamb, seconded by Councillor Buckley

Delete all after “This Council” and replace with:

“supports the aims and ambitions behind Universal Credit to encourage people back into work and make work pay for families in Leeds and across the country.

“Council notes that families and businesses have benefited from unprecedented levels of additional support to help protect jobs and assist with living costs during the worst stages of the pandemic, including through the Coronavirus Job Retention Scheme, Self-Employment Income Support Scheme, and grants and loans for businesses.

“Council regrets that the administration in Leeds opted, over this same time period, to increase council tax in 2020 and 2021, creating additional financial burdens, particularly for low income families. Conversely the government provided millions of pounds of grant funding to Leeds to deliver financial support, including reduced council tax bills, to economically vulnerable residents.

“This Council welcomes the Government’s £33bn Plan for Jobs, which focuses on protecting, supporting and creating jobs as the economy reopens, giving people the skills and opportunities they need to succeed through schemes including Kickstart, Restart and apprenticeships.”

The amendments in the name of Councillors D Blackburn and Bentley were declared carried, the amendment moved by Councillor Lamb was declared lost and upon being put to the vote it was

**RESOLVED** – That this Council calls on the Government to cancel the £20 cut to Universal Credit that will hit over 70,000 people in Leeds, including many in low-income jobs, at a time when the cost of food in shops and supermarkets has increased by 8% already this year.

The Council further calls on the Government to undertake a review and reform of Universal Credit which will deal with the financial hardships caused by:

- the five week waiting period,
- the lack of a second-earner work allowance and
- insufficient support for self-employed claimants.

On the requisition of Councillors Lennox and Pryor the voting on the substantive motion was recorded as follows;

YES – 63

Akhtar, Almas, Arif, Bentley, A Blackburn, D Blackburn, Brooks, Burke, Carlill, Chapman, Charlwood, Coupar, Cunningham, Dobson, Downes, Dowson, Dye, Field, Finnigan, Flint, Gabriel, Garthwaite, Gettings, Gibson, Goddard, Golton, P Grahame, Groves, C Gruen, Harland, Hart-Brooke, Hayden, Heselwood, Z Hussain, Hutchison, Illingworth, Iqbal, Jenkins, Lay, Lennox, Lewis, Maqsood, Marshall-Katung, Martin, McCormack, McKenna, Midgley, Mulherin, Nash, Pryor, Rafique, Ragan, Renshaw, Ritchie, Scopes, Shahzad, Sharpe, Smart, E Taylor, Truswell, Venner, Walshaw and Wray.

NO – 1

R Grahame

ABSTAIN - 0

**38 Procedural Motion**

It was moved by Councillor Lennox, seconded by Councillor Cohen and

**RESOLVED** - That Council Procedure Rule (CPR) 22.1 (Suspension of CPRs) & 12.2 (motions and amendments) be suspended to allow the introduction of a fourth White Paper 'not for debate' on Afghanistan.

**39 White Paper Motion (in the name of Councillor Lewis) - Afghanistan (Not for Debate)**

It was moved by Councillor Lewis, seconded by Councillor Lamb and supported by Councillor Bentley, Councillor Finnigan, Councillor Dobson and Councillor D Blackburn and

**RESOLVED –**

That this Council supports the ongoing work with Government on its Afghanistan resettlement programme. Council welcomes all who are relocated to Leeds under the scheme, and the extension of support to Leeds residents who have family still in Afghanistan. Council notes all 15 Councils in Yorkshire and Humber have committed to resettling Afghans and calls on Councils in other regions to join this unanimous pledge.

On the requisition of Councillors Cohen and Lamb the voting on the motion was recorded as follows;

YES – 81

Alderson, Akhtar, Almas, B Anderson, C Anderson, Arif, Bentley, A Blackburn, D Blackburn, Brooks, Buckley, Burke, Carlill, Chapman, Charlwood, Cohen, Collins, Coupar, Cunningham, Dobson, Downes, Dowson, Dye, Field, Firth, Finnigan, Flint, Flynn, Foster, Gabriel, Garthwaite, Gettings, Gibson, Goddard, Golton, P Grahame, Groves, C Gruen, Harland, Harrington, Hart-Brooke, Hayden, Heselwood, A Hussain, Z Hussain, Hutchison, Illingworth, Iqbal, Jenkins, Lamb, G Latty, Lay, Lennox, Lewis, Maqsood, Marshall-Katung, Martin, McCormack, McKenna, Midgley, Mulherin, Nash, Pryor, Rafique, Ragan, Renshaw, Richards, Ritchie, D Seary, Scopes, Shahzad, Sharpe, Smart, Stephenson, E Taylor, J Taylor, Truswell, Venner, Wadsworth, Walshaw and Wray.

NO – 0

ABSTAIN - 0

Council rose at 7.20 pm

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## Gambling Act 2005 Statement of Licensing Policy

Date: 10<sup>th</sup> November 2021

Report of: Director of Communities, Housing and Environment

Report to: Council

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

### What is this report about?

- Every three years the Council is required by the Gambling Act 2005 (the Act) to review the Gambling Act 2005 Statement of Licensing Policy (Policy), and to consult upon any changes. The three yearly review I has taken place this year.
- Officers have reviewed the current Policy and made changes relating to the inclusion of research results and strengthened requirements around risk assessments.
- The draft Policy has been subject to public consultation in line with the requirements of the Act as well as referral to Executive Board and Scrutiny Board in accordance with the Budget and Policy Framework procedure. It is now presented to Council for final consideration on recommendation from Executive Board for adoption.
- The licensing regime contributes to Best City Priorities 2020-25 (see the [latest version of the Best Council Plan](#)):
  - Culture
  - Safe, Strong communities
  - Inclusive Growth

### Recommendations

Council is recommended to:

- (i) Approve the Gambling Act 2005 Statement of Licensing Policy 2022-2024 to have effect from 31<sup>st</sup> January 2022.

## Why is the proposal being put forward?

- 1 The Gambling Act requires that the council's Statement of Licensing Policy is reviewed every three years and that a statutory consultation takes place. Under the council's Budget and Policy framework the review of the Policy is carried out through a specified approval process including being considered by Executive Board and Scrutiny Board. The review of the Policy has followed all the required steps and has been amended following consultation with the public and Scrutiny Board and is now being presented to Full Council for adoption. This process provides a high level of scrutiny which ensures the Policy is robust, fit for purpose and aligns with the council's aims.

## What impact will this proposal have?

**Wards Affected:** All

Have ward members been consulted?       Yes       No

- 2 This proposal will ensure a new Policy is in place before the previous policy expires in line with the requirements of the Gambling Act 2005 which states that the licensing authority will have reviewed their statement of principles every three years. The final policy is attached at Appendix 1.
- 3 The Statement of Licensing Policy and the consultation process is subject to Equality Impact Screening, which is attached at Appendix 2.

## What consultation and engagement has taken place?

- 4 The draft Policy has been shared with partner organisations working with the council's Problem Gambling Project Group, but the input has been predominantly with Public Health and Financial Inclusion. Licensing Committee has been consulted prior to this report and members have had to opportunity to provide input. Licensing Committee considered the draft policy but did not require to see the policy post-consultation unless there were extensive amendments.
- 5 The draft Policy has been subjected to a public consultation, undertaken by email and letter to all licence holders, representatives of licence holders, ward members, local MPs as well as treatment and support services. The consultation is a statutory requirement of the Gambling Act 2005 and elicited one response from the Betting and Gambling Council. The comments have been considered and amendments made which have been considered by Executive Board and Scrutiny Board.
- 6 Scrutiny Board (Environment, Housing and Communities) considered the draft policy, the response from the Betting and Gaming Council and the proposed changes and made no further comment. The report was referred to Executive Board for consideration with no comments being made.

## What are the resource implications?

- 7 No resource implications for the licensing authority have been identified.

## What are the legal implications?

- 8 Adoption of the Policy by Full Council will ensure compliance with our statutory obligations set out in the Gambling Act 2005. The review of the Policy is subject to the Budget and Policy Framework and has been presented to Scrutiny Board (Environment, Housing and Communities) as a matter of course. As such the decision of Executive Board was not subject to call-in.

## What are the key risks and how are they being managed?

- 9 The key risk is that if the final Policy is not adopted by Full Council, there will not be a Policy in place when the current Policy expires.

## Does this proposal support the council's 3 Key Pillars?

- Inclusive Growth       Health and Wellbeing       Climate Emergency

- 10 The licensing regime contributes to Best City Priorities 2020-25:

- Culture
- Safe, Strong communities
- Inclusive Growth

## Options, timescales and measuring success

- 11 The current Policy was adopted by Council in November 2018 and expires on the 31<sup>st</sup> January 2022.
- 12 The approval of the Policy is a function of full Council.
- 13 The suggested timescale for approval is as follows:
- |                           |                             |
|---------------------------|-----------------------------|
| 10 <sup>th</sup> November | Council adopts the Policy   |
| 1 <sup>st</sup> January   | 28 day notice period starts |
| 31 <sup>st</sup> January  | Policy comes into effect    |
- 14 Success will be measured by the adoption of the Policy prior to the current Policy expiring. Success can also be measured by the successful application of the new Policy when making decisions on licence applications.

## Appendices

- 15 Appendix 1 – Final Statement of Licensing Policy.
- 16 Appendix 2 - ECDI Screening.

## Background papers

- 17 None.

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# Statement of Licensing Policy 2022 – 2024

## Gambling Act 2005



**Further copies of this document can be obtained from:**

Entertainment Licensing  
Leeds City Council  
Civic Hall  
Leeds  
LS1 1UR

Tel: 0113 378 5029

Fax: 0113 336 7124

Email: [entertainment.licensing@leeds.gov.uk](mailto:entertainment.licensing@leeds.gov.uk)

Web: [www.leeds.gov.uk/licensing](http://www.leeds.gov.uk/licensing)

**Please note:**

The information contained within this document can be made available in different languages and formats including Braille, large print and audio cassette.

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## Executive Summary

The Gambling Act 2005 obtained Royal Assent in 2005 and came into effect in 2007.

Under Section 349 of the Gambling Act 2005 the Licensing Authority is required to prepare a statement of principles that they propose to apply in exercising their functions under this Act. This process is to be repeated every three years from 31<sup>st</sup> January 2007.

The consultation process is laid out clearly in the Gambling Act 2005, the Gambling Act 2005 (Licensing Authority Policy Statement)(England and Wales) Regulations 2006 and the Guidance to Licensing Authorities issued by the Gambling Commission ([www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)).

The purpose of the Statement of Licensing Policy is to set out the principles that the Council propose to apply when determining licences, permits and registrations under the Gambling Act 2005.

Any decision taken by the Council in regard to determination of licences, permits and registrations should aim to permit the use of premises for gambling in so far as it is reasonably consistent with the licensing objectives which are:

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

The principles to be applied specifically to the determination of premises licence applications include definition of premises, location, duplication with other regulatory regimes, conditions, door supervision, layout of the premises and supervision of gaming facilities. The policy also specifically mentions adult gaming centres, family entertainment centres, casinos, bingo premises, betting premises, tracks and travelling fairs.

The council has the ability to issue permits for prize gaming and unlicensed family entertainment centres. The council is able to specify the information it requires as part of the application process which will aid determination and this information is described in this Policy.

Club gaming and club machine permits are also issued by the council. The process for this is described, along with other processes specified in the legislation for example temporary use notices, occasional use notices and small society lotteries.

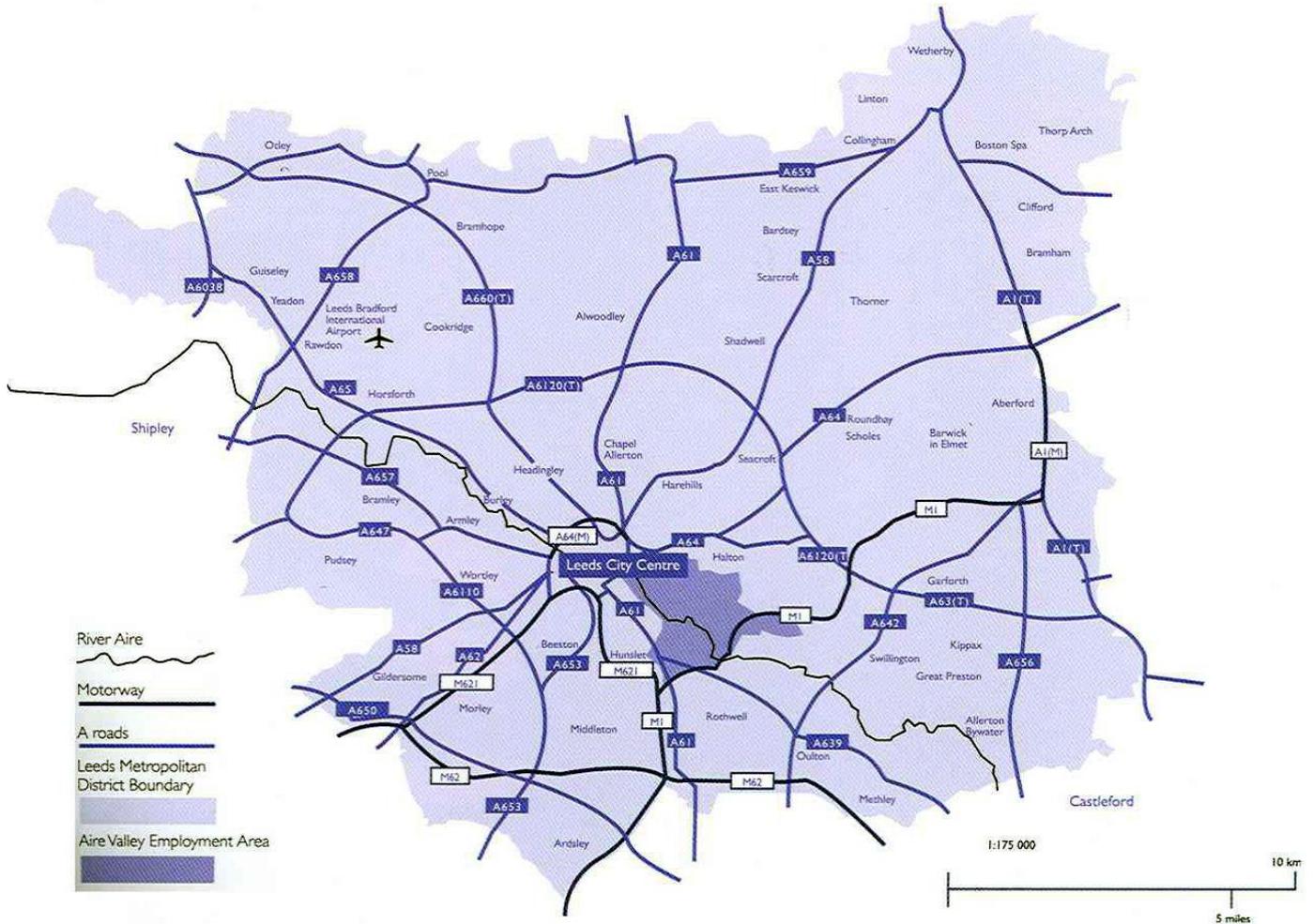
Enforcement of the legislation is a requirement of the Act that is undertaken by the council in conjunction with the Gambling Commission. The policy describes the council's enforcement principles and the principles underpinning the right of review.

The policy has four appendices, describing the stakes and prizes which determine the category of a gaming machine, a glossary of terms, exempt gaming in pubs and clubs and the procedure to be applied for determining a large casino licence.

### 1. The licensing objectives

- 1.1 Under the Gambling Act 2005 (the Act) Leeds City Council is the licensing authority for the Leeds district and licences premises for gambling activities as well as granting various other gambling permits. In this document, unless otherwise stated, any references to the council are to the Leeds Licensing Authority.
- 1.2 The council will carry out its functions under the Act with a view to aiming to permit the use of premises for gambling in so far as it is reasonably consistent with the three licensing objectives set out at Section 1 of the Act. The licensing objectives are:
  - preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
  - ensuring that gambling is conducted in a fair and open way
  - protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.3 More information can be found about how the council will achieve this in Part B and C of this document.
- 1.4 The council will follow any regulations and statutory guidance issued in accordance with the Act and will have regard to any codes of practice issued by the national gambling regulator, the Gambling Commission.
- 1.5 The council 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 is:
  - in accordance with any relevant code of practice issued by the Gambling Commission
  - in accordance with any relevant guidance issued by the Gambling Commission
  - reasonably consistent with the licensing objectives and
  - in accordance with this document.
- 1.6 The Gambling Commission's Licence Conditions and Code of Practice (LCCP) require gambling premises to undertake a risk assessment taking into consideration their local information. Specific information about localities is provided in this policy at Section 14.

## 2. The Leeds district



- 2.1 Leeds City Council has sought to establish Leeds as a major European city and cultural and social centre. It is the second largest metropolitan district in England and has a population of 2.2 million people living within a 30 minute drive of the city centre.
- 2.2 The Leeds metropolitan district extends over 562 square kilometres (217 square miles) and has a population of 793,139 (ONS, 2019). It includes the city centre and the urban areas that surround it, the more rural outer suburbs and several towns, all with their very different identities. Two-thirds of the district is greenbelt (open land with restrictive building), and there is beautiful countryside within easy reach of the city.
- 2.3 Over recent years Leeds has experienced significant levels of growth in entertainment use within the City coupled with a significant increase in residential development. The close proximity of a range of land uses and the creation of mixed-use schemes has many benefits including the creation of a vibrant 24-hour city. Leeds City Council has a policy promoting mixed use development including residential and evening uses throughout the city centre.

- 2.4 Leeds has strong artistic traditions and top performing artistes can be seen at the Leeds first direct Arena, Leeds Town Hall and at other indoor and outdoor venues across the city. The success of arts and heritage organisations including the Grand Theatre, West Yorkshire Playhouse, Opera North, Northern Ballet Theatre, Phoenix Dance Theatre, Harewood House and the Henry Moore Institute, has helped to attract other major arts and heritage investments such as the award winning Royal Armouries and the Thackray Medical Museum. The city also boasts a wealth of community based sports, entertainment, heritage and recreational facilities. There is a vibrant voluntary sector including thousands of groups and societies.
- 2.5 Sport is a passion for people in Leeds and Yorkshire. Leeds United Football Club has a loyal and passionate following and Elland Road is one of England’s great traditional grounds. Cricket is followed with enthusiasm with Yorkshire Cricket Club’s home in Headingley. Leeds has a world’s first dual code rugby partnership – Leeds Rhino Rugby League and Leeds Carnegie Rugby Union. The Leeds Rhinos in particular have enjoyed great success in recent years. Wetherby racecourse was established in 1891 and is considered one of the best jump courses in the country.
- 2.6 Leeds is a city with many cultures, languages, races and faiths. A wide range of minority groups including Black African, Black Caribbean, Indian, Pakistani, Irish and Chinese as well as many other smaller communities make up 18.9% of the city population (ONS, 2011).

#### Deprivation

- 2.7 Leeds has a strong economy that has enabled the city to recover well from the recession. However, Leeds is also a city marked by health inequalities, indicating that not everyone has benefited from the economic growth equally. There are 482 Lower Super Output Areas (LSOAs) in Leeds. 24% are ranked amongst the most deprived 10% nationally. There has been some increase in relative deprivation since the 2015 Index of Multiple Deprivation. There are 9 more LSOAs in the most deprived 10% nationally, and a further 5 in the most deprived 20% (Leeds Index of Multiple Deprivation, 2019). The council and partners have focused resources and attention on six LSOAs in Leeds, based on high deprivation rankings from the 2015 Index of Multiple Deprivation. These are:

| <b>LSOA Description</b>                    | <b>Ward</b>                 |
|--|-----------------------------|
| <b>Stratford Street, Beverleys</b>         | Hunslet and Riverside       |
| <b>Crosby Street, Recreations, Bartons</b> | Beeston & Holbeck           |
| <b>Holdforth, Clyde Approach</b>           | Armley                      |
| <b>Boggart Hill</b>                        | Killingbeck and Seacroft    |
| <b>Clifton, Nowells</b>                    | Burmantofts & Richmond Hill |
| <b>Lincoln Green</b>                       | Burmantofts & Richmond Hill |

- 2.8 413,000 people work in Leeds, with three quarters in the private sector, putting the city in the top five nationally for private sector employment. Very strong private sector growth since 2010 has maintained the city's employment rate, with 80.4% of the working age population in employment (ONS, 2020), above regional (74.6%) and national (76%) averages. Leeds continues to be the main driver of economic growth for the city-region, and has key strengths in financial and business services, advanced manufacturing, health and creative and digital industries, with a strong knowledge-rich employment base. These strengths, linked to the city's universities and teaching hospitals, are major innovation assets for Leeds. Leeds also performs well in terms of business start-ups, with strong growth in digital and medical technologies, telecoms and creative industries.
- 2.9 An area for concern is the 'hollowing-out' of skilled and semi-skilled occupations increasing across a wider range of sectors. Recently this has been accompanied with growth in high skilled/high valued jobs in the knowledge-based sectors, together with growth in lower skilled/lower income jobs often in consumer-services, which combined with flexible employment and perhaps the early impact of welfare reforms has seen a growth of in-work poverty. Despite our high levels of employment and doing relatively well in terms of productivity per worker - reflecting our significant knowledge-base, our economic output growth has only been mid-table amongst the core cities in recent years. This could be a hangover from the 'great recession', since when key sectors particularly in financial and business services have faced prolonged challenges, or due to recent employment and output growth being in 'lower productivity' sectors e.g. consumer services. There continues to be strong growth in quality jobs associated with digital, health and social care, and professional and managerial roles.
- 2.10 Life expectancy in Leeds (2013-2015) is 80 years and 2.5 months. However for males and females living in deprived Leeds this is lower by 5 years 5 months and 4 years 8 months respectively. A particular concern is the stalling of improvements in life expectancy for people living in deprived areas. The 2017/18 Annual Report from the Director of Public Health in Leeds identified a number of areas of concern: infant mortality, multiple morbidities, life expectancy, deaths in men from drug overdose, deaths in women from alcoholic liver disease, a rise in male suicides, and a rise in women who self-harm.
- 2.11 However, the latest Suicide Audit (2014-16) published in 2019, said that "the overall suicide rate in Leeds has remained relatively level over the last 5 years". It goes on to state "From the limited information available in the Coroner's records, it was apparent that approximately one third (35%) were experiencing a level of financial difficulty, with 6% recently being made redundant. Overall, half (47%) of those that died from suicide had some level of worklessness. This pattern is consistent across gender, though as expected financial difficulty was concentrated amongst the most deprived areas. "
- 2.12 This audit has identified that those at the highest risk of suicide within Leeds are:
- Aged 40 to 65
  - Male
  - Born locally and predominantly living in deprived areas of Leeds
  - Living alone
  - Single/ separated/ divorced
  - Experiencing worklessness
  - Experiencing relationship problems

- Have a history of self-harm or previous suicide attempt(s)
- History of a mental health diagnosis
- Have a history of drug/ alcohol misuse

2.12 For further health and deprivation information about the local area visit <http://observatory.leeds.gov.uk>.

#### Covid-19 Pandemic

2.13 The Gambling Commission published consumer research data in Nov 2020 that revealed, across the population as a whole, there was no evidence of a significant or sustained increase in gambling activity in the Covid-19 period. However, the national research did highlight links between the impacts of the pandemic on people’s financial and mental wellbeing, and increased gambling. Due to this research, the Gambling Commission wrote to operators and asked that extra vigilance was applied because during the pandemic, and particularly during times of lockdown:

- Most people will be spending more time at home and many people are likely to be feeling more isolated and vulnerable as a result of the length of the pandemic period, any new restrictions and further uncertainty about their personal or financial circumstances.
- Some consumers, such as highly engaged gamblers who play a range of products, are likely to spend more time and money gambling and when sporting events are able to continue during lockdown, there are more opportunities for betting customers to gamble.
- Some people may be taking up gambling for the first time.

2.14 The Commission continues to track Covid-19 related risk by:

- Assessing the impact of the strengthened guidance issued to operators
- Collecting and publishing the data being gathered
- Supporting the industry as land-based premises adjust to changing restrictions
- Where evidence identifies additional risks faced by consumers, taking further action to protect consumers.

2.15 The long term impact of the COVID-19 pandemic in Leeds and on the sector is not yet known. In line with findings of the Gambling Commission, Leeds will continue to monitor the situation and assess the impact of the pandemic through dialogue with local operators, support services and local advice network.

### 3. Integration with other guidance, policies, objectives and strategies

#### Vision for Leeds

- 3.1 The [Vision for Leeds 2011-2030](#) sets the overall aim that “by 2030, Leeds will be locally and internationally recognised as the best city in the UK”. By 2030:
- Leeds will be fair, open and welcoming
  - Leeds’ economy will be prosperous and sustainable
  - All Leeds’ communities will be successful
- 3.2 This Statement of Licensing Policy seeks to promote the licensing objectives within the overall context of the three aims set out in the Vision for Leeds 2011-2030.

#### Best Council Plan 2020 to 2025

- 3.3 The [Best Council Plan 2020 to 2025](#) maintains our long-term ‘Best City’ strategic focus on tackling poverty and inequalities through a combination of strengthening the economy and doing this in a way that is compassionate and caring, allowing us to support the people who need it most.
- 3.4 Building on the key council and partnership strategies in place and in development, this Best Council Plan sets out a number of interconnected priority areas of work. These flow in particular from our two long-standing main strategies – Inclusive Growth and Health and Wellbeing – as well as a third, new for 2020, strategic key pillar for the organisation, Climate Emergency. This addition recognises the scale of the challenge facing the city – and indeed the world – to make the changes needed to combat climate change effectively. Consideration of the impact of our actions on the planet will need to thread through every aspect of daily life in the future, and that approach to sustainability is reflected throughout this Best Council Plan. Taken together, a focus on eight ‘Best City’ priorities will deliver improved outcomes for everyone in Leeds:
- Inclusive Growth
  - Health and Wellbeing
  - Sustainable Infrastructure
  - Child-Friendly City
  - Age-Friendly Leeds
  - Housing
  - Safe, Strong Communities
  - Culture
- 3.4 Our emphasis on these priorities is crucial in establishing a ‘new normal’ for life in Leeds after the COVID-19 pandemic. Our longstanding commitment to them is now more important than ever as we continue to focus our support on those in most need, while enabling everyone to reach their full potential.
- 3.5 The Best Council Plan 2020 – 2025 can be viewed on the council’s website at <https://www.leeds.gov.uk/docs/BCP%202020-2025.PDF>

### 3.6 The Best Council Plan is supported by a number of key strategies:

- Age-Friendly Leeds Strategy
- Citizens@Leeds – Supporting communities and tackling poverty
- Community Committees Annual Report
- Leeds Better Lives Strategy
- Leeds Children and Young People’s Plan
- Leeds City Council Equality Improvement Priorities
- Leeds City Region Strategic Economic Plan
- Leeds Core Strategy
- Leeds Culture Strategy
- Leeds Health and Care Plan
- Leeds Health and Wellbeing Strategy
- Leeds Highway Infrastructure Asset Management Strategy
- Leeds Homelessness and Rough Sleeping Strategy
- Leeds Housing Strategy
- Leeds Inclusive Growth Strategy
- Leeds Local Flood Risk Management Strategy
- Leeds Mental Health Strategy
- Leeds Site Allocations Plan
- Leeds Talent and Skills Plan
- Leeds Transport Strategy
- Safer Leeds Plan
- The 3As Strategy (attendance, attainment and achievement)
- Thriving: The Child Poverty Strategy for Leeds
- Transport for the North Strategic Transport Plan
- West Yorkshire and Harrogate Integrated Care System 5 Year Plan
- West Yorkshire Low Emissions Strategy
- West Yorkshire Transport Strategy

### Leeds Health and Wellbeing Strategy

3.4 [Leeds Health and Wellbeing Strategy](#) describes the council’s vision for health and wellbeing as ‘Leeds will be a health and caring city for all ages, where people who are the poorest improve their health the fastest’. This policy is particularly affected by the following health and wellbeing priorities:

- Strong, engaged and well-connected communities
- Promote mental and physical health equally
- Stronger focus on prevention
- Housing and environment enable all people of Leeds to be healthy

## Leeds Inclusive Growth Strategy 2018-2023

3.5 [The Leeds Inclusive Growth Strategy](#) aims to further deliver growth across the city that is inclusive, draws on the talents of, and benefits all our citizens and communities. The strategy sets out how everyone can contribute to the city's growth. It provides a framework for how all parts of the council will work with partners from all sectors across Leeds, the region and with national government to grow the economy. The strategy sets out 12 'big ideas' to act as an action plan to encourage inclusive growth focusing on supporting people, places and productivity. This policy links in particular to the following 'big ideas':

- Best City for Health and Wellbeing
- Working together to create better jobs, tackling low pay and boosting productivity
- Putting children at the heart of the growth strategy

## Children and Young People's Plan 2018-2023

3.6 The UN convention on the rights of the child set out the basic rights for children worldwide. The UN developed the model for the child-friendly city model: a place where children's rights are known and understood by children and adults alike and where these rights are reflected in policies and budgets.

3.7 The [Leeds Children and Young People's Plan](#) helps deliver Leeds' 'child-friendly city' aspiration, whereby the voices, needs and priorities of the more than 190,000 children and young people (aged 0-19 years) in Leeds are heard, responded to and inform the way we make decisions and take action. We aim to improve outcomes for all our children, whilst recognising the need for outcomes to improve faster for children and young people from vulnerable and deprived backgrounds. The Plan is focused on delivering five outcomes whereby all children and young people:

- Are safe from harm
- Do well at all levels of learning and have skills for life
- Enjoy healthy lifestyles
- Have fun growing up
- Are active citizens who feel they have a voice and influence

3.8 This policy contributes to all these outcomes and also a number of the priorities within the Children and Young People's Plan, including:

- Ensuring that the most vulnerable are protected
- Improving social, emotional, and mental health and wellbeing
- Supporting young people to make good choices and minimise risk-taking behaviours

## **4. The purpose of the Gambling Act 2005 – Statement of Licensing Policy**

- 4.1 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions under the Act. This document fulfils this requirement. Such statement must be published at least every three years. The statement can also be reviewed from “time to time” and any amendments must be consulted upon. The statement must then be re-published.
- 4.2 Leeds City Council consulted widely upon this policy statement before finalising and publishing it. The policy was presented for public consultation on the website, and by email and post to solicitors, licensees, support organisations, responsible authorities, ward members, MPs, trade associations, and parish councils. In total 225 emails and 273 letters were sent advising interested parties of the consultation. The consultation was also advertised via a press release.
- 4.3 The consultation took place between 14<sup>th</sup> July and 29<sup>th</sup> August 2021 and followed the Cabinet Office’s Code of Practice on Consultation. The consultation elicited one response which is available on request. The policy was approved at a meeting of the Full Council on 10th November 2021.

## **5. The licensing framework**

- 5.1 The Gambling Act 2005 brought about changes to the way that gambling is administered in the United Kingdom. The Gambling Commission is the national gambling regulator and has a lead role in working with central government and local authorities to regulate gambling activity.
- 5.2 The Gambling Commission issues operators licences and personal licences. Any operator wishing to provide gambling at a certain premises must have applied for the requisite personal licence and operator licence before they can approach the council for a premises licence. In this way the Gambling Commission is able to screen applicants and organisations to ensure they have the correct credentials to operate gambling premises. The council’s role is to ensure premises are suitable for providing gambling in line with the three licensing objectives and any codes of practice issued by the Gambling Commission. The council also issues various permits and notices to regulate smaller scale and or ad hoc gambling in various other locations such as pubs, clubs and hotels.
- 5.3 The council does not licence large society lotteries or remote gambling through websites. These areas fall to the Gambling Commission. The National Lottery is not licensed by the Gambling Act 2005 and is regulated by the Gambling Commission under the National Lottery Act 1993.

## **6. Declaration**

- 6.1 This statement of licensing policy will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

6.2 In producing this document, the council declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses from those consulted on the policy statement.

## 7. Responsible authorities

7.1 The Act empowers certain agencies to act as responsible authorities so that they can employ their particular area of expertise to help promote the licensing objectives. Responsible authorities are able to make representations about licence applications, or apply for a review of an existing licence. Responsible authorities will also offer advice and guidance to applicants.

7.2 The council is required by regulations to state the principles it will apply to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

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

7.3 In accordance with the regulations the council designates the Leeds Safeguarding Children Partnership for this purpose. Leeds Safeguarding Children Partnership has produced a "West Yorkshire Consortium Inter Agency Safeguarding and Child Protection Procedures Manual" which can be found at <http://westyorkscb.proceduresonline.com>. Applicants may find this manual useful as a point of reference, a guide for good practice and the mechanism by which to make a referral to Social Care, when producing their own policies and procedures in relation to the objective of protection of children and vulnerable people.

7.4 The contact details of all the responsible authorities under the Gambling Act 2005 are available on the council's website within the guidance documents at <http://www.leeds.gov.uk/Business/Pages/Gambling-Premises-Licences.aspx>.

## 8. Interested parties

8.1 Interested parties are certain types of people or organisations that have the right to make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

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

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) has business interests that might be affected by the authorised activities, or
- c) represents persons who satisfy paragraph (a) or (b)"

8.2 The council is required by regulations to state the principles it will apply to determine whether a person is an interested party. The principles are:

- Each case will be decided upon its merits. The council will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance to Local Authorities.
- Within this framework the council will accept representations made on behalf of residents and tenants associations.
- In order to determine if an interested party lives or has business interests, sufficiently close to the premises to be likely to be affected by the gambling activities, the council will consider factors such as the size of the premises and the nature of the activities taking place.

8.3 The council will provide more detailed information on the making of representations in a separate guidance note. The guidance note has been prepared in accordance with relevant Statutory Instruments and Gambling Commission guidance.

## **9. Exchange of information**

9.1 Licensing authorities are required to include in their policy statement the principles to be applied by the authority with regards to the exchange of information between it and the Gambling Commission, as well as other people listed in Schedule 6 to the Act.

9.2 The principle that the council applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 2018 will not be contravened. The council will also have regard to any guidance issued by the Gambling Commission to local authorities on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

## **10. Licensing authority functions**

10.1 Licensing authorities are responsible under the Act for:

- licensing premises where gambling activities are to take place by issuing premises licences
- issuing provisional statements
- regulating members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- issuing Club Machine Permits to commercial clubs
- granting permits for the use of certain lower stake gaming machines at Unlicensed Family Entertainment Centres
- receiving notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of two or less gaming machines
- granting 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
- registering small society lotteries below prescribed thresholds

- issuing Prize Gaming Permits
- receiving and endorsing Temporary Use Notices
- receiving Occasional Use Notices (for tracks)
- providing information to the Gambling Commission regarding details of licences issued (see section above on 'Exchange of information')
- maintaining registers of the permits and licences that are issued under these functions.

10.2 The council will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operator licences.

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

- 11.1 The Gambling Commission will take a lead role in keeping gambling crime free by vetting all applicants for personal and operator licences. The council's main role is to try and promote this area with regard actual premises. Thus, where an area has known high levels of organised crime the council will consider carefully whether gambling premises are suitable to be located there (see paragraph 14.8 and 14.9) and whether conditions may be required such as the provision of door supervision (see paragraph 14.31).
- 11.2 There is a distinction between disorder and nuisance. In order to make the distinction, when incidents of this nature occur, the council will consider factors such as whether police assistance was required and how threatening the behaviour was.
- 11.3 Issues of nuisance cannot be addressed by the Gambling Act provisions however problems of this nature can be addressed through other legislation as appropriate.
- 11.4 Examples of the specific steps the council may take to address this area can be found in the various sections covering specific premises types in Part C of this document and also in Part D which covers permits and notices.

### **12. Ensuring that gambling is conducted in a fair and open way**

- 12.1 The council is aware that except in the case of tracks (see section 18) generally the Gambling Commission does not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.
- 12.2 However the council will familiarise itself with operator licence conditions and will communicate any concerns to the Gambling Commission about misleading advertising or any absence of required game rules or other matters as set out in the Gambling Commission's Licence Conditions and Code of Practice.
- 12.3 Examples of the specific steps the council may take to address this area can be found in the various sections covering specific premises types in Part C of this document and also in Part D which covers permits and notices.

## **13. Protecting children and other vulnerable persons from being harmed or exploited by gambling**

### Protection of children

13.1 This licensing objective means preventing children from taking part in most types of gambling. The council will therefore consider whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas etc.

13.2 The Act provides the following definition for child and young adult in Section 45:

#### Meaning of “child” and “young person”

- (1) In this Act “child” means an individual who is less than 16 years old.
- (2) In this Act “young person” means an individual who is not a child but who is less than 18 years old.

For the purpose of this section protection of children will encompass both child and young person as defined by the Act.

13.3 The council 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.

13.4 Examples of the specific steps the council may take to address this area can be found in the various sections covering specific premises types in Part C of this document and also in Part D which covers permits and notices.

### Protection of vulnerable people

13.5 The council is aware of the difficulty in defining the term “vulnerable person”. In most recent literature it is not a term that is used, with the term “adults at risk of abuse or neglect” or “adults at risk” being the preferred terms.

13.6 The Gambling Commission, in its Guidance to Local Authorities, does not seek to offer a definition for the term “vulnerable people” but will, for regulatory purposes assume that this group includes people:

“who gamble more than they want to, people who gamble beyond their means, elderly persons, and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, or because of the influence of alcohol or drugs.”

13.7 The Care Act 2014 imposes a requirement on a local authority to “make enquiries if it has reasonable cause to suspect that an adult in its area, whether or not ordinarily resident there, has needs for care and support, is experiencing, or is at risk of, abuse or neglect, and as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it”.

- 13.8 The local authority must make whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the adult's case (whether under this Part or otherwise) and, if so, what and by whom. The Care Act 2014 considers abuse to include financial abuse; and for that purpose "financial abuse" includes—
- having money or other property stolen,
  - being defrauded,
  - being put under pressure in relation to money or other property, and
  - having money or other property misused.
- 13.9 Leeds Safeguarding Adults considers "financial and material abuse" to include theft, fraud, exploitation, pressure in connection with financial matters, or the misuse of someone else's finances.
- 13.10 Prior to the introduction of the Care Act in 2014, the No Secrets statutory Guidance which covered adult safeguarding, used a broad definition of a 'vulnerable adult' as a person: "who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation". The Care Act 2014 has superseded this, and s42 now identifies 'an adult at risk.' An adult at risk of abuse or neglect is defined as someone who has needs for care and support, who is experiencing, or at risk of, abuse or neglect and as a result of their care needs - is unable to protect themselves.
- 13.11 In 2016 Leeds City Council commissioned Leeds Beckett University to undertake research into Problem Gambling in Leeds (*Problem Gambling in Leeds; Kenyon, Ormerod, Parsons and Wardle, 2016*). This research which focussed specifically on gambling harm in Leeds, established that Leeds and areas like Leeds are broadly likely to have problem gambling rates at double the national average. The research also looked specifically at identifying groups in society that could be considered vulnerable to, or at higher risk of, problem gambling, these groups are identified in following points:
- 13.12 **Young people** – the research found that there is strong evidence that children, adolescents, and young adults are vulnerable to the experience of gambling problems or are at risk of experiencing problems. Rates of problem gambling among young people who gamble are higher than older adults and youth gambling behaviours are consistent with the harm paradox, whereby these age groups are less likely to gamble generally but those that do are more likely to experience difficulties with their behaviour (Wardle, 2015).
- 13.13 In 2018/19, the Leeds My Health, My School survey revealed that 24% of secondary aged pupils and 32% of post 16 aged pupils had taken part in gambling activity. In comparison to other addiction subjects, 13% of secondary pupils had smoked a cigarette, 7% had tried illegal drugs and 51% had tried alcohol and results from the post 16 age group revealed 43% had smoked a cigarette, 24% had tried illegal drugs 80% had tried alcohol.
- 13.14 **Minority ethnic groups** – Reviews of national British survey data including the Health Survey for England and GambleAware's Treatment and Support study have consistently shown that those from Asian or Black backgrounds are more vulnerable to gambling problems and there is clear evidence of the harm paradox (Wardle, 2015) (Gunstone and Gosschalk, 2020)

- 13.15 **Unemployed and constrained economic circumstance** – generally those of lower income are less likely to gamble but those that do spend a higher proportion of their income on gambling. This is highlighted as a concern given the lesser ability of lower income households to protect themselves from financial instability (Brown et al, 2011).
- 13.16 There is evidence that those in debt and those using money lenders and/or pawnbrokers are more likely to be problem or at risk gamblers (Meltzer et al, 2012). The relationship between constrained economic circumstances and gambling problems is likely to be complex and multi-faceted. It may be mediated by other economic opportunities and personal feelings about how well off you are compared with others. Despite this complexity, there is a consistent body of evidence showing that, for whatever reason, those who are unemployed and who gamble are more likely to experience adverse outcomes from their gambling than those in paid employment.
- 13.17 **Area deprivation** – There are several British surveys that have consistently shown that those living in more deprived areas are more likely to experience problems with their gambling behaviour. This was despite having roughly the similar levels of past year gambling participation to those who live in less deprived areas.
- 13.18 Wardle (2015) looked at the distribution of machines and licensed betting offices and argues that there was clear and consistent evidence of a spatial skew, whereby high density machine zones or areas with licensed betting offices are more deprived than others. Recent research has shown that among gamblers who held loyalty cards, rates of problem gambling (28%) were higher among those who lived within 400 metres of a concentration of betting offices than those who did not (22%) (Astbury & Wardle, 2016).
- 13.19 **Homeless** – The rates of problem gambling are higher among those who are homeless than those who are not. Although studies are small, they show that there is a significant relationship with gambling preceding homelessness. Little is known about why rates of problem gambling among homeless population groups is higher than the general population but given associations with other mental health conditions, homeless people should be considered a vulnerable group.
- 13.20 **Mental ill health** – There is a strong association between mental ill health and problem gambling. Associations were found between problem gambling and general anxiety disorder, phobia, obsessive compulsive disorder, panic disorders, eating disorders, probably psychosis, attention deficit hyperactivity disorder, post-traumatic stress disorder, harmful and hazardous levels of alcohol consumption and drug addiction. Overall three quarters of problems gamblers seeking treatment also experience co-morbid mental health disorders.
- 13.21 Being a problem or at risk gambler is associated with latter onset of major depressive disorder, alcohol use and dependence, drug use and experience of any mental disorder. Illegal drug use and experience of any mental disorder is also associated with the subsequent onset of at risk and problem gambling. These findings seem to confirm the conclusion that the relationship between problem gambling and mental ill health may be cyclical.

- 13.22 **Substance abuse/misuse** – The evidence base relating to the relationship between substance abuse/misuse and experience of problem gambling broadly measures that of mental ill health. Evidence from British based surveys has shown that rates of problem gambling were higher among those with alcohol dependence (3.4%) or drug dependence (4.4%) than the general population (0.74%) (Wardle, 2015). A systemic review of those seeking treatment for gambling problems showed that 15% also experience alcohol dependence and 7% have other substance abuse disorders (Dowling et al, 2015). There is strong evidence that alcohol and substance misuse are associated with problem gambling. As with other mental health conditions, these conditions can occur at the same time.
- 13.23 **Personality traits/cognitive distortions** – There is a strong body of evidence highlighting the relationship between various personality traits, such as cognitive distortions or impulsivity, with problem gambling. Cognitive distortions, such as erroneous perceptions of gambling and illusion of control are well established risk factors for problem gambling (Johansson et al, 2009). However little research has been conducted to explore the complex interaction of personality traits with other factors and their combined influence on the experience of broader gambling harms. Certain personality traits and/or cognitive distortions are just one potential aspect of vulnerability which is likely to be affected by a range of other factors.
- 13.24 **Problem gamblers seeking treatment** – Because this group is in the process of attempting to recover from gambling problems they should be treated as a vulnerable group in their own right (Wardle, 2015).
- 13.25 Problem gambling can affect anyone at any time. Whilst rates of problem gambling among all adults in Britain tend to be less than 1% (1.8% in large metropolitan areas such as Leeds) (Gambling Commission, 2019), there are some groups that are more likely to experience problems. These groups could all be considered vulnerable to gambling problems. Leeds City Council already works with many of these groups however operators should consider these groups in their Local Risk Assessments, especially in relation to identifying the people in these groups, and mitigating harm experienced by them.
- 13.26 In the case of premises licences the council is aware of the extensive requirements set out for operators in the Gambling Commission’s Code of Practice regarding social responsibility. In this document the Gambling Commission clearly describe the policies and procedures that operators should put in place regarding:
- Combating problem gambling
  - Access to gambling by children and young people
  - Information on how to gamble responsibly and help for problem gamblers
  - Customer interaction
  - Self-exclusion
  - Employment of children and young people
- 13.27 All applicants should familiarise themselves with the operator licence conditions and codes of practice relating to this objective and determine if these policies and procedures are appropriate in their circumstances. The council will communicate any concerns to the Gambling Commission about any absence of this required information.

- 13.28 Applicants may also like to refer to Leeds Safeguarding Adults Partnership document entitled “Multi Agency Safeguarding Adults Policies and Procedures – West and North Yorkshire and York” which provides extensive guidance on identifying vulnerable people and what can be done to reduce risk for this group. This document can be accessed via <http://www.leedssafeguardingadults.org.uk>
- 13.29 The council has developed a risk matrix which identifies those areas which may have a population experiencing higher levels, and an accumulation of risk, therefore increasing vulnerability to gambling related harms. The Matrix uses several data sources to rank Lower Super Output Areas against one another to identify the risk of harm. This matrix is available on request from Entertainment Licensing. Applicants may find it useful to request a copy of the Matrix and use the results to develop their local area risk assessment. When considering the application, the licensing authority and other responsible authorities and interested persons will use the Matrix to rank the location. This may be a determining factor in any representations and this evidence will be provided to licensing sub-committee.
- 13.30 Applicants should consider offering measures to be imposed on licences as conditions, which protect and support vulnerable people in the area, for example:
- Reduced opening hours.
  - Working with local authority and treatment partners in training staff in gambling harm prevention.
  - Training for staff members which focuses on building an employee’s ability to maintain a sense of awareness of how much (e.g. how long) customers are gambling, as part of measures to detect people who may be vulnerable.
  - Training for staff members which focuses on identifying and providing support to vulnerable people
  - Restrict single manning operations (no lone working) due to concerns over timely age verification, safety of staff, supervision, ability to comply with company policies on problem gambling, and the ability to provide brief interventions.
  - Use of security to minimise risk of disturbances including CCTV, SIA licensed security presence at the venue.
  - Outline the amount and content of gambling harms support advertising that should be in the premises, including advertising of local treatment support.
  - The level of detail that will be collected in the incident log, including interventions made by staff to support customers who are gambling problematically. Define how often this information should be shared with the local authority.
  - Provision of leaflets offering assistance to problem gamblers should be available on gambling premises in a location that is both prominent and discreet, such as toilets
  - The administration and enforcement of self-exclusion schemes
  - Windows, entrances and advertisements to be positioned or designed not to entice children or vulnerable people.

- 13.31 When licensed premises wish to advertise to local communities, a risk assessment with the Licensing Authority should be undertaken to ensure the most deprived areas and vulnerable client groups are not targeted. To protect those most vulnerable or susceptible to gambling related harm Leeds City Council recommends advertising material is not displayed within 100 metres of venues accessed by vulnerable groups (as defined in para 13.11 to 13.22).
- 13.32 It should be noted that some of these measures form part of the mandatory conditions placed on premises licences.
- 13.33 The council may consider any of the above or similar measures as licence conditions should these not be adequately addressed by any mandatory conditions, default conditions or proposed by the applicant.

### 14. General Requirements

- 14.1 The council will issue premises licences to allow those premises to be used for certain types of gambling. For example premises licences will be issued to amusement arcades, bingo halls, bookmakers and casinos.
- 14.2 Premises licences are subject to the permissions/restrictions set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach other conditions, where it is believed to be necessary and proportionate.
- 14.3 Applicants should also be aware that the Gambling Commission has issued Codes of Practice for each interest area for which they must have regard. The council will also have regard to these Codes of Practice.

#### Definition of “premises”

- 14.4 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. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances.
- 14.5 The council will take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular the council will assess entrances and exits from parts of a building covered by one or more licences to satisfy itself that they are separate and identifiable so that the separation of different premises is not compromised and that people do not ‘drift’ into a gambling area.
- 14.6 The council will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Issues that the council will consider before granting such applications include 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 will be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.
- 14.7 An applicant cannot obtain a full premises licence until they have the right to occupy the premises to which the application relates.

## Location

- 14.8 The council is aware that demand issues (e.g. the likely demand or need for gambling facilities in an area) cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. The council will pay particular attention to the protection of children and vulnerable people from being harmed or exploited by gambling, as well as issues of crime and disorder.
- 14.9 With regards to these objectives it is the council's policy, upon receipt of any relevant representations, to look at specific location issues including:
- the possible impact a gambling premises may have on any premises that provide services to children or young people, for example a school, or vulnerable adult centres in the area
  - the possible impact a gambling premises may have on residential areas where there may be a high concentration of families with children
  - the size of the premises and the nature of the activities taking place
  - any levels of organised crime in the area.
- 14.10 In order for location to be considered, the council will need to be satisfied that there is sufficient evidence that the particular location of the premises would be harmful to the licensing objectives.
- 14.11 Although the council cannot consider if there is a need or demand for the gambling facilities applied for, applicants should consider the proximity of other gambling premises in the Local Area Risk Assessment and the impact this will have on residents, including children and other vulnerable groups.

## Local Risk Assessments

- 14.12 From 6 April 2016, it is a requirement of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP), under section 10, for licensees (except for those which hold betting licences for tracks) to assess the local risks to the licensing objectives posed by the provision of gambling facilities at their premises and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in this policy.
- 14.13 The LCCP goes on to say licensees must review (and update as necessary) their local risk assessments:
- a. to take account of significant changes in local circumstance, including those identified in this policy;
  - b. when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
  - c. when applying for a variation of a premises licence; and
  - d. in any case, undertake a local risk assessment when applying for a new premises licence.

14.14 The council will expect the local risk assessment to consider the urban setting:

- The proximity of the premises to schools.
- The commercial environment.
- Factors affecting the footfall.
- Whether the premises is in an area of deprivation.
- Whether the premises is in an area subject to high levels of crime and/or disorder.
- The ethnic profile of residents in the area.
- The demographics of the area in relation to vulnerable groups.
- The location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather.
- The range of facilities in the local area such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities.
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activity, etc.
- The proximity of churches, mosques, temples or any other place of worship.

14.15 The local risk assessment should show how vulnerable people, including people with gambling dependencies, are protected:

- The training of staff by a quality assured training provider in brief intervention when customers show signs of excessive gambling, the ability of staff to offer brief intervention and how the manning of premises affects this.
- Information held by the licensee regarding self-exclusions and incidences of underage gambling.
- Arrangements in place for local exchange of anonymised information regarding self-exclusion and gaming trends.
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments.
- Arrangements for monitoring and dealing with under age people and vulnerable people, which may include:
  - dedicated and trained personnel,
  - leaflets and posters,
  - self-exclusion schemes,
  - window displays and advertisements designed to not entice children and vulnerable people.
- The provision of signage and documents relating to games rules, gambling care providers and other relevant information be provided in both English and the other prominent first language for that locality.
- The proximity of premises that may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor surgeries, council community hubs, addiction clinics or help centres, places where alcohol or drug dependent people may congregate.

14.16 The local risk assessment should show how children are to be protected:

- The proximity of institutions, places or areas where children and young people frequent such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling allies, cinemas, etc.
- The proximity of place where children congregate such as bus stops, cafes, shops.
- Areas that are prone to issues of youths participating in anti-social behaviour, including activities such as graffiti, tagging, underage drinking etc.

14.17 Other matters that the assessment may include:

- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
- The layout of the premises so that staff have an unobstructed view of people using the premises.
- The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those people using the premises.
- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.

14.18 The council has developed a Health Risk Matrix which identifies localities in Leeds which may have a higher the normal number of vulnerable adults and children at risk.

14.19 Information in the Local Area Risk Assessment and the council's Health Risk Matrix may be used to inform the decision the council makes about whether to grant the licence, to grant the licence with special conditions or to refuse the application.

14.20 This policy does not preclude any application being made and each application will be decided on its merits, with the onus being upon the applicant to show how the concerns can be overcome.

#### Local Area Profile

14.21 Each locality has its own character and challenges. In order to assist applicants, where there is an issue in a local area which impacts on how the applicant should complete their risk assessment, the council may publish a local area profile. This profile, compiled in conjunction with the Community Hubs and approved by the Licensing Committee, can be obtained from Entertainment Licensing.

14.22 The local area profiles should be given careful consideration when making an application. Applicants may be asked to attend a meeting with licensing officers to discuss the profiles, appropriate measures to mitigate risk in the area and how they might be relevant to their application. The local area profiles will be presented to any subsequent licensing subcommittee when they determine an application that has received representations.

14.23 The council recognises that it cannot insist on applicants using the local area profiles when completing their risk assessments. However an applicant who decides to disregard the profiles may face additional representations and the expense of a hearing as a result.

#### Duplication with other regulatory regimes

14.24 The council will seek to avoid any duplication with other statutory/regulatory systems where possible, including planning. The council will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about proposed conditions which are not able to be met by the applicant due to planning restrictions, should such a situation arise.

#### Conditions

14.25 The council is aware that the Secretary of State has set mandatory conditions and default conditions and the Gambling Commission has set Licence Conditions and Codes of Practice which are necessary for the general good conduct of gambling premises, therefore it is unlikely that the council will need to impose individual conditions imposing a more restricted regime in relation to matters that have already been dealt with.

14.26 Where there are specific risks or problems associated with a particular locality, or specific premises, or class of premises, the council will attach individual conditions to address this.

14.27 Any conditions attached to a licence issued by the council 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, and/or related to the area where the premises is based;
- fairly and reasonably related to the scale, type and location of premises;
- consistent with the licensing objectives, and;
- reasonable in all other respects.

14.28 Decisions about individual conditions will be made on a case by case basis, although there will be a number of control measures the council will consider using, such as supervision of entrances, 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 in this policy. The council will also expect the applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively

14.29 Where certain measures are not already addressed by the mandatory/default conditions or by the applicant, the council may consider licence conditions to cover issues such as:

- Proof of age schemes.
- CCTV.
- Supervision of entrances.
- Supervision of machine areas.
- A reduction in the number of betting machines (betting premises).

- The manning of premises.
- Physical separation of areas.
- Location of entrance points.
- Notices/signage.
- Specific opening hours.
- A requirement that children must be accompanied by an adult (in premises where children are allowed).
- Enhanced DBS checks of the applicant and/or staff.
- Staff training in brief intervention, conflict resolution, basic knowledge of mental health, learning disabilities and addiction, including substance misuse.
- Support to people with gambling addiction, including brief intervention.
- Policies to address seasonal periods where children may more frequently attempt to gain access to premises and gamble such as pre and post school hours, half term and school holidays.
- Policies to address the problems associated with truant children who may attempt to gain access to premises and gamble.
- Obscuring windows where appropriate and labelling premises so it's clear that they are gambling premises.

14.30 This list is not mandatory or exhaustive and is merely indicative of examples of certain measures which may satisfy the requirements of the licensing authority and the responsible authorities, depending on the nature and location of the premises and the gambling facilities to be provided.

14.31 There are conditions which the council cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible for the applicant 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, winnings or prizes.

#### Door supervision

14.32 The council will consider whether there is a need for door supervision in terms of the licensing objectives of protection of children and vulnerable people from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime. It is noted though that the Gambling Act 2005 has amended the Private Security Industry Act 2001 and that door supervisors at casinos or bingo premises are not required to be licensed by the Security Industry Authority. Where door supervisors are provided at these premises the operator should ensure that any people employed in this capacity are fit and proper to carry out such duties. Possible ways to achieve this could be to carry out a criminal records (DBS) check on potential staff and for such personnel to have attended industry recognised training.

## **15. Adult gaming centres**

- 15.1 Adult gaming centres are a category of premises introduced by the Act that are most closely related to adult only amusement arcades seen in many city centres.
- 15.2 Under the Act a premises holding an adult gaming centre licence will be able to make category B, C and D gaming machines available and no one under 18 will be permitted to enter such premises.
- 15.3 The council will specifically have regard to the need to protect children and vulnerable people from harm or being exploited by gambling in these premises. The council will expect applicants to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises.
- 15.4 Where certain measures are not already addressed by the mandatory and default conditions and the Gambling Commission Codes of Practice or by the applicant, the council may consider licence conditions to address such issues.

## **16. Licensed family entertainment centres (FECs)**

- 16.1 Licensed family entertainment centres are those premises which usually provide a range of amusements such as computer games, penny pushers and may have a separate section set aside for adult only gaming machines with higher stakes and prizes. Licensed family entertainment centres will be able to make available unlimited category C and D machines where there is clear segregation in place so children do not access the areas where the category C machines are located (see Appendix 1).
- 16.2 Where category C or above machines are available in premises to which children are admitted then the council will 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. For this purpose a rope, floor markings or similar provision will not suffice and the council may insist on a permanent barrier of at least 1 meter high
  - only adults are admitted to the area where the machines (category C) are located
  - access to the area where the machines are located is supervised at all times
  - the area where the machines are located is arranged so that it can be observed by staff; and
  - at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to people under 18.
- 16.3 The council will specifically have regard to the need to protect children and vulnerable people from harm or being exploited by gambling in these premises. The council will expect applicants 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.

- 16.4 The council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.
- 16.5 The efficiency of such policies and procedures will each be considered on their merits, however, they may include:
- appropriate measures and training for staff as regards suspected truant children on the premises
  - measures and training covering how staff would deal with unsupervised very young children being on the premises
  - measures and training covering how staff would deal with children causing perceived problems on or around the premises
  - the arrangements for the supervision of the premises either by staff or the use of a suitable CCTV system. Advice regarding the suitability of a CCTV system can be obtained from West Yorkshire Police.
- 16.6 Due to the nature of these premises, which are attractive to children, applicants who employ staff to supervise the premises should consult with the Disclosure and Barring Service to determine if their staff need to undertake a DBS check.
- 16.7 The council will refer to the Commission's website to familiarise itself with any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. The council will also make itself aware of the mandatory or default conditions and any Gambling Commission Codes of Practice on these premises licences.

## **17. Casinos**

- 17.1 Leeds has a number of casinos which were licensed under the Gaming Act 1968, which have been subsequently converted into Gambling Act 2005 Converted Casino Premises Licences.
- 17.2 The Gambling Act states that a casino is an arrangement whereby people are given the opportunity to participate in one or more casino games whereby casino games are defined as a game of chance which is not equal chance gaming. This means that casino games offer the chance for multiple participants to take part in a game competing against the house or bank at different odds to their fellow players. Casinos can also provide equal chance gaming and gaming machines. Large and small casinos can also provide betting machines.

### [Licence considerations / conditions](#)

- 17.3 The Gambling Commission has provided Guidance for Licensing Authorities and Licence Conditions and Code of Practice which are applied to Operator's Licences. The council will take this into consideration when determining licence applications for converted casino licences.

- 17.4 The council will specifically have regard to the need to protect children and vulnerable people from harm or being exploited by gambling in these premises. The council will expect applicants to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises.
- 17.5 Where certain measures are not already addressed by the mandatory/default conditions, Gambling Commission Licence Conditions and Codes of Practice or by the applicant, the council may consider licence conditions to cover certain issues.
- 17.6 Detailed information on the Large Casino Application Process can be found in Appendix 4.

## **18. Bingo premises**

- 18.1 There is no official definition for bingo in the Gambling Act 2005 however from a licensing point of view there is a category of premises licence specifically for bingo premises which is used by traditional commercial bingo halls for both cash and prize bingo. In addition this premises licence will authorise the provision of a limited number of gaming machines in line with the provisions of the Act (see Appendix 1).
- 18.2 The council is aware that 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 then the council will 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. For this purpose a rope, floor markings or similar provision will not suffice and the council may insist on a permanent barrier of at least one meter high
  - only adults are admitted to the area where the machines are located
  - access to the area where the machines are located is supervised at all times
  - the area where the machines are located is arranged so that it can be observed by staff
  - at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to people under 18
  - children will not be admitted to bingo premises unless accompanied by an adult.
- 18.3 The Gambling Commission has provided Guidance for Licensing Authorities and Licence Conditions and Code of Practice which are applied to Operator's Licences. The council will take this into consideration when determining licence applications for bingo premises.
- 18.4 Where certain measures are not already addressed by the mandatory/default conditions, the Gambling Commission Code of Practice or the applicant, the council may consider licence conditions to address such issues.

## 19. Betting premises

- 19.1 Betting premises are premises such as bookmakers where various types of gambling are authorised to take place. The Act contains a single class of licence for betting premises however within this single class there are different types of premises which require licensing such as high street bookmakers, bookmakers located in self-contained facilities at race courses as well as the general betting premises licences that track operators will require.
- 19.2 The council will specifically have regard to the need to protect children and vulnerable people from harm or being exploited by gambling in these premises. The council will expect applicants to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises.

### Betting machines

- 19.3 The council is aware that Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence. When considering whether to impose a condition to restrict the number of betting machines in particular premises, the council, amongst other things, will take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines.
- 19.4 Where an applicant for a betting premises licence intends to offer higher stake category B gaming machines (categories B2-B4) including any Fixed Odds Betting Terminals (FOBTs), then applicants should consider the control measures related to the protection of vulnerable people, highlighted in section 13.
- 19.5 Where certain measures are not already addressed by the mandatory/default conditions, Gambling Commission Code of Practice or the applicant, the council may consider licence conditions to address such issues.

## 20. Tracks

- 20.1 Tracks are sites (including racecourses and dog tracks) where races or other sporting events take place. Betting is a major gambling activity on tracks, both in the form of pool betting (often known as the “totaliser” or “tote”), and also general betting, often known as “fixed-odds” betting. Multiple betting outlets are usually located on tracks such as ‘on-course’ betting operators who come onto the track just on race days to provide betting for the races taking place on that track. There can also be ‘off-course’ betting operators who may operate self-contained facilities at the tracks which offer customers the chance to bet on other events, not just those taking place on the track.
- 20.2 All tracks will require a primary ‘general betting premises licence’ that the track operator will hold. It should be noted that track operators do not require an operating licence from the Gambling Commission although they may apply for one. This is because the various other gambling operators offering betting at the track will each hold an operating licence.

- 20.3 Tracks may also be subject to one or more premises licences, provided each licence relates to a specified area of the track. This may be preferable for any self-contained premises providing off-course betting facilities at the track. The council will however assess each individual case on its merits before deciding if this is necessary. Where possible the council will be happy for the track operator to decide if any particular off-course operators should apply for a separate premises licence.
- 20.4 If any off-course operators are permitted to provide betting facilities under the authorisation of the track operator's premises licence, then it will be the responsibility of the premises licence holder to ensure the proper conduct of such betting within the premises boundary.
- 20.5 Gambling Commission guidance also indicates that it would be possible for other types of gambling premises to be located at a track under the authorisation of separate premises licences, e.g. a casino premises licence or adult gaming centre premises licence. If you require further guidance on this provision please contact the Entertainment Licensing Section.
- 20.6 Children and young people will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, although they are still prevented from entering areas where gaming machines and betting machines (other than category D machines) are provided.
- 20.7 The council will consider the impact upon the protection of children licensing objective and the need to ensure that entrances to each type of betting premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

### Betting machines

- 20.8 The council is aware that Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence. When considering whether to impose a condition to restrict the number of betting machines in particular premises, the council, amongst other things, will take into account the size of the premises, the number of counter positions available for person-to-person transactions and the location of the machines, in order to ensure they are in a properly segregated area where children are not permitted.
- 20.9 Where certain measures are not already addressed by the mandatory/default conditions, the Gambling Commission's Licence Conditions and Code of Practice or the applicant, the council may consider licence conditions to address such issues.

## 21. Travelling fairs

- 21.1 Travelling fairs have traditionally been able to provide various types of low stake gambling without the need for a licence or permit provided that certain conditions are met and this provision continues in similar fashion under the new Act.

- 21.2 Travelling fairs have the right to provide an unlimited number of category D gaming machines and/or equal chance prize gaming (without the need for a permit) as long as the gambling amounts to no more than an ancillary amusement at the fair (see Appendix 1).
- 21.3 The council will consider whether any fairs which take up the above entitlement fall within the statutory definition of a travelling fair.
- 21.4 The council is aware 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. The council will work with its neighbouring authorities to ensure that land which crosses the council boundary is monitored so that the statutory limits are not exceeded.

## **22. Provisional statements**

- 22.1 A provisional statement application is a process which allows a developer to examine the likelihood of whether a building which he expects to be constructed, to be altered or to acquire a right to occupy would be granted a premises licence. A provisional statement is not a licence and merely gives the holder some form of guarantee that a premises licence would be granted so the developer can judge whether a development is worth taking forward in light of the need to obtain a premises licence. An applicant may also apply for a provisional statement for premises which already hold a premises licence (either for a different type of gambling or the same type).
- 22.2 In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from responsible 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 council may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:
- a) which could not have been raised by objectors at the provisional licence stage; or
  - b) which in the authority's opinion reflect a change in the operator's circumstances.
- 22.3 When determining a provisional statement application the council will operate in accordance with the Act and will not have regard to any issues related to planning consent or building regulations, e.g. the likelihood that planning consent will be granted.

## 23. Unlicensed family entertainment centre gaming machine permits (UFECs)

- 23.1 The term ‘unlicensed family entertainment centre’ is one defined in the Act and refers to a premises which provides category D gaming machines along with various other amusements such as computer games and penny pushers. The premises is ‘unlicensed’ in that it does not require a premises licence but does require a permit to be able to provide category D machines. It should not be confused with a ‘licensed family entertainment centre’ which requires a premises licence because it contains both category C and D gaming machines.
- 23.2 The Gambling Act 2005 contains provision for local authorities to prepare a “Statement of Principles” that they propose to consider in determining the suitability of an applicant for a permit. Schedule 10, Para 7 of the Act states “In preparing this statement, and/or considering applications, it [the council] need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission.
- 23.3 In line with the above provision the council has prepared a ‘Statement of Principles’ in relation to unlicensed family entertainment centre gaming machines as follows:

### Statement of Principles

- 23.4 The council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.
- 23.5 The efficiency of such policies and procedures will each be considered on their merits, however, they may include:
- appropriate measures and training for staff as regards suspected truant children on the premises
  - measures and training covering how staff would deal with unsupervised very young children being on the premises
  - measures and training covering how staff would deal with children causing perceived problems on or around the premises.
  - the arrangements for supervision of premises either by staff or the use of CCTV. Any CCTV system installed should both the interior and the entrance working to the latest Home Office and ACPO standards and to the satisfaction of West Yorkshire Police and the local authority. The system must record images clearly and these recordings be retained for a minimum of 31 days. If the equipment is inoperative the police and local authority must be informed as soon as possible and immediate steps taken to make the system operative. Notices must be displayed at the entrances advising that CCTV is in operation.
- 23.6 Due to the nature of these premises, which are attractive to children, applicants who employ staff to supervise the premises should consult with the Disclosure and Barring Service to determine if their staff need to undertake a DBS check.

- 23.7 The council will also expect, as per the Gambling Commission Guidance, that applicants demonstrate:
- A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed family entertainment centres,
  - That the applicant has no relevant conviction (those that are set out in Schedule 7 of the Act), and
  - That staff are trained to have a full understanding of the maximum stakes and prizes.
- 23.8 In line with the Act, while the council cannot attach conditions to this type of permit, the council can refuse applications if they are not satisfied that the issues raised in the “Statement of Principles” have been addressed through the application.
- 23.9 Applicants only need to address the “Statement of Principles” when making their initial applications and not at renewal time.

## **24 Gaming machine permits in premises licensed for the sale of alcohol**

- 24.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have two gaming machines, of categories C and/or D. The premises merely need to notify the council. The council 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.
- 24.2 If a premises wishes to have more than two machines, then it needs to apply for a permit and the council 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.*” The council 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 people from harm or being exploited by gambling. The council will also expect the applicant to satisfy the authority that there will be sufficient measures to ensure that children and young people under the age of 18 do not have access to the adult only gaming machines.
- 24.3 All alcohol licensed premises with gaming machines must have regard to the need to protect children and vulnerable people from harm or being exploited by gambling and provide sufficient measures to ensure that under 18 year olds do not use the adult only gaming machines.

- 24.4 Measures which may satisfy the council that people under 18 years will be prevented from using the machines may include the machines being in close proximity to the bar, or in any other area where they are capable of being adequately supervised. Notices and signage may also help. As regards the protection of vulnerable people, applicants may wish to consider the provision of information leaflets and or helpline numbers for organisations such as GamCare.
- 24.5 The council can decide to grant the permit with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.
- 24.6 The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine(s).
- 24.7 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 dealt with under the relevant provisions of the Act.
- 24.8 Alcohol licensed premises are able to provide some limited equal chance gaming. Licensees are referred to the advice provided by the Gambling Commission and Appendix 3 of this document.

## **25. Prize gaming permits**

- 25.1 Section 288 defines gaming as prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before play commences. Prize gaming can often be seen at seaside resorts in amusement arcades where a form of bingo is offered and the prizes are displayed on the walls.
- 25.2 A prize gaming permit is a permit issued by the licensing authority to authorise the provision of facilities for gaming with prizes on specified premises.
- 25.3 The Gambling Act 2005 contains provision for local authorities to prepare a “Statement of Principles” that they propose to consider in determining the suitability of an applicant for a permit. Schedule 14, Para 8 of the Act states, “in preparing this statement, and/or considering applications, it [the council] need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under Section 25.
- 25.4 In line with the above provision the council has prepared a Statement of Principles in relation to prize gaming permits as follows:

## Statement of Principles

- 25.5 The council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.
- 25.6 The efficiency of such policies and procedures will each be considered on their merits, however, they may include:
- appropriate measures and training for staff as regards suspected truant children on the premises
  - measures and training covering how staff would deal with unsupervised very young children being on the premises
  - measures and training covering how staff would deal with children causing perceived problems on or around the premises.
  - the arrangements for supervision of premises either by staff or the use of CCTV. Any CCTV system installed should both the interior and the entrance working to the Home Office and ACPO standards as described PSDB leaflet 09/05 and to the satisfaction of West Yorkshire Police and the local authority. The system must record images clearly and these recordings be retained for a minimum of 31 days. If the equipment is inoperative the police and local authority must be informed as soon as possible and immediate steps taken to make the system operative. Notices must be displayed at the entrances advising that CCTV is in operation.
- 25.7 Due to the nature of these premises, which are attractive to children, applicants who employ staff to supervise the premises should consult with the Disclosure and Barring Service to determine if their staff need to undertake a DBS check.
- 25.8 The council will also expect, as per the Gambling Commission Guidance, that applicants demonstrate:
- A full understanding of the maximum stakes and prizes of the gambling that is permissible
  - That the gaming offered is within the law.
- 25.9 In line with the Act, while the council cannot attach conditions to this type of permit, the council can refuse applications if they are not satisfied that the issues raised in the “Statement of Principles” have been addressed through the application.
- 25.10 Applicants only need to address the “Statement of Principles” when making their initial applications and not at renewal time.

25.11 There are conditions in the Gambling Act 2005 by which the permit holder must comply. 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.

## 26. Club gaming and club machine permits

26.1 Members clubs and miners' welfare institutes may apply for a 'club gaming permit' or a 'club machine permit'. The 'club gaming permit' will enable the premises to provide gaming machines (three machines of categories B4, C or D), equal chance gaming. i.e. poker, bingo etc. A 'club machine permit' will enable the premises to provide gaming machines (three machines of categories B4, C or D). Commercial clubs may apply for a 'club machine permit' only.

26.2 To qualify for these special club permits a members club must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming. 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 the Royal British Legion and clubs with political affiliations.

26.3 Clubs must have regard to the protection of children and vulnerable people from harm or being exploited by gambling. They must provide sufficient measures to ensure that under 18 year olds do not use the adult only gaming machines. These measures may include:

- the machines being in close proximity to the bar, or in any other area where they are capable of being adequately supervised
- notices and signage
- the provision of information leaflets / helpline numbers for organisations such as GamCare.

26.4 Before granting the permit the council will need to satisfy itself that the premises meets the requirements of a members' club and that the majority of members are over 18.

26.5 The council may only refuse an application on the grounds that:

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which they have applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young people;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police.

26.6 There is also a 'fast-track' procedure available for premises which hold a club premises certificate under the Licensing Act 2003. 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 the council can refuse a permit is reduced. The grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming,
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

## **27. Temporary use notices**

27.1 Temporary use notices allow the use of premises on not more than 21 days in any 12 month period for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be useful for a temporary use notice would include hotels, conference centres and sporting venues.

27.2 Temporary Use Notices allow the use of premises for any form of equal chance gambling where those participating in the gaming are taking part in a competition which is intended to produce a single, overall winner.

27.3 Only people or companies holding a relevant operating licence can apply for a temporary use notice to authorise the particular class of gambling permitted by their operating licence.

27.4 A temporary use notice must be lodged with the licensing authority not less than three months and one day before the day on which the gambling is due to take place. Detailed information about how to serve a temporary use notice will be available in a separate guidance note.

27.5 The Act makes a special reference, in the context of temporary use notices, to a “set of premises” to try and ensure that large premises which cannot reasonably be viewed as separate are not used for more temporary use notices than permitted under the Act. The council considers that the determination of what constitutes “a set of premises” will be a question of fact in the particular circumstances of each notice that is given. In considering whether a place falls within the definition of a “set of premises”, the council will look at, amongst other things, the ownership/occupation and control of the premises. The council will 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.

## **28. Occasional use notices (for tracks)**

28.1 There is a special provision in the Act which provides that where there is betting on a track on eight days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence. Track operators and occupiers need to be aware that the procedure for applying for an occasional use notice is different to that for a temporary use notice. The application may be made in writing, to the council by the person responsible for the administration of the events on a track or by an occupier of the track.

28.2 The council 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 council will however consider the definition of a ‘track’ and whether the applicant is entitled to benefit from such notice.

## **29. Small society lottery registrations**

29.1 A lottery generally refers to schemes under which prizes are distributed by chance among entrants who have given some form of value for their chance to take part.

29.2 The Act creates two principal classes of lotteries: Licensed lotteries and exempt lotteries. Licensed lotteries are large society lotteries and lotteries run for the benefit of local authorities. These will be regulated by the Gambling Commission. Within the class of exempt lotteries there are four sub classes, one of which is small society lotteries.

29.3 A small society lottery is a lottery promoted on behalf of a non-commercial society as defined in the Act which also meets specific financial requirements set out in the Act. These will be administered by the council for small societies who have a principal office in Leeds and want to run such lottery.

29.4 A lottery is small if the total value of tickets put on sale in a single lottery is £20,000 or less and the aggregate value of the tickets put on sale in a calendar year is £250,000 or less.

29.5 To be ‘non-commercial’ a society must be established and conducted:

- for charitable purposes,
- for the purpose of enabling participation in, or supporting, sport, athletics or a cultural activity; or
- for any other non-commercial purpose other than that of private gain.

29.6 The other types of exempt lotteries are 'incidental non-commercial lotteries', 'private lotteries' and 'customer lotteries'. If you require guidance on the different categories of lotteries please contact the council.

29.7 The National lottery is not licensed by the Gambling Act 2005 and continues to be regulated by the National Lottery Commission under the National Lottery Act 1993.

### 30. Enforcement principles

30.1 The council will work closely with the responsible authorities in accordance with a locally established joint enforcement protocol and will aim to promote the licensing objectives by targeting known high risk premises following government guidance around better regulation. Specifically the council is subject to the Regulators' Code which provides the following six provisions which the Council should follow in its enforcement activities, unless it concludes, on the basis of material evidence, that a specific provision of the Code is either not applicable or outweighed by another relevant consideration.

1. Regulators should carry out their activities in a way that supports those they regulate to comply and grow
2. Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views
3. Regulators should base their regulatory activities on risk
4. Regulators should share information about compliance and risk
5. Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply
6. Regulators should ensure that their approach to their regulatory activities is transparent

30.2 In carrying out its enforcement duties with regards to the inspection of premises; and the powers to institute criminal proceedings in respect of certain offences under the Act the council 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.

30.3 The council will endeavour to avoid duplication with other regulatory regimes so far as possible.

30.4 Where there is a Primary Authority scheme in place, the council will seek guidance from the Primary Authority before taking any enforcement action. At the time of the publication of this policy there were seven Primary Authority arrangements with host local authorities:

|                      |                     |
|----------------------|---------------------|
| BACTA                | Reading             |
| Coral Racing         | Milton Keynes       |
| Ladbrokes            | Milton Keynes       |
| Paddy Power          | Reading             |
| Rank Group           | City of Westminster |
| Sky Betting & Gaming | Wakefield           |
| William Hill         | Reading             |

30.5 Further information, including an index of all Primary Authority arrangements can be found at <https://primaryauthorityregister.info/par>

30.6 The council will also adopt a risk-based inspection programme in line with government recommendations around better regulation and the principles of the Hampton Review.

30.7 The main enforcement and compliance role for the council 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. Concerns about the manufacture, supply or repair of gaming machines will not be dealt with by the council but will be notified to the Gambling Commission. In circumstances where the council believes a premises requires a premises licence for gambling activities and no such licence is in force, the council will alert the Gambling Commission.

30.8 The council will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

30.9 The council's enforcement/compliance protocols/written agreements will be available upon request.

## **31. Reviews**

31.1 A review is a process defined in the legislation which ultimately leads to a licence being reassessed by the Licensing Committee with the possibility that the licence may be revoked, suspended or that conditions may amended or new conditions added.

- 31.2 Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the council to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is:
- i) in accordance with any relevant code of practice issued by the Gambling Commission
  - ii) in accordance with any relevant guidance issued by the Gambling Commission
  - iii) reasonably consistent with the licensing objectives and
  - iv) in accordance with this authority's Gambling Act 2005 – Statement of Licensing Policy.
- 31.3 In addition the council may also reject the application on the grounds that the request is frivolous, vexatious, will certainly not cause this authority to wish to alter, revoke or suspend the licence, or is substantially the same as previous representations or requests for review.
- 31.4 The council can also initiate a review of a licence on the basis of any reason which it thinks is appropriate.

## Appendix 1 Gaming machines

This appendix describes the categories of gaming machine as set out in the Act (and in regulations) and the number of such machines that may be permitted in each type of gambling premises.

- Table 1 below sets out the current proposals for the different categories with the maximum stakes and prizes that will apply. This table will be updated as soon as the proposals are confirmed.
- Table 2 overleaf shows the maximum number of machines permitted and in the case of casinos the ratios between tables and machines.

Table 1

| Category of machine  | Maximum Stake | Maximum Prize   |
|--|---------------|---|
| A  | Unlimited     | Unlimited   |
| B1   | £5            | £10,000<br>(with the option of a max £20,000 linked progressive jackpot on a premises basis only) |
| B2   | £2            | £500  |
| B3   | £2            | £500  |
| B3A  | £2            | £500  |
| B4   | £2            | £400  |
| C  | £1            | £100  |
| D – money prize  | 10p           | £5  |
| D – non-money prize<br>(other than a crane grab machine)                                 | 30p           | £8  |
| D – non-money prize (crane grab machine)   | £1            | £50   |
| D – combined money and non-money prize (other than a coin pusher or penny falls machine) | 10p           | £8<br>(of which no more than £5 may be a money prize)   |
| D – combined money and non-money prize (coin pusher or penny falls machine)              | 20p           | £20<br>(of which no more than £10 may be a money prize)   |

Table 2

| Premises Type   | Machine category |   |    |  |  |                          |                                 |
|---|------------------|---|----|--|--|--------------------------|---------------------------------|
|   | A                | B1  | B2 | B3   | B4   | C                        | D                               |
| Large casino (machine/table ratio of 5-1 up to maximum)                           |                  | Maximum of 150 machines<br>Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio) |    |  |  |                          |                                 |
| Small casino (machine/table ratio of 2-1 up to maximum)                           |                  | Maximum of 80 machines<br>Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)   |    |  |  |                          |                                 |
| Pre-2005 Act Casinos (no machine/table ratio)                                     |                  | Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead  |    |  |  |                          |                                 |
| Betting premises and tracks operated by pool betting                              |                  | Maximum of 4 machines categories B2 to D (except B3A machines)  |    |  |  |                          |                                 |
| Bingo Premises <sup>1</sup>   |                  |   |    |  | Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4* | No limit C or D machines |                                 |
| Adult gaming centre <sup>2</sup>  |                  |   |    |  | Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4* | No limit C or D machines |                                 |
| Licensed family entertainment centre <sup>3</sup>                                 |                  |   |    |  |  | No limit C or D machines |                                 |
| Family entertainment centre (with permit)   |                  |   |    |  |  |                          | No limit on category D machines |
| Clubs or miners' welfare institutes with permits <sup>4</sup>                     |                  |   |    |  | Maximum of 3 machines in categories B3A or B4 to D*  |                          |                                 |
| Qualifying alcohol licensed premises  |                  |   |    |  | 1 or 2 machines of category C or D automatic upon notification   |                          |                                 |
| Qualifying alcohol licensed premises with licensed premises gaming machine permit |                  |   |    | Number of category C-D machines as specified on permit |  |                          |                                 |
| Travelling fair   |                  |   |    | No limit on category D machines                        |  |                          |                                 |
|   | A                | B1  | B2 | B3   | B4   | C                        | D                               |

1. Bingo premises licence are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines on the premises. Where a premises licence was granted before 13 July 2011, they are entitled to make available eight category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at bingo premises are restricted to sub-category B3 and B4 machines, but not B3A machines.
2. Adult gaming centres are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines. Where a premises licence was granted before 13 July 2011, they are entitled to make available four category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at adult gaming centres are restricted to sub-category B3 and B4 machines, but not B3A machines.
3. Only premises that are wholly or mainly used for making gaming machines available may hold an unlicensed family entertainment centre gaming machine permit or a family entertainment centre premises licence. Category C machines may only be sited within licensed family entertainment centres and where an unlicensed family entertainment centre permit is in force. They must be in a separate area to ensure the segregation and supervision of machines that may only be played by adults. There is no power for the licensing authority to set a limit on the number of machines under the unlicensed family entertainment centre permit.
4. Members' clubs and miners' welfare institutes with a club gaming permit or with a club machine permit, are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement.
5. Commercial clubs with club machine or gaming permits are entitled to a total of three machines in categories B4 to D.

## Appendix 2 Glossary of terms

| Term                                    | Description  |
|---|--|
| ATM                                     | Cash machine.  |
| Betting                                 | Betting is defined as making or accepting a bet on the outcome of a race, competition or other event or process or on the outcome of anything occurring or not occurring or on whether anything is or is not true. It is irrelevant if the event has already happened or not and likewise whether one person knows the outcome or not. |
| Betting Machines / Bet Receipt Terminal | Betting machines can be described as automated betting terminals where people can place bets on sporting events removing the need to queue up and place a bet over the counter.  |
| Bingo                                   | There are essentially two types of bingo: cash bingo, where the stakes paid make up the cash prizes that can be won and prize bingo, where various forms of prizes can be won, not directly related to the stakes paid.  |
| Book                                    | Running a 'book' is the act of quoting odds and accepting bets on an event. Hence the term 'Bookmaker'.  |
| Casino games                            | A game of chance, which is not equal chance gaming such as roulette and black jack etc.  |
| Chip                                    | Casinos in the UK require you to use chips to denote money. They are usually purchased and exchanged at a cashier's booth.   |
| Coin pusher or penny falls machine      | A machine of the kind which is neither a money prize machine nor a non-money prize machine   |
| Crane grab machine                      | A non-money prize machine in respect of which every prize which can be won consists of an individual physical object (such as a stuffed toy) won by a person's success in manipulating a device. i.e. a grab mechanism.  |
| Default condition                       | These are prescribed in regulations and will be attached to all classes of premises licence, unless excluded by the council.   |
| Equal Chance Gaming                     | Gaming which does not involve playing or staking against a bank.   |
| Fixed odds betting                      | If a gambler is able to establish what the return on a bet will be when it is placed, (and the activity is not 'gaming' see below), then it is likely to be betting at fixed odds.   |
| Fixed Odds betting terminals (FOBTs)    | FOBTs are a type of gaming machine which generally appear in licensed bookmakers. FOBTs have 'touch-screen' displays and look like quiz machines familiar in pubs and clubs but offer several games, roulette being the most popular.  |
| Gaming                                  | Gaming, in reference to gambling, can be defined as 'the playing of a game of chance for winnings in money or monies worth, whether any person playing the game is at risk of losing any money or monies worth or not'. Gaming is also the common term for the playing of online video games and should not be confused.               |

| Term                    | Description   |
|-------------------------|---|
| Gaming Machine          | Any type of machine allowing any sort of gambling activity including betting on virtual events but not including home computers even though users can access online gaming websites.  |
| Licensing Objectives    | <p>The licensing objectives are three principal goals which form the basis of the Act. Stakeholders who have an interest in the Act need to try and promote these objectives: The licensing objectives are:</p> <ul style="list-style-type: none"> <li>• Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.</li> <li>• Ensuring that gambling is conducted in a fair and open way.</li> <li>• Protecting children and other vulnerable people from being harmed or exploited by gambling.</li> </ul>   |
| Lottery                 | <p>A lottery generally refers to schemes under which prizes are distributed by chance among entrants who have given some form of value for their chance to take part. A lottery is defined as either a simple lottery or a complex lottery. A simple lottery is one where people are required to pay to participate and one or more prizes are allocated to one or more members of a class and the prizes are allocated by a process which relies wholly on chance. A complex lottery is where people are required to pay to participate and one or more members of a class and the prizes are allocated by a series of processes where the first of those processes relies wholly on chance. Prize means money, articles or services provided by the members of the class among whom the prize is allocated. (It should be noted that the National Lottery is not included in this definition of lottery and is regulated by the National Lottery Commission).</p> |
| Mandatory condition     | <p>A condition which will be set by the Secretary of State (some set out in the Act and some to be prescribed by regulations) which will be automatically attached to a specific type of premises licence. The council will have no discretion to alter or remove these conditions.</p>   |
| Money prize machine     | <p>A machine in respect of which every prize which can be won as a result of using the machine is a money prize.</p>  |
| Non-money prize machine | <p>A machine in respect of which every prize which can be won as a result of using the machine is a non-money prize. The winner of the prize is determined by:</p> <p>(i) the position in which the coin or token comes to rest after it has been inserted into the machine, together with the position of other coins or tokens which have previously been inserted into the machine to pay a charge for use, or</p> <p>(ii) if the insertion of a single coin to pay the charge for use enables the person using the machine to release one or more tokens within the machine, the position in which such tokens come to rest after being released, together with the position of other tokens which have previously been so released.</p>  |

| <b>Term</b>                          | <b>Description</b>   |
|--------------------------------------|--|
| Odds                                 | The ratio to which a bet will be paid if the bet wins, e.g. 3-1 means for every £1 bet, a person would receive £3 of winnings.   |
| Off-course betting operator          | Off-course betting operators may, in addition to premises away from the track, operate self-contained betting premises within a track premises. Such self-contained premises will provide facilities for betting on both events taking place at the track (on-course betting), as well as other sporting events taking place away from the track (off-course betting). In essence such premises operate like a traditional high street bookmakers. They will however only normally operate on race days.               |
| On-course betting operator           | The on-course betting operator is one who comes onto on a track, temporarily, while races are taking place, and operates at the track side. On-course betting operators tend to offer betting only on the events taking place on the track that day (on-course betting).   |
| Pool Betting                         | For the purposes of the Gambling Act, pool betting is made on terms that all or part of the winnings:<br>1) Shall be determined by reference to the aggregate of the stakes paid or agreed to be paid by the people betting<br>2) Shall be divided among the winners or<br>3) Shall or may be something other than money. For the purposes of the Gambling Act, pool betting is horse-race pool betting if it relates to horse-racing in Britain.  |
| Regulations or Statutory instruments | Regulations are a form of law, often referred to as delegated or secondary legislation. They have the same binding legal effect as Acts and usually state rules that apply generally, rather than to specific people or things. However, regulations are not made by Parliament. Rather, they are made by people or bodies to whom Parliament has delegated the authority to make them, such as a minister or an administrative agency.  |
| Representations                      | In the context of the Gambling Act representations are either positive statements of support or negative objections which are made in relation to a licensing application. Representations must be made in time, e.g. during a designated notice period.   |
| Responsible authority (authorities)  | Responsible authorities (RAs) are agencies which have been appointed by the Gambling Act or regulations to fulfil a designated role during the licensing process. RAs must be sent copies of all licensing applications and have the power to make representations about such applications. RAs also have the power to ask for licences to be reviewed. For Leeds the RAs include West Yorkshire Police, The local Safeguarding Children Board, Leeds City Council's Development Department as well as several others. |

| <b>Term</b>                               | <b>Description</b>   |
|---|--|
| Skill machine / Skill with prizes machine | The Act does not cover machines that give prizes as a result of the application of pure skill by players. A skill with prizes machine is one on which the winning of a prize is determined only by the player's skill – any element of chance imparted by the action of the machine would cause it to be a gaming machine. An example of a skill game would be trivia game machines, popular in pubs and clubs, which require the player to answer general knowledge questions to win cash prizes. |
| Spread betting                            | A form of investing which is more akin to betting, and can be applied either to sporting events or to the financial markets. Spread betting is regulated by the Financial Services Authority.  |
| Stake                                     | The amount pledged when taking part in gambling activity as either a bet, or deposit to the bank or house where the house could be a gaming machine.   |
| Statement of principles document          | A document prepared by the council which outlines the areas that applicants need to consider before applying for gaming permits.   |
| Table gaming                              | Card games played in casinos.  |
| Tote                                      | "Tote" is short for Totaliser, a system introduced to Britain in 1929 to offer pool betting on racecourses.  |
| Track                                     | Tracks are sites (including horse tracks and dog tracks) where races or other sporting events take place. Examples of tracks within the Leeds district would be Elland Road Football ground and Headingley Stadium.  |

## Appendix 3 Summary of gaming entitlements for clubs and pubs

|  | Members' club or MW institute with club gaming permit                                     | Bridge or whist club  | Members' club or commercial club with club machine permit  | Members' club, commercial club or MW institute without a club gaming permit                                      | Pubs and other alcohol-licensed premises   |
|--|---|---|--|--|--|
| <b>Equal chance gaming</b>                             | Yes   | Bridge and/or whist only  | Yes  | Yes  | Yes  |
| <b>Limits on stakes</b>                                | No limit  | No limit  | <u>Poker</u><br>£1000 per week<br>£250 per day<br>£10 per person per game<br><br><u>Other gaming</u><br>No limit | <u>Poker</u><br>£1000 per week<br>£250 per day<br>£10 per person per game<br><br><u>Other gaming</u><br>No limit | <u>Cribbage &amp; dominoes</u><br>No limit<br><br><u>Poker</u><br>£100 per premises per day<br><br><u>Other gaming</u><br>£5 per person per game |
| <b>Limits on prizes</b>                                | No limit  | No limit  | <u>Poker</u><br>£250 per game<br><br><u>Other gaming</u><br>No limit   | <u>Poker</u><br>£250 per game<br><br><u>Other gaming</u><br>No limit   | <u>Poker</u><br>£100 per game<br><br><u>Other gaming</u><br>No limit   |
| <b>Maximum participation fees – per person per day</b> | <u>Bridge and/or whist*</u><br>£20<br><br><u>Other gaming</u><br>£3                       | £18 (without club gaming permit)<br><br>£20 (with club gaming permit) | <u>Bridge and/or whist*</u><br>£18<br><br><u>Other gaming</u><br>£3 (commercial club)<br>£1 (members club)       | <u>Bridge and/or whist*</u><br>£18<br><br><u>Other gaming</u><br>£1  | None permitted   |
| <b>Bankers or unequal chance gaming</b>                | Pontoon<br>Chemin de Fer  | None permitted  | None permitted   | None permitted   | None permitted   |
| <b>Limits on bingo</b>                                 | Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence. | No bingo permitted  | Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.                        | Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.                        | Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.  |

\* On a day when no other facilities for gaming are provided

## Appendix 4 Large Casino

The current status of the Large Casino is that a premises licence has been granted. The following process will apply should the current licence cease to exist because it has either been surrendered or revoked.

### 1. Background

- 1.1 The Act introduces three new categories of casino; one regional casino, eight large casinos and eight small casinos. In 2006 the council submitted a proposal for a regional and large casino to the Casino Advisory Panel.
- 1.2 On 15<sup>th</sup> May 2008 the Categories of Casino Regulation 2008 and the Gambling (Geographical Distribution of Large and Small Casino Premises Licences) Order 2008 was approved. This specified which licensing authorities could issue premises licences for large and small casinos. Leeds City Council was authorised to issue a large casino premises licence.
- 1.3 On 26<sup>th</sup> February 2008 the Secretary of State for Culture, Media and Sport issued the Code of Practice on Determinations Relating to Large and Small Casinos (Code of Practice). The council will comply with this Code which sets out:
  - a. the procedure to be followed in making any determinations required under Paragraphs 4 and 5 of Schedule 9 to the Gambling Act 2005 and
  - b. matters to which the Licensing Authority should have regard in making these determinations.
- 1.4 The council recognises that applicants may either apply for a casino premises licence or a provisional statement. As for all premises licences, applicants for a casino premises licence must fulfil certain criteria in that they must:
  - a. hold or have applied for an operating licence from the Gambling Commission; and
  - b. have the right to occupy the premises in question.
- 1.5 Should an applicant be unable to meet these two criteria they should apply for a provisional statement.
- 1.6 Unless otherwise specified, any reference to the application and procedures for a premises licence for a casino in the following parts of this section will also include the application and procedures for a provisional statement for a casino.
- 1.7 Where a provisional statement application is successful, the council may limit the period of time for which the statement will have effect. This period may be extended if the applicant so applies.

- 1.8 The council will ensure that any pre-existing contract, arrangement or other relationship with a company or individual does not affect the procedure for assessing applications so as to make it unfair or perceived to be unfair to any applicant.
- 1.9 In making a decision on both stages the council will take heed of any current Codes of Practice, current Regulations and guidance issued by the Secretary of State for the Department of Digital, Culture, Media and Sport and the Gambling Commission.
- 1.10 The 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. It may choose to exercise this option should there be only one application for a large casino premises licence or should, where there is more than one application, those applications fail to meet the council’s aspirations for benefit for the Leeds metropolitan area. Should the council decide in the future to pass such a resolution, it will update this policy with details of that resolution and any such decision will be made by full Council.
- 1.11 As per Part 8, Section 210 of the Gambling Act 2005 the council will not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with the law relating to planning or building and any licensing decision will not constrain any later decision by the council under the law relating to planning or building.
- 1.12 The council does not have a preferred location for the new large casino. Applicants can submit proposals for any site or location within the Leeds metropolitan area and each will be judged on its own individual merits.

## **2. Application Process**

### Stage 1

- 2.1 The council will publish an invitation calling for applications. This invitation will be published in a trade newspaper, journal or similar publication. It will state the latest date the application must be made and the place from which a person may obtain an application pack.
- 2.2 The part of the application pack which relates to stage 1 will include, as a minimum, the following:
  - Guidance for applicants
  - Application form for Stage 1
  - Example notices
- 2.3 With regard to stage 1 of the application process, the general principles as stated in Part C of this gambling policy will apply to all applications.
- 2.4 At stage 1 the Licensing Committee or sub-committee, will determine, if there are valid representations, which applications would be granted if they were able to grant more than one application.

2.5 At stage 1, the council will not consider whether any of the applications is more deserving of being granted.

## Stage 2

2.6 Should more than one applicant pass through stage 1, the process will proceed to the second stage with each successful applicant being invited to submit information about how their application would, if granted, benefit the area.

2.7 The part of the application pack which relates to stage 2 will include, as a minimum, the following:

- Stage 2 evaluation methodology, including scoring matrix
- Details of current Licensing Committee
- Details of the Advisory Panel
- Terms of reference for Advisory Panel
- Example Schedule 9 agreement
- Glossary
- Vision for Leeds 2011 to 2030

2.8 At stage 2, the procedure will follow the DCMS Code of Practice. However, the Code leaves individual councils to determine the detail of their own procedure.

2.9 The council will not bear any abortive costs of the unsuccessful applicants and their participation in all phases of the licence process is conducted entirely at the applicants risk.

## Advisory Panel

2.10 It is recognised that the Licensing Committee does not necessarily have specialised expertise required to fully evaluate each application. It will seek professional expertise from officers of the council. Where this expertise is not available, it may seek independent expertise from outside the council.

2.11 For this purpose, the Licensing Committee will appoint a non-statutory panel to assist it in the evaluation of the stage 2 application process. This panel will be called the "Advisory Panel". The Advisory Panel will evaluate each application using the evaluation methodology and scoring provided in the application pack.

2.12 To ensure there are no conflicts of interest, applicants will be provided with a list of Advisory Panel members. Where objections are made, it will be necessary to give details of the substance of such objection. These objections will be considered by the Licensing Committee before the evaluation of stage 2 applications commence.

2.13 The Advisory Panel will engage in discussions with each second stage applicant with a view to the particulars of an application being refined, supplemented or otherwise altered so as to maximise the benefits to the Leeds metropolitan area that would result from it (were it granted).

- 2.14 The Advisory Panel will report its findings to the Licensing Committee. The report will be made available to the applicant before being submitted to ensure that the information provided within it is accurate. Should the applicant disagree with the evaluation, this will be noted and reported to the Licensing Committee, together with any necessary changes to the Advisory Panel's report.
- 2.15 The Licensing Committee will consider all the applications at Stage 2, and the report of the Advisory Panel. They will evaluate the proposals, in line with the principles below and determine which application, if granted, is likely to result in the greatest benefit to the area. This will involve an evaluation both of the benefits and the likelihood of their delivery.
- 2.16 The Licensing Committee will instruct officers to complete negotiations on any written agreements made under Paragraph 5(3)(b) of Schedule 9 of the Act. Once the negotiations have been completed officers will report to Licensing Committee who will then grant the licence to the successful applicant and reject the remaining applications.
- 2.17 In line with paragraph 5.7.4 of the Code of Practice, in determining the principles the council intends to apply in making any determination for a casino premises licence, the council has had specific regard to the following:
- a. The financial and other contribution a second stage applicant proposes to make to the Leeds metropolitan area,
  - b. The likely effects of an application on employment, the local economy and regeneration within the authority's area,
  - c. Whether, and the extent to which, the benefits offered are pursuant to an agreement under paragraph 5(3)(b) of Schedule 9 or otherwise.
- 2.18 In line with paragraph 3.3 of the Code of Practice, in determining the principles the council intend to apply at Stage 2, it disregarded the existence of any contract, arrangement or other relationship already in place; and will
- put in place arrangements to ensure that any such contract, arrangement or other relationship does not, actually or apparently, prejudice its ability to conduct the procedure fairly; and will
  - prepare a register of interests disclosing their interest in any contract, arrangement or other relationship with an applicant or a person connected or associated with an applicant.

### **3. Principles**

- 3.1 At stage 2 the applicant will be required to state and demonstrate the benefit that they can bring to Leeds metropolitan area.
- 3.2 The council will seek to determine the greatest benefit through the following principles:

**Financial**      To seek to maximise the financial return to the council.

**Social** To use any financial return accrued to facilitate the delivery of programmes and projects that support the Council’s social and economic inclusion agenda, for the benefit of the Leeds metropolitan area.

**Economic** To secure a positive and significant economic impact for the local economy through the provision of a Large Casino in Leeds.

#### **4. Evaluation Criteria**

4.1 The council will publish a detailed evaluation methodology, which includes the information applicants are required to supply in order to support their application, and the weight that will be placed on each criterion. This evaluation methodology will be included in the application pack.

4.2 Applicants should carefully examine the evaluation methodology and tailor their application accordingly to ensure that they maximise benefits in accordance with this methodology.

4.3 In line with paragraph 5.7.4 of the Code of Practice, and the principles stated at 16.37 of this policy, the council has selected the following criteria which they will use to evaluate and score applications:

|                                |  |
|--------------------------------|--|
| <b>Financial Contribution</b>  | This criterion relates to 16.33a and the first and second principles |
| <b>Socio-economic</b>          | This criterion relates to 16.33b and the second and third principles |
| <b>Risk and deliverability</b> | This criterion relates to 16.33c and all three principles            |

#### **Financial Contribution**

4.4 The council is seeking to identify and quantify the level of financial contribution that could be secured for the Leeds metropolitan area. It is expected that the contribution will comprise a mixture of annual payments received from the applicant and a lump sum payable upon signing of any agreements and on specified dates and/or events thereafter.

4.5 The financial contribution will be used by the council to establish and maintain the council administered Social Inclusion Fund (SIF) which will facilitate the delivery of programmes and projects that support the council’s social and economic inclusion agenda, for the benefit of the Leeds metropolitan area.

4.6 The financial contribution will be evaluated in terms of its ability to fund a credible and sustainable SIF. As such a mixture of upfront and annual payments is required.

4.7 The scoring of financial contributions will be weighted as follows:

| 1.0 | 1.0 Financial Contribution  | 33% |
|-----|---|-----|
| 1.1 | Net Present Value of total financial offer  |     |
| 1.2 | Upfront capital payment paid to the council on completion of the Schedule 9 Agreement |     |
| 1.3 | Net Present Value of annual cash sum offer  |     |
| 1.4 | Credibility of financial assumptions and offer  |     |

4.8 Further detail including the information required, its format and how the submission will be evaluated can be found in the evaluation methodology included in the stage 2 application pack.

### Socio-economic

4.9 The council is seeking to identify and quantify the level of expected net socio-economic benefits that could be secured for the Leeds metropolitan area based on the projected gross levels applicants believe their proposals will generate.

4.10 The council will expect to see that the applicant has tailored its proposals specifically to the requirements of Leeds through research and detailed assessment of the physical, social and economic position as outlined in its vision documents. These documents will be made available in the stage 2 application pack.

4.11 Applicants should have regard to the proposed location of the premises, with regard to meeting the licensing objective which seeks to protect children and vulnerable people from being harmed or exploited by gambling. Applicants will be asked to provide information related to the area in which their proposed development is situated in their strategy and vision documents.

4.12 Applicants will be asked to provide information on how their development will impact on employment and training, including amongst others, graduate training, NEETs and vocational qualifications as well as opportunities for Leeds businesses and the local supply chain.

4.13 Applicants must demonstrate a firm commitment to mitigation of negative impacts and ensuring residents' safety and health is not put at risk by the large casino. In particular, attention should be focussed on mitigation for the most vulnerable in society and for those living closest to the proposed casino and applicants must ensure that problem gambling issues do not increase in the Leeds area. Applicants must provide an assessment of the social, equality and health impacts of their proposed casino developments and provide mitigation plans to minimise and eliminate negative impacts. Applicants should also commit to supporting the ongoing monitoring of negative social, equality and health impacts of the large casino and make contractual commitments in the schedule 9 agreement on all mitigation measures proposed.

4.14 The scoring of the socio-economic benefits will be weighted as follows:

|   |            |
|---|------------|
| <b>2.0 Socio-economic</b>   | <b>34%</b> |
| 2.1 Strategy and vision for proposed development                          |            |
| 2.2 Economic Benefits (Gross):  |            |
| - Net contribution to local economy (including direct employment and GVA) |            |
| - Credibility of economic assumptions                                     |            |
| 2.3 Net social impacts  |            |

4.15 Further detail including the information required, its format, data requirements and how the submission will be evaluated can be found in the evaluation methodology included in the stage 2 application pack.

### Risk and deliverability

4.16 At stage 2 the council will assess the risk and deliverability of the proposed scheme. In particular the council will wish to consider what legal and financial assurances there are that the proposed development will be delivered within 5 years, and that the promised benefits will both materialise and be maintained. Firm evidence is required that all benefits and development proposed can be funded and a contractual obligation with penalties for non-delivery is required.

4.17 The application pack will include a template agreement under paragraph 5(3)(b) of Schedule 9 to the 2005 Act ('a schedule 9 agreement'). Such an agreement will be negotiated with the applicants during the stage 2 evaluation process. This agreement will include a list of the benefits proposed, along with delivery targets and details of the penalties for non-delivery. Applications where the benefits, including delivery of the development itself, are made subject of contractual obligation and where the applicant provides damages for non-delivery are likely to receive greater weight in the evaluation process.

4.18 The council is aware that the casino application may form part of a wider development proposal or be a new development. A casino development with firm contractual commitment to be fully operational within a 5 year timescale with proof of funding and with meaningful payment proposed for late or non-delivery will score more highly than a casino development that is not supported by a contractual commitment and/or meaningful payments for late or non-delivery and/or proof of funding. Any part of a wider development proposal which is not directly required for the delivery of the casino will score more highly if the applicant commits to completing the wider development within a 5 year timescale, proposes meaningful payment for late or non-delivery and provides proof of funding. These commitments will be contained within the schedule 9 agreement and the five year timescale will start from the signing of the schedule 9 agreement. Applicants must demonstrate that all development proposals are credible.

4.19 The scoring of risk and deliverability will be weighted as follows:

|   |            |
|---|------------|
| <b>3.0 Risk and deliverability</b>          | <b>33%</b> |
| 3.1 Contents of the Schedule 9 Agreement    |            |
| 3.2 Deliverability:                         |            |
| - Financing                                 |            |
| - Financial Standing                        |            |
| - Right to occupy the site/premises         |            |
| - Credibility of approach to implementation |            |

4.20 Further detail including the information required, its format and how the submission will be evaluated can be found in the evaluation methodology included in the stage 2 application pack along with a template schedule 9 agreement.

**Produced by  
Entertainment Licensing  
Leeds City Council  
Civic Hall  
Leeds  
LS1 1UR**

## Equality, Diversity, Cohesion and Integration Screening

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being/has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

|  |  |
|--|--|
| <b>Directorate:</b> Citizens and Communities | <b>Service area:</b> Entertainment Licensing |
| <b>Lead person:</b> Susan Duckworth          | <b>Contact number:</b> 0113 395 1863         |

### 1. Title:

Is this a:

**Strategy / Policy**

**Service / Function**

**Other**

**If other, please specify**

### 2. Please provide a brief description of what you are screening

Under Section 349 of the Gambling Act 2005 the Licensing Authority is required to prepare a statement of principles that they propose to apply in exercising their functions under this Act. This process is to be repeated every three years from 31<sup>st</sup> January 2007.

The consultation process is laid out clearly in the Gambling Act 2005, the Gambling Act 2005 (Licensing Authority Policy Statement)(England and Wales) Regulations 2006 and the Guidance to Licensing Authorities issued by the Gambling Commission ([www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)).

### 3. Relevance to equality, diversity, cohesion and integration

All the council's strategies/policies, services/functions affect service users, employees or the wider community – city wide or more local. These will also have a greater/lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation. Also those areas that impact on or relate to equality: tackling poverty and improving health and well-being.

| Questions   | Yes | No |
|---|-----|----|
| Is there an existing or likely differential impact for the different equality characteristics?  |     | X  |
| Have there been or likely to be any public concerns about the policy or proposal?   | X   |    |
| Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?   |     | X  |
| Could the proposal affect our workforce or employment practices?  |     | X  |
| Does the proposal involve or will it have an impact on <ul style="list-style-type: none"> <li>• Eliminating unlawful discrimination, victimisation and harassment</li> <li>• Advancing equality of opportunity</li> <li>• Fostering good relations</li> </ul> |     | X  |

If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

### 4. Considering the impact on equality, diversity, cohesion and integration

If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.

Please provide specific details for all three areas below (use the prompts for guidance).

- **How have you considered equality, diversity, cohesion and integration?** (think about the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)

The concerns relate to gambling and vulnerable people. Vulnerable is defined in the policy as:

*The Gambling Commission, in its Guidance to Local Authorities, does not seek to offer a definition for the term “vulnerable people” but will, for regulatory purposes assume that this group includes people:*

*“who gamble more than they want to, people who gamble beyond their means, elderly persons, and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, or because of the influence of alcohol or drugs.”*

*The Department of Health document “No Secrets” offers a definition of a vulnerable adult as a person:*

*“who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.”*

Vulnerable people, especially the elderly, people with disabilities, people who are ill can be considered at protected characteristics and have been forefront when reviewing the policy.

- **Key findings**

**(think about** any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)

The impact on vulnerable people specifically relates to gambling premises which are embedded within the community such as betting shops and adult gaming centres. Betting shops in particular are plentiful and on every high street. They also have fixed odds betting terminals which are considered to be highly addictive gaming machines, offering casino style games. The increase in the availability of these machines is of concern nationally. Additional requirements under the Gambling Commission’s Licence Conditions and Codes of Practice (LCCP) seek to address risks to vulnerable people.

- **Actions**

**(think about** how you will promote positive impact and remove/ reduce negative impact)

This is the fifth review of the Gambling Act 2005 Statement of Licensing Policy. At this review the council does not seek to remove any of the protections included in other versions of the policy. It does seek to include additional requirements and suggested measures for licence applicants to consider when completing the local area risk assessment and making their application. These measures specifically address concerns for vulnerable people.

**5. If you are **not** already considering the impact on equality, diversity, cohesion and integration you **will need to carry out an impact assessment.****

Date to scope and plan your impact assessment:

Date to complete your impact assessment

Lead person for your impact assessment  
(Include name and job title)

**6. Governance, ownership and approval**

Please state here who has approved the actions and outcomes of the screening

| <b>Name</b>                     | <b>Job title</b>                        | <b>Date</b>               |
|---------------------------------|---|---------------------------|
| Nicola Raper                    | Section Head<br>Entertainment Licensing | 9 <sup>th</sup> June 2021 |
| <b>Date screening completed</b> |   | 9 <sup>th</sup> June 2021 |

**7. Publishing**

Though **all** key decisions are required to give due regard to equality the council **only** publishes those related to **Executive Board, Full Council, Key Delegated Decisions** or a **Significant Operational Decision**.

A copy of this equality screening should be attached as an appendix to the decision making report:

- Governance Services will publish those relating to Executive Board and Full Council.
- The appropriate directorate will publish those relating to Delegated Decisions and Significant Operational Decisions.
- A copy of all other equality screenings that are not to be published should be sent to [equalityteam@leeds.gov.uk](mailto:equalityteam@leeds.gov.uk) for record.

Complete the appropriate section below with the date the report and attached screening was sent:

|   |                                      |
|---|--------------------------------------|
| For Executive Board or Full Council – sent to<br><b>Governance Services</b>                                 | Date sent: 9 <sup>th</sup> June 2021 |
| For Delegated Decisions or Significant<br>Operational Decisions – sent to appropriate<br><b>Directorate</b> | Date sent:                           |
| All other decisions – sent to<br><a href="mailto:equalityteam@leeds.gov.uk">equalityteam@leeds.gov.uk</a>   | Date sent:                           |

## Amendments to Constitution – Best City Ambition

Date: 10 November 2021

Report of: Chief Officer Strategy and Improvement

Report to: Full Council

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

### What is this report about?

#### Including how it contributes to the city and council ambitions

- This report sets out the recommendations of General Purposes Committee in relation to proposed amendments to Part 2, Article 4.1 (ii) of the council's constitution to specify the Best City Ambition as part of the Budget and Policy Framework.
- On 25 October 2021 GPC resolved to recommend the above amendments to Full Council, following a resolution of the Executive Board made on 20 October to agree in principle to replace the Best Council Plan with a more externally facing Best City Ambition.
- The Best City Ambition, which is currently in development, is scheduled to be received by Full Council for consideration in February 2022. Should Full Council resolve to adopt the Best City Ambition, the City Solicitor will at that stage make further amendments to the Budget and Policy Framework to remove the Best Council Plan.

### Recommendations

Full Council is recommended to:

- a) Accept the recommendations of General Purposes Committee to make the amendments set out in Appendix 1 to the Budget and Policy Framework in Part 2, Article 4.1 (ii) of the council's constitution.
- b) Agree to receive a further report in February 2022 detailing the full proposals for the adoption of the Best City Ambition.

## Why is the proposal being put forward?

- 1 Amendments are proposed to Part 2, Article 4.1 (ii) of the council's constitution as set out in Appendix 1 as tracked changes. The amendments would insert the Best City Ambition as a plan included within the council's Budget and Policy Framework (B&PF).
- 2 These amendments are a recommendation of General Purposes Committee (GPC) following the resolution of Executive Board that the Best Council Plan (BCP) should be replaced by a more outward-looking and partnership focused Best City Ambition. They are required as the council has previously determined, in accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, that the BCP was of such significance that it should be included within the B&PF and be subject to adoption by Full Council. It is intended that the same determination be made of the Best City Ambition.
- 3 Proposals to amend the B&PF are a matter for Full Council following consideration by GPC.

## What impact will this proposal have?

**Wards affected:** All

Have ward members been consulted?  Yes  No

- 4 The recommendations of this report will ensure the council's constitution remains up-to-date and ensure the Best City Ambition is subject to the same procedures at the BCP before it. Following adoption of the Best City Ambition, the reference to the BCP will be deleted from the B&PF. This can be undertaken by the City Solicitor pursuant to delegated authority.
- 5 Subject to approval of the recommendations of this report, the Best City Ambition will be prepared in accordance with the B&PF Procedure Rules, which includes referral of the draft Best City Ambition to Scrutiny and public consultation.
- 6 More broadly, the adoption of a Best City Ambition will add value to the work the council and partners are doing in the city – helping to bring agendas together, maximise the impact of limited resources through effective alignment between partners, and build momentum behind shared priorities. It is not intended to be a detailed delivery plan which duplicates what is in place elsewhere, nor simply an additional level of visions and priorities which are not anchored in work on the ground. Instead, the Ambition will provide a clear direction of travel, a high-level strategic intent, shared by the council and its key partners and around which people and organisations can come together with everyone playing their part in achieving the city's ambitions.
- 7 There are several key areas the adoption of the Best City Ambition can deliver a positive impact.
  - a) **Advancing the Three Pillars approach** – to better articulate the complex and inter-related nature of these three key agendas and how they affect the lives of people in Leeds. Increasingly agencies and organisations in the city are recognising the need to tackle wider determinants in achieving their core ambitions, whether that be the impact of education on health, or of housing on crime. The Ambition can help to communicate this approach and support everyone to understand the part they can play in the city overall, alongside their more specific individual and organisational aims.
  - b) **Priority setting at a 'place' level** – recognising that across Leeds there are hugely diverse communities with complex identities, strengths and needs. Focusing on the city means understanding this and reflecting it in the Ambition. Continuing and further developing efforts to embrace the locality working approach will be a key enabler in this respect, connecting services to geographical as well as population-based communities.

- c) **Embedding strength-based and asset-based approaches across all priorities** – recognising the hugely important role that individuals and communities already play in the success and resilience of the city and considering how we can continue to empower people to maintain independence and support one another, while making the best use of the assets we have across partners in driving forward shared ambitions. Leeds benefits from examples of national best practice in this space, and the Ambition provides an opportunity to take that learning and set out how the principles behind it can apply across the range of what the council and partners do. Naturally these efforts will be central to the future relationship between the council, other anchor organisations, voluntary and community organisations in the city, and the public.
- d) **Building on the Anchors partnership** – further embedding the importance of anchor organisations – both city wide and community-based – coming together to harness their collective strength in pursuit of shared city ambitions. Within this there continue to be opportunities to make the ‘Leeds Pound’ work harder for the city, both in terms of keeping money in the local economy and investing in local people through skills development, employment opportunities etc.
- e) **Establishing clear commitments to the city** – taking account of the levers and resources already within the city’s control, the Ambition should set out clearly what the council and partners are committed to delivering, irrespective of external factors, in line with key agendas. Alongside this, it should also include more aspirational ambitions and the specific asks of Government and others which would be required to deliver on them. This approach will create a strong foundation to bid for additional funding and investment, demonstrating the wider vision funded projects would be part of and the impact they could have.
- f) **Positioning the city to attract investment** – linked to e) above, a shared statement of the city’s ambitions which is clear about the ability to act now and also about what more is required to go further will put the city in a strong position to take advantage of funding streams as they become available. It will be important to consider this in a regional as well as national context, given the progress now made on West Yorkshire devolution.
- g) **Simplifying the message** – the Ambition offers the chance to communicate the headline vision and ambitions for Leeds more clearly to citizens, wider partners, potential investors, Government, and others. Through development of the Ambition, more innovative ways to achieve this will be considered including the potential of mission-based approaches. Adopting a shorter, sharper Ambition will better equip elected members, colleagues and partners to advocate for the city over the coming years.
- h) **Improving measures of impact** – through the adoption of the Social Progress Index (SPI) as the key measurement tool underpinning the Ambition. The SPI will help us to understand the difference the council and partners are making over the long term through a more deliberate examination of key strategic indicators – considering the basic needs of the Leeds population, the foundations of wellbeing, and opportunity for everyone. A Leeds version of the index is currently in development, working with the Social Progress Imperative, which will include metrics relevant to the city and our shared ambitions.

### **What consultation and engagement has taken place?**

- 8 The recommendations in this report are made following consideration by GPC at the request of Executive Board.
- 9 A wider range of consultation and engagement has taken place, with more planned, about the move towards a Best City Ambition more generally. This has included consulting with ward members through community committees. Further detail on this engagement will be contained within the February 2022 report proposed in the recommendations.

### **What are the resource implications?**

10 There are no direct resource implications arising from this report.

### **What are the legal implications?**

11 Paragraphs 2-5 detail the legal and good governance reasons for the recommendations in this report.

### **What are the key risks and how are they being managed?**

12 There are no risk implications arising from this report.

### **Does this proposal support the council's three Key Pillars?**

Inclusive Growth       Health and Wellbeing       Climate Emergency

13 The Best City Ambition will support all three of the key pillars, developing the way they are embedded into the council's and city's strategic ambitions.

14 Recognising the inter-related nature of these three agendas is increasingly important in making the progress the council and partners wish to see, so strengthening these connections with the citizen at the centre is a primary driver of this proposal.

### **Options, timescales and measuring success**

#### **What other options were considered?**

15 Not adding the Best City Ambition to the council's Budget and Policy Framework was considered, but as it will act as a replacement for the Best Council Plan this option was discounted as it would not promote good governance.

#### **How will success be measured?**

16 The recommendations of this report will enable the Best City Ambition and associated governance requirements to progress. The Best City Ambition will be added to the Budget and Policy Framework upon Full Council's approval of the amendments in Appendix 1.

#### **What is the timetable for implementation?**

17 Should Full Council agree the recommendations of this report, the Best City Ambition will be prepared in accordance with the B&PF Procedure Rules. The next step will see Executive Board receive initial proposals in December 2021. Should progress continue as intended, including following consideration by Scrutiny and public consultation, Full Council will receive the Best City Ambition in full in February 2022 for consideration.

### **Appendices**

Appendix 1 – proposed amendments to the constitution.

### **Background papers**

None.

## ARTICLE 4 – THE FULL COUNCIL

### 4.1 MEANINGS

#### • Policy Framework

The Policy Framework means the following plans and strategies:

(i) those required by the Local Authorities (Functions and Responsibilities) (England) 2000 to be adopted by the Council<sup>1</sup>:

- Safer Leeds Strategy<sup>2</sup>
- Development plan documents<sup>3</sup>
- Licensing Authority Policy Statement<sup>4</sup>
- Plans and alterations which together comprise the Development Plan
- Vision for Leeds<sup>5</sup>
- Youth Justice Plan<sup>6</sup>

(ii) other plans and strategies adopted [or to be adopted](#) by the Council<sup>7</sup>:

- [Best City Ambition](#)
- Best Council Plan
- Children and Young Peoples Plan
- Local Flood Risk Management Strategy<sup>8</sup>

Additional plans and strategies may be approved or adopted as part of the Policy Framework from time to time.

#### • Budget

The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, the Council Tax base, setting the Council Tax and decisions relating to the control of the Council's borrowing requirement, the control of its capital expenditure and setting of virement limits.

#### • Housing Land Transfer

Housing Land Transfer means the approval or adoption of applications (whether in draft form or not) to the Secretary of State to dispose of land used for residential

<sup>1</sup> The 2000 Regulations specify that the council's annual library plan needs to be part of this framework. The council is not however currently required to produce a library plan.

<sup>2</sup> This fulfils the requirement to produce a Crime and Disorder Reduction Strategy

<sup>3</sup> Section 15 Planning and Compulsory Purchase Act 2004

<sup>4</sup> This is the policy statement under the Gambling Act 2005.

<sup>5</sup> This is the authority's Sustainable Community Strategy, which is prepared and modified under Section 4 Local Government Act 2000.

<sup>6</sup> Section 40 Crime and Disorder Act 1998

<sup>7</sup> In accordance with Schedule 4 of the Regulations

<sup>8</sup> Section 9 Flood and Water Management Act 2010

## *Article 4 – The Full Council*

purposes where approval is required under sections 32 or 43 of the Housing Act 1985.

### **4.2 FUNCTIONS OF THE FULL COUNCIL**

Only the Council will exercise the following functions:

- adopting and changing the Constitution<sup>9</sup>;
- appointing the Leader;
- all local choice functions set out in Part 3 of this Constitution which the Council decides should be undertaken by itself rather than the Executive, except where those functions have been delegated by the Council;
- all those functions of the full Council set out in Section 2A of Part 3 of the Constitution; and
- all other matters which, by law, must be reserved to the Council.

### **4.3 COUNCIL MEETINGS**

There are three types of Council meeting:

- The annual meeting
- Ordinary meetings
- Extraordinary meetings

and they will be conducted in accordance with the Council Procedure Rules in Part 4 of this Constitution.

### **4.4 RESPONSIBILITY FOR FUNCTIONS**

The Council will maintain the documents in Part 3 of this Constitution setting out the responsibilities for the Council's functions which are not the responsibility of the Executive.

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<sup>9</sup> Except as provided for by Article 15.2

## Appointments

Date: 10<sup>th</sup> November 2021

Report of: City Solicitor

Report to: Council

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

### **What is this report about?**

#### **Including how it contributes to the city's and council's ambitions**

- 1 This report seeks to appoint to the position of Inner East Community Committee Chair and Members of the Inner East Community Committee are asked to make an appointment to that position.

### **Recommendations**

Members of the Inner East Community Committee present at the Council meeting are asked to consider the appointment of Councillor Arif Hussain to the position of Inner East Community Committee Chair.

### Why is the proposal being put forward?

- 2 The appointed Chair of the Inner East Community Committee Chair is standing down from the position and in accordance with Community Committee Procedure Rule (CCPR) 2.2 the relevant group whip has put forward a nomination (Councillor Arif Hussain) from amongst Members on the Community Committee to Chair the Inner East Community Committee.
- 3 In accordance with CCPR 2.4 as the nomination for the chair of the Community Committee is unopposed, the Member presiding at the meeting (the Lord Mayor) will invite those Members of the Community Committee eligible to do so and present at the Council meeting to elect that nominee.

### What impact will this proposal have?

#### Wards affected:

Have ward members been consulted?  Yes  No

- 1 The appointment will ensure the Committee has a chair in place prior to its next meeting.

### What consultation and engagement has taken place?

- 2 The relevant Group Whip was consulted regarding this report.

### What are the resource implications?

- 3 There are no specific resource implications associated with this report.

### What are the legal implications?

- 4 There are no specific legal implications associated with this report.

### What are the key risks and how are they being managed?

- 5 The key risk would be incomplete representation on Committees, Boards and Panels. The risk is being managed by the appointment(s) in this report.

### Does this proposal support the council's three Key Pillars?

Inclusive Growth  Health and Wellbeing  Climate Emergency

- 6 Fully operational and quorate Committees, Boards and Panels and representation on external bodies are in line with the Council's Policies and the priorities.

### Options, timescales and measuring success

#### What other options were considered?

- 7 None, it is usual practice to appoint to vacancies as soon as possible.

#### How will success be measured?

- 8 Not applicable.

**What is the timetable for implementation?**

9 The implementation of the decision would be immediately after the decision is made.

**Appendices**

10 None

**Background papers**

11 None

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## Changes to Executive Arrangements

Date: 10 November 2021

Report of: City Solicitor

Report to: Full Council

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

### What is this report about?

#### Including how it contributes to the city's and council's ambitions

- On 20<sup>th</sup> May the Leader confirmed his Executive Arrangements for the 2021/22 Municipal Year.
- The Leader has made amendments to those arrangements and is therefore now required to present details of the altered arrangements to Council in accordance with Rule 1.3 of the Executive and Decision Making Procedure Rules.
- Amendments have been made to Part Section 3B(c) Deputy Support to Executive Members at the Leader's discretion.

### Recommendations

Council is asked to note that the Leader has

- a) made an amendment to Part 3 Section 3B(c) Deputy Support to Executive Members with effect from the 2<sup>nd</sup> November 2021 and the arrangement are now shown at Appendix A attached.

### Why is the proposal being put forward?

- 1 The leader has changed Part 3 Section 3B(c) of his Executive Arrangements.

### What impact will this proposal have?

**Wards affected: None**

Have ward members been consulted?  Yes  No

- 2 None

### What consultation and engagement has taken place?

3 The relevant affected members have been consulted

**What are the resource implications?**

4 There are no resource implications

**What are the legal implications?**

5 This report satisfies the constitution requirement that the Leader present amendments to his executive arrangements to the next ordinary meeting of Council.

**What are the key risks and how are they being managed?**

6 There are no implications for this report

**Does this proposal support the council's three Key Pillars?**

Inclusive Growth       Health and Wellbeing       Climate Emergency

7 By having appropriate support to Executive members this will support the councils three Key Pillars

**Options, timescales and measuring success**

**What other options were considered?**

8 N/A

**How will success be measured?**

9

**What is the timetable for implementation?**

10 The amendments were effective on the 2<sup>nd</sup> November 2021.

**Appendices**

11 Appendix A Part 3 Section 3B(c) Deputy Support to Executive Members.

**Background papers**

12 There are none.

**SECTION 3B(c): SUPPORT TO EXECUTIVE MEMBERS**

The following Members are appointed to assist the Executive Members in their roles and responsibilities

**DEPUTY EXECUTIVE MEMBERS**

Councillor Sharon Hamilton

Councillor Peter Carlill

Councillor Al Garthwaite

Councillor Alice Smart

Councillor Denise Ragan

Councillor David Jenkins

Councillor Kayleigh Brooks

Councillor Jane Dowson

**SUPPORT EXECUTIVE MEMBERS**

Councillor Elizabeth Nash

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## Plans Panel and development Plan Panel Annual Report, 2020-21

Date: 10 November 2021

Report of: Chief Planning Officer

Report to: Full Council

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

### What is this report about?

#### Including how it contributes to the city's and council's ambitions

- The Annual Report, covering the period 2020-21 is attached as Appendix 1 to this report
- The report describes the work of the three Plans Panels and Development Plan Panel, within the context of the terms of reference for each Panel. The report provides information on activity, workloads, delivery of key schemes and projects and considers the contribution of the Panels in taking forward service improvements.
- The work of the Plans Panels and Development Plans Panel are key in the delivery of Best City Priorities, either directly or indirectly through the delivery of high quality homes, employment land (inclusive growth), health and wellbeing, responding to the Climate Emergency and through sustainable place-making, to deliver safe, strong communities.

### Recommendations

- a) Council is asked to receive and note the Annual Report.

### Why is the proposal being put forward?

- 1 Following changes to Council Procedure Rules agreed by full Council in May 2016, an Annual Report reporting the work of Plans Panels (one report to jointly cover the Panels) for the consideration of full Council. This Annual Report covers the period 2020-21.

### What impact will this proposal have?

**Wards affected:**

Have ward members been consulted?  Yes  No

### What consultation and engagement has taken place?

- 2 The Executive Member for Infrastructure and Climate, the three Plans Panel Chairs and Development Plan Panel Chair have been consulted on this report. This report is presented for information and comment.

### **What are the resource implications?**

- 3 This report has no specific resource implications.

### **What are the legal implications?**

- 4 This report has no specific legal implications.

### **What are the key risks and how are they being managed?**

- 5 The Plans Panels and Development Plan Panel operate within formal Terms of Reference and other protocols as set out in the Council's Constitution, therefore there are no specific risks identified.

### **Does this proposal support the council's three Key Pillars?**

Inclusive Growth       Health and Wellbeing       Climate Emergency

- 6 The work of the Plans Panels and Development Plan Panel in delivering planning permissions for social housing and assisted living accommodation as well as delivering permissions for new schools, supports the Council to meet its ambitions. Through the Section 106 legal agreement process, employment opportunities for local people can be delivered. The planning process is closely tied with the health and wellbeing and climate change agendas through the implementation of the policies in the Core Strategy and the role of the Development Plan Panel is key in policy development. Through the Local Plan Update, as a priority policies to tackle the scale and urgency of the Climate Emergency are being updated and refreshed.

## **Options, timescales and measuring success**

### **What other options were considered?**

- 7 Not applicable

### **How will success be measured?**

- 8 There is ongoing monitoring of systems and processes as well as an annual review of the Panels terms of reference to ensure they remain fit for purpose and are robust.

### **What is the timetable for implementation?**

- 9 Not applicable

## **Appendices**

- 10 Plans Panel and Development Plan Panel Annual Report, 2020-21

## **Background papers**

- 11



# Plans Panels and Development Plan Panel Annual Report 2020-21



# Introduction

Welcome to the fifth annual report describing the work of the Leeds City Council Plans Panels and Development Plan Panel during 2020-21. This report provides the opportunity to highlight and review last year's activity and describe some of the key achievements in helping deliver the Best City ambitions for Leeds, in what has been an unprecedented year. As well as reflecting on the reporting period, the Annual Report also looks ahead to 2021-22 and describe some of the key challenges coming forward.

The most dominating feature of course has been the COVID19 pandemic. This has seen social and economic impacts all over the country and for the City Council overall. At a service level, it has meant that Planning and Sustainable Development has had to respond to the challenging environment, developing a new ways of working in order to continue delivering the service. This has been key in supporting business continuity and economic growth, creating certainty in the planning process and maintaining continued involvement in planning by local communities.

A significant pillar of this approach was the move to holding remote Plans Panel meetings, once legislation allowed. The service responded at pace and with cross party consensus, delivering a governance and practical framework for dealing with planning applications through this medium. The focus of these meetings was to replicate the protocols of 'face to face' Panel meetings as closely as practicable and the first remote Plans Panel meeting, City Panel, took place on 21 May 2020. In accordance with the Chief Planning Officer's Delegation Scheme and the role and remit of the Plans Panels, applications which met the "Exceptions" in the Chief Planning Officers Delegation Scheme continued to be determined thus providing a focus on the most sensitive and significant applications, allowing for the allocation of officer and member resources and time appropriately. Officers and members worked collaboratively to find solutions to issues which would otherwise have resulted in a Member requesting an application being referred to Panel for determination, allowing them to be determined under delegated authority. This worked successfully and kept applications flowing through the system and is a testament to members and officers working together to deliver high quality outcomes.

Similarly, the work of the Development Plan Panel (DPP) continued despite the pandemic and was characterised by reaching the first statutory consultation stage of a Local Plan Update focussed on the planning system's response to the Climate Emergency.

DPP was also heavily involved in shaping the Council's responses to various Government consultations on the planning system; both for the Planning White Paper and immediate changes to the NPPF that happened. The Council's response to Government was broadly welcoming of change provided that it kept people at the heart of the process, prioritised tackling the climate emergency, created more certainty for people and investors in Leeds and resulted in good quality design and place-making (something that the Council

considered was lacking from the Government's measures, which in its view were overly focussed on beauty).

Much work was involved responding to the High Court challenge to the Site Allocations Plan (SAP) made in 2020. A subsequent High Court Order (August 2020) was issued requiring that 37 sites (including one mixed use allocation) which immediately before the adoption of the SAP were in the green belt, be treated as not adopted and be referred back to the Secretary of State for further examination by the Planning Inspectorate, against up-to-date evidence and national and local policy. The Examination in Public was held virtually (and successfully) during September 2021. The Council awaits the Inspector's views.

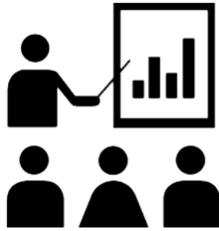
Finally, DPP steered the drafting of a Supplementary Planning Document on improving the quality of Homes in Multiple Occupation and Purpose Built Student Accommodation, building on the Council's adopted space standards policy. This will be subject to further consultation next year.

In conclusion, a not easy year but one which showed the strength of the Local Planning Authority and of Leeds as a Council. where elected members and council officers work collaboratively and positively to help deliver this Council's ambitions. I would like to express my thanks in particular to members of the Plans Panel and Development Plan Panel and Council Officers involved in the planning process for enabling good inclusive growth to continue through the challenging period.



**Councillor Helen Hayden**  
**Executive Member for Infrastructure and Climate**

# Plans Panel activity 2020-21



27 Plans Panel meetings and 7 Development Plan meetings held throughout the year



Plans Panel considered 51 applications



Three decisions appealed: 1 in progress, 1 allowed, 1 dismissed



5 pre-application presentations and position statements (including for the former Debenhams site) and Masterplan and Planning Brief for Eastgate Quarter



Plans Panels determined 17 residential schemes



Granted permission for around 1,500 new homes



Applications determined by the Plans Panels will generate over £2.4m in Community Infrastructure Levy

# Significant schemes considered by the Plans Panels

The Plans Panel determine those schemes not delegated to the Chief Planning Officer. As such they usually relate to the largest and more sensitive developments. The role of the Panel can be challenging, balancing the needs of the applicant and those of the city, delivering the inclusive growth needed, whilst still taking account of local communities and making robust decisions in the context of adopted local and national policy.

A selection of schemes considered by the Panels are detailed below:

## Land at White Hall Road and Globe Road

Hybrid application for full and outline planning permission for the erection of new residential dwellings with ancillary commercial uses and landscaped public realm; outline



application for an associated 'hub' building in a flexible commercial use. The application was in two parts. Full permission was sought for 8 buildings with a total of 783 apartments and 3,000 square metres of ancillary, commercial and leisure space. Outline permission was sought for a standalone building ('The Hub') and 3,000 square metres of commercial and leisure space on the ground floors of these buildings, along with a co-working space for residents and

landscaped public squares and pedestrian only streets. The new buildings would occupy prominent but disused waterfront land along Globe Road and Whitehall Road, close to the Leeds & Liverpool Canal. The application went to City Panel in February 2021, where Panel deferred and delegated to the Chief Planning Officer for approval subject to draft conditions and the completion of a Section 106 agreement. An approval was subsequently granted in September 2021.

## Leeds Former Tetley Brewery Hunslet

Reserved Matters Application (RMA) following the grant of outline planning permission at the former Tetley Brewery site, at City Plans Plan in October 2017. The park area is divided into five-character areas: a. The Tetley Triangle – Event Space to the north-west of the Tetley – hard surfaced event space for concerts, markets, outdoor cinema, outdoor café space, approximately the size of half the paved area of Millennium Square b. The Tetley Triangle – The Green – to the west of the Tetley - grassed and stepped amphitheatre for

informal performance and sitting, a similar size to Merrion Gardens c. Theatre Gardens – north of Salem Chapel - modern ornamental and sensory garden for quiet enjoyment, which would be slightly larger than the Raingarden area at Sovereign Square. d.

The Central Park – east of the Tetley to Crown Point Road - including significant parkland including grassed areas and trees, water feature, play area and grassed mound. This includes a 'Flowering Avenue', which will feature springtime blossom from Cherry and other flowering fruit trees.

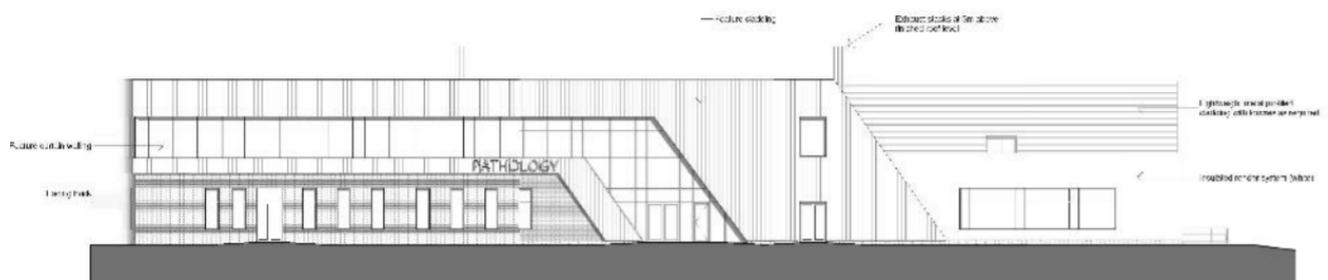


This central area would be slightly smaller than Lovell Park, but would be flat with the exception of a grassed mound at the eastern edge close to Crown Point Road. e. Link Ways – greened communal connectors between new building plots with 4m wide pathways and pocket park trees, swales, planting, benches and grassed areas. At City Plans Panel in September 2020 Councillors resolved to grant Approval of Reserved Matters, subject to confirming the list of tree species with the Hunslet and Riverside Ward Member; the list of tree species were later confirmed to be acceptable and permission was approved; development has commenced on site.

**Leeds Teaching Hospitals NHS Trust St James Hospital Beckett Street Outline application for the demolition of existing buildings to provide a new Pathology Facility including partial basement, new external waste compound, associated hard landscaping and access arrangements Caroline House, Diamond House Sheepscar Street South**

The scheme was submitted in outline to North and East Plans Panel in August 2020 which sought the demolition of existing vacant buildings to provide a new Pathology Facility. Only the means of access was being applied for in detail at this stage, indicative plans had been provided which suggest the likely accommodation needs will include a partial basement with two floors above providing circa 5661sqm of floorspace. Other requirements are a new external waste compound, associated hard landscaping and access arrangements.

Members resolved to defer and delegate to the Chief Planning Officer as set out in the summited report with additional guidance: a CAVAT assessment be undertaken in respect of



the oak tree and that it be retained as part of the detailed scheme; a green wall to be detailed within the landscaping condition; Review of parking requirements (with introduction of further off-site restrictions if required) and a direction added to ensure the development to be of good quality design and build. Approval was granted in November 2020 and construction is due to start later this year; the new facility is expected to be completed in the Spring of 2023.

### Caroline House, Diamond House Sheepscar Street South



105 Purpose Built Student Accommodation to accommodate 411 students, as well as cycle storage and car parking. The scheme also includes gallery and studio space to be managed by East Street Arts, with commissioned public artworks integrated into public and outdoor student areas. The development requires the demolition of

the existing Diamond House, Britannia House and Caroline House.

This application was brought to City Plans Panel in March 2021 following the resolution to defer and delegate the application to the Chief Planning Officer for approval at City Plans Panel in November 2020, subject to the reporting back to Panel of further details on the elevational treatment which would inform the conditional discharge phase of the scheme. At City Plans Panel on 11 March 2021, officers presented the revised elevational treatment and Members were of the view that the proposed changes were positive, resulting in an improved scheme. The Section 106 Agreement was completed and the application was granted consent in June 2021.

# Development Plan Panel

The main focus of activity for the Development Plan Panel this year has been on plan-making and responding to Government proposals to change the planning system. Several key areas of work have progressed as follows:

- Developing the proposed scope and supporting material for a Local Plan Update towards statutory (Regulation 18) consultation with a focus on addressing the climate emergency. The material for the LPU was shaped by DPP throughout 2020/21 and was tailored to address the Council's 3 pillars across carbon reduction, flood risk, green infrastructure, place-making and sustainable infrastructure.
- Public consultation on the LPU was necessarily focused on-line and involved developing a new and well-received package of measures aimed at reaching and engaging a wide audience with targeted consultation for young and older people as well as inner city groups.
- Following the High Court Challenge to the Site Allocations Plan (SAP), the SAP Remittal was a key focus for the Panel, through the consideration of up-to-date evidence to inform the approach to housing and employment allocations, and subsequently consulting on and agreeing main modifications to the Plan. The Examination in Public was held virtually (and successfully) during September 2021.
- DPP was also heavily involved in shaping the Council's responses to various Government consultations on the planning system. The Panel discussed and shaped the Council's response to the Planning White Paper; broadly welcoming some of the changes proposed but noting that it needed to keep people at the heart of the process, prioritize tackling the climate emergency, create more certainty for people and investors and deliver good quality design and place-making (something that the Council considered was lacking from the Government's measures, which in its view were overly focussed on beauty).
- There were several other proposed changes to the Planning System, which DPP considered, including First Homes, the standard method for calculating housing requirements, raising accessibility standards for new homes, changes to permitted development rights, the use classes order and the National Model Design Code. Panel were engaged with the responses to these consultations, where appropriate.
- Engagement on the preparation of the Homes in Multiple Occupation and Purpose Built Student Accommodation Amenity Standards Supplementary Planning Document, including developing the consultation draft.
- DPP also noted the sequencing of Local Plan Updates with a focus on policies for the climate emergency, nature emergency and health and well-being coming before other matters, which will be scoped during 2021/22.



# Reflecting on the year and looking ahead

The reporting year, 2020-21 has been a particularly challenging year, however the work of the Plans Panels and Development Plan Panel continued throughout the lockdown period, through the use of remote Panels and has ensured business continuity and certainty in the planning process for investors and local communities. Other activities have also taken place through this period:

## Joint Plans Panel

This is an informal meeting of members of the three formally appointed Plans Panels and Development Plan Panel. In the past this meeting has been treated as a formally constituted Council meeting, however it has no formal terms of reference. The original purpose of Joint Plans Panel as an informal service meeting was revisited and updated terms of reference have now been approved. This was undertaken in consultation with the Leader and the Executive Member for Infrastructure and Climate and the first meeting under these amended arrangements was held in August 2021.

## Member training

Part 2 Article 8.2.2 of the Council's Constitution, states that Members of the Plans Panels must complete all compulsory training prior to taking part on a Plan Panel.

All Plans Panel members and substitute Plans Panel members in 2020-21 have undertaken the prescribed compulsory training.

A programme of discretionary member training was produced for 2020-21. Two sessions were made available to all members of the Council as follows:

- Trees and the planning process, and
- Access and Inclusion in planning

Training materials have been made available on the Member Development SharePoint site.

The Council's Procedure Rules on Substitute Members of Plans Panel and Development Plan Panel were amended in 2020-21 to remove the automatic right to sit on Panel by Licencing Committee members as a substitute. This provides additional assurances around member training and planning decision making.

## Looking ahead

### Member training

A programme of remote training sessions for the forthcoming year have been scheduled, with a focus on the climate emergency, but also covering other significant topics. Events scheduled so far:

- Viability and housing
- Introduction to Climate emergency and Planning
- Green Infrastructure, Biodiversity and Trees
- Planning Enforcement
- Conservation in the planning process

## Planning Reform

The long-awaited response to the Planning White Paper has now been further delayed due to a change of Secretary of State and indications are that it will be a further 12 months before the consultation response to the White Paper is published. It is now speculated that many of the elements in the White Paper will be “watered down”, however there will still be changes which the service will need to respond to and the service is attempting to be proactive, particularly focussing on the Government’s digital agenda to enable greater participation in and understanding of the planning process; this will also flow through into the work of the Plans Panels through the use particularly of new technology such as 3D modelling. It is also noted that Neighbourhood Planning is proposed to remain a key element of the planning system and is one which the Council are national leaders on and there has been focus in the past year on seeking to expand the development of Neighbourhood Forums in the inner city areas.

## Digital improvements-VUCITY

The service has acquired VU CITY which is a piece of technology which provides a “digital twin” of areas of Leeds, representing the topography, build environment and natural features such as trees, accurate to 15cm. The software will be used by planning case officers and design officers to assess the real-life impacts of development proposals and on their surrounding environments. Case officers will be able to import or build a 3D model of proposals within VU CITY to test it in accurate context. Data layers can be incorporated into the model such as traffic, flood risk, conservation areas and so on, so that the spatial constraints of a proposal can be seen at a glance and in context. The software also allows for a ‘walk around’ at street level, or higher level views, and an ability to assess the impact at different times of the day or times of the year, assess zones of theoretical visibility and a host of other tools. In due course, for Plans Panels, it is proposed that for the largest of schemes, VU CITY models will become the norm as part of the officer presentation, providing members with an accurate representation of the proposal in its spatial context.

## Budget Challenge

The Development Management service and Strategic Planning Service reviews conducted in summer 2020 and instigated by the Council’s budget review highlighted a number of systems and process changes which the service needed to address to streamline the planning and decision making process and make it more efficient and cost effective. These changes are now being worked through and include a streamlined process for dealing with householder applications and discharge of conditions applications, increased use of self service, agreement of service standards for members, and further use of new and emerging

technologies to derive service efficiencies. This is critically important for the service to achieve these efficiencies as the increasing complexity of caseloads, backlog of applications and high numbers of applications.

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## Annual Report of Corporate Governance and Audit Committee

Date: 10<sup>TH</sup> November 2021

Report of: Chief Officer Financial Services

Report to: Full Council

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

### What is this report about?

#### Including how it contributes to the city's and council's ambitions

- Full Council is charged with governance of the local authority and has appointed Corporate Governance and Audit Committee to carry out functions in this regard.
- The attached Annual Report of Corporate Governance and Audit Committee demonstrates how the committee has discharged its responsibilities in accordance with best practice.

### Recommendations

- a) Members are requested to receive and consider the annual report reflecting the work of the Corporate Governance and Audit Committee in the 2020-21 municipal year

### Why is the proposal being put forward?

- 1 The Annual Report of the Corporate Governance and Audit Committee, attached to this report, reflects the work undertaken by the committee in the 2020/21 municipal year.

### What impact will this proposal have?

**Wards affected: None**

Have ward members been consulted?  Yes  No

- 2 The work undertaken by Corporate Governance and Audit Committee throughout the municipal year supports its assessment of the internal control and risk environment. This in turn will inform the committee's consideration and approval of the statutory Statement of Accounts and Annual Governance Statement for 2020-21.

### What consultation and engagement has taken place?

- 3 The Annual Report was compiled in consultation with and approved by Members of the Corporate Governance and Audit Committee in the 2020/21 municipal year.

### **What are the resource implications?**

- 4 The work undertaken by the committee provides assurance that the council's resources are used efficiently to deliver the council's strategic objectives.

### **What are the legal implications?**

- 5 S151 Local Government Act 1972 requires local authorities to "make arrangements for the proper administration of its financial affairs". The Accounts and Audit (England) Regulations 2015 provide that the local authority is responsible for ensuring "a sound system of internal control which facilitates the effective exercise of its functions and the achievement of its aims and objectives; ensures that the financial and operational management of the authority is effective and includes effective arrangements for the management of risk".
- 6 The work undertaken by the committee provides confirmation for full Council, as the body charged with governance, that arrangements in place are up to date, fit for purpose, communicated and embedded, monitored and routinely complied with.

### **What are the key risks and how are they being managed?**

- 7 The work undertaken by the committee provides assurance that there are arrangements in place for the management of risk which are appropriate, proportionate, monitored and effective.

### **Does this proposal support the council's three Key Pillars?**

Inclusive Growth       Health and Wellbeing       Climate Emergency

- 8 The work undertaken by the committee provides assurance that arrangements for internal control support the delivery of the council's strategic objectives.

### **Options, timescales and measuring success**

#### **What other options were considered?**

- 9 None.

#### **How will success be measured?**

- 10 The External Auditor is required to provide an opinion on the information published together with the audited financial statements (including the Annual Governance Statement and Narrative Report). The report of audit findings for the year ended 31<sup>st</sup> March 2020 records that no compliance issues were identified. The review identified two development opportunities which have been incorporated into the Annual Governance Statement prepared to accompany the Statement of Accounts for the year ended 31<sup>st</sup> March 2021.

#### **What is the timetable for implementation?**

- 11 The Annual Report reflects work undertaken in the 2020-21 municipal year.

### **Appendices**

- 12 Appendix 1 – Annual Report of Corporate Governance and Audit Committee 2020-21

### **Background papers**

- 13 None



# **Annual Report to Full Council**

## **Corporate Governance and Audit Committee**

**2020/21**

# Annual Report of the Corporate Governance and Audit Committee 2020/21

## Foreword by Councillor Andrew Scopes - Chair

I am delighted to introduce the annual report of Corporate Governance and Audit Committee, summarising the contribution we have made during the Municipal Year to the achievement of good governance and internal control within the Council.

All Members of the committee bring an independent and open mind to business of the committee and I thank them for the contributions they have made. The Committee has provided robust challenge and meaningful review of the Council's arrangements for risk, governance and audit.

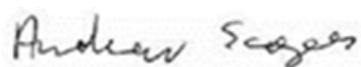
We have:

- Overseen the production of the Annual Governance Statement;
- Reviewed and approved the Council's statutory accounts;
- Received regular updates and formal reports from the Council's External Auditor;
- Ensured that assurance reports have been reviewed in detail on the key aspects of the Council's internal control arrangements, including democratic oversight, providing robust challenge to our arrangements and monitoring for areas in need of improvement; and
- Provided oversight to the Council's internal audit function, receiving regular updates on progress against the internal audit plan, including follow up in relation to limited assurance reviews.

The Committee continues to work hard with officers to understand and strengthen governance arrangements across the Council, and to ensure that risks are escalated appropriately. In addition, we provide robust challenge, for example in our work in relation to enforcement of planning control on council owned land.

During the year we have introduced a new approach to officer reporting, allowing the committee to focus on ensuring governance arrangements are robust, and that there is appropriate democratic oversight. In the new municipal year we will build on this: we will use best practice to carry out a self-review of the work of the Committee, enabling an even stronger contribution as we provide proactive challenge and support to our governance and risk arrangements looking forward, in addition to the established programme of review.

In addition to the work undertaken through our formal meeting cycle, a cross party panel of Members, drawn from the Committee, have undertaken the recruitment and selection of a non-voting independent member for the committee. I have pleasure in taking this opportunity to welcome Linda Wild to the committee as independent member.



Chair Corporate Governance and Audit Committee

## 1. INTRODUCTION

This annual report to full council demonstrates the importance the Council places on the authority's governance arrangements. The report on the work of the Council's Corporate Governance and Audit Committee demonstrates:

- How the Corporate Governance and Audit Committee has fulfilled its terms of reference;
- The extent to which arrangements comply with national guidance relating to audit committees;
- How the Corporate Governance and Audit Committee has contributed to strengthening risk management, internal control and governance arrangements.

Good governance is ultimately responsibility of Full Council as the governing body of Leeds City Council. This report provides additional assurance and underpins the Annual Governance Statement, which is approved by the committee, and is provided to all Members.

## 2. COMMITTEE INFORMATION

### Role of Corporate Governance and Audit Committee

The audit committee is appointed by Council to support the discharge of its functions in relation to good governance by providing a high-level focus on audit, assurance and reporting.

The Chartered Institute for Public Finance and Accountancy (CIPFA) defines the purpose of an audit committee as follows:

1. Audit committees are a key component of an authority's governance framework. Their function is to provide an independent and high-level resource to support good governance and strong public financial management.
2. The purpose of an audit committee is to provide to those charged with governance independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and annual governance processes.

*Audit Committees – Practical Guidance for Local Authorities and Police (2018)*

The Terms of Reference for the Corporate Governance and Audit Committee are reviewed regularly against current regulations, CIPFA guidance for audit committees and best practice in comparable authorities.

The core functions of the committee, reflected in its Terms of Reference, are to:

- Consider the Council's arrangements relating to the Accounts;
- Consider the Council's arrangements relating to external audit requirements;
- Review the adequacy of policies and practices to ensure compliance with statutory and other guidance;
- Review the adequacy of the Council's Corporate Governance arrangements (including matters such as internal control and risk management);
- Consider the Council's arrangements relating to internal audit requirements.

## **Membership**

There are nine elected members appointed to the committee:

- Councillor Andrew Scopes (Chair)
- Councillor Jonathan Bentley
- Councillor Ben Garner
- Councillor Pauleen Grahame
- Councillor Peter Harrant
- Councillor Mark Harrison
- Councillor John Illingworth
- Councillor Jonathon Taylor
- Councillor Paul Truswell.

### **The recruitment of a non-voting co-opted independent member on the committee.**

As a Council appointed Committee, Corporate Governance and Audit Committee is appointed in accordance with the requirements for proportionality but strives for political neutrality. Following self-assessment against CIPFA's "Audit Committees - Practical Guidance for Audit Local Authorities and Police" (2018) the Committee sought Council's approval for the appointment of a non-voting independent member of the committee. A cross party panel drawn from the Committee's membership has undertaken a recruitment and selection process, and in February 2021 recommended Linda Wild for appointment to the role. The Committee is pleased to welcome her as an Independent Member, bringing with her a wealth of knowledge and experience that will prove invaluable to further enhance the independence of the committee as it carries out its functions.

### **Knowledge and Skills Framework**

Members bring with them a range of knowledge and skills from their working life and elected representative roles to the work of the committee.

The committee's skills and knowledge will be further complemented by those of the Independent Member, who in turn will receive a full induction to the role to enable them to apply their knowledge, skills and experience in the Leeds City Council setting.

Briefings are provided to the Committee in order to ensure that they remain up to date and informed to enable fulfilment of the committee's role. In particular, as in previous years, the Chief Finance Officer provided training to the committee in preparation for their examination of the Accounts. The committee has invited the Head of Audit to facilitate a workshop in relation to anti-fraud which members are looking forward to undertaking in the upcoming year.

The External Auditor routinely provides briefing notes providing sector updates and will be presenting more in-depth briefings in relation to the Redmond Review of local authority financial reporting and external audit, and the new National Audit Office Code of Audit Practice.

## **Audit Committee Meetings**

The committee has met on seven occasions during the year with meeting dates structured around the regular receipt of annual assurance reports, external and internal audit reporting cycles and the statutory requirements around the production of the Accounts and Annual Governance Statement.

This frequency of meetings ensures the committee can fulfil its responsibilities in an efficient and effective way and has been benchmarked<sup>1</sup> against the CIPFA<sup>2</sup> recommended practice and arrangements in other local authorities.

In response to the introduction of remote meetings, and to facilitate the committee's full and robust consideration of the assurances presented, the committee received a number of reports in informal working group meetings prior to each formal public meeting. Items considered at the working group in this way were the subject of detailed notes published within the public agenda pack, ensuring the transparency of the committee's work.

The committee is supported by a number of officers who attend regularly and bring expertise in relation to corporate governance, internal audit, finance, and information governance. The Committee looks forward to additional support from officers with expertise in relation to legal compliance, business continuity and risk in the coming year.

## **3. COMMITTEE BUSINESS**

The work undertaken by the Committee to support their approval of the Annual Governance Statement and Accounts, and in furtherance of the core functions of audit committees identified by CIPFA, is summarised in this section. (A complete list of the reports considered by the committee can be found in **Appendix A.**)

### **The Accounts**

Council has delegated to the committee the authority to approve the Council's Annual Governance Statement and the audited Statement of Accounts on behalf of the Council.

Items relating to the Annual Governance Statement and Statement of Accounts were subject to new timescales this year under legislation implemented in response to the Coronavirus Pandemic. In addition, the external audit of accounts was delayed, in part as a result of the impact of requirements for social distancing and home working on the sector.

The Committee considered the interim Annual Governance Statement in July 2020 following its publication for the formal period of public consultation. The Committee went on to approve the Council's Annual Governance Statement for 2019/20 in November 2020, following receipt of the Head of Audit's Opinion. The Committee has noted that officers are tracking the Council's progress against the key actions set out in the Annual Governance Statement and is receiving verbal updates to confirm progress.

The Committee considered the draft Statement of Accounts in July 2020 following public deposit. Further consideration followed in November 2020, and the Audited Statement of Accounts was approved and signed, together with the management representation letter, in February 2021. During consideration of the accounts the committee has engaged with officers on a number of aspects including pensions, long term debtors and the Merrion House lease.

### **External Audit**

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<sup>1</sup> Benchmarking took place during the 2018/19 municipal year.

<sup>2</sup> The Chartered Institute of Public Finance and Accountancy

The committee plays a significant role in overseeing the Council's relationship with its external auditors, Grant Thornton, and takes an active role in reviewing the external audit plan, progress reports and annual audit letter.

During the year, the committee has received regular reports setting out progress against the external audit plan, culminating in receipt of the final audit report and annual audit letter. Following criticism of a number of firms in the external audit sector by the Financial Reporting Council, the committee sought and received assurance as to the quality and control environment in which the Leeds City Council audit was undertaken.

Due to the shift in timetable for review and approval of the 2019/20 accounts, the Committee has yet to receive the external audit plan for the 2020/21 accounts. It is anticipated that this will be formally received at the first meeting of the new municipal year.

The committee looks forward to continuing to work with the external auditors; considering the responses of management to audit recommendations and ensuring that appropriate actions are agreed and implemented.

## **Internal Control**

The committee has responsibility for monitoring the effectiveness of the Council's system of control, management of corporate risks and governance arrangements.

Through robust consideration of annual assurance reports in relation to a wide range of internal controls the committee has obtained assurance that relevant systems and processes are documented and defined; clearly communicated; effectively embedded; meaningfully monitored; and reviewed and refined. The Committee has particularly sought assurance that arrangements have remained fit for purpose throughout the period of the pandemic, or that appropriate changes have been made to ensure efficient and effective governance.

Following consideration of the assurance report in relation to planning decision making and enforcement arrangements, the committee have requested the Chief Planning Officer to draft a protocol for enforcement of breaches of planning control on Council land, and will seek the support of the Chief Executive in ensuring that departments comply with the new protocol.

In addition to the receipt of regular update, and routine assurance reports, the committee seeks assurance in relation to significant matters relating to governance, audit and risk.

In the light of the emerging financial situation early this year the Committee requested and received a report giving assurance that appropriate procedures are in place for the agreement of an emergency budget and section 114 notice should either be required.

The committee has continued to follow up and receive assurance around the Council Public Service Network (PSN) compliance including the Council's Access project. As a result of this work, the committee requested and received a report setting out assurance concerning the international transfer of personal data following the UK's exit from the EU.

At the request of Executive Board, the Committee received in February a report in relation to the governance arrangements for devolution to the new Mayoral Combined Authority for West Yorkshire. The Committee recommended that General Purposes Committee be invited to consider amendments to the Constitution to enable meaningful opportunity to hold the elected Mayor of the Combined Authority to account. It was considered that this should include opportunity for Members to invite and consider a report from the Mayor prior to an invitation to the Mayor to attend Council.

## **Internal Audit**

The committee has received and considered regular reports from the Head of Audit throughout municipal year providing updates on progress against the 2020/21 Internal Audit Plan, together with information relating to the wider work of the Internal Audit section.

In light of the implications of the pandemic, the committee approved amendments to the internal audit plan for the 2020/21 year to ensure that internal audit resource was focussed appropriately on areas of greatest risk, whilst enabling the development of the Head of Audit's formal audit opinion.

The Committee are advised of the outcomes of every internal audit review, with greater depth, and follow up reviews, provided in relation to reviews resulting in limited assurance. During the course of the 2020/21 municipal year the committee has received information and sought assurance relating to controls to ensure implementation of IR35 legislation, where audit recommendations have been raised to create a mandatory training package for use in directorates to support compliance with controls. Similarly, the Committee has considered reviews in relation to Deprivation of Liberty Safeguards, and anticipates a further follow up review to provide assurance that actions identified in previous reviews have been actioned.

Following discussion of a review in relation to operational readiness of the Flood Alleviation Scheme, it was agreed that the review report would be shared with the Scrutiny Board (Infrastructure, Investment & Inclusion Growth), supporting the Board's responsibility in relation to flood risk management.

In addition to individual audits, the committee were also kept informed of fraud related, work in particular noting and commenting on the work undertaken relating to right to buy sales. The Committee looks forward to receiving focussed bi-annual update reports in relation to anti-fraud and corruption controls in the coming year.

The Committee has been advised of the work undertaken by Internal Audit to support the Council's Covid-19 response, for example, providing assurance that arrangements in relation to grant funding are robust and secure as well as supporting relevant due diligence work. Similarly, the Committee has been advised of Internal Audit work supporting the core business transformation project, providing expertise in data analytics in addition to challenge and advice in relation to relevant systems and processes. Their reporting provides the Committee with helpful context on the wider assurance on which the Head of Audit is able to draw in reaching the Audit Opinion.

In November 2020, the Committee received and considered the Internal Audit Annual Report and noted a satisfactory overall opinion for 2019/20. The committee was satisfied that the work undertaken to support the opinion has been conducted in accordance with an established methodology that promotes quality and conformance with the International Standards for the Professional Practice of Internal Auditing.

The committee reviewed and agreed the annual risk based audit plan for the 2021/22 year in March 2021.

## **4. LOOKING FORWARD**

The committee has approved the work programme for the 2021/22 municipal year setting out the receipt of regular update reports and annual assurance reports. This work programme will be the subject of regular review and the committee will remain flexible in its approach to accommodate additional items within its remit as they emerge.

Through the continuing receipt of regular reports Corporate Governance and Audit Committee will provide the usual level of robust challenge to corporate governance and

audit practice and procedure across the authority to ensure that our arrangements are up to date and fit for purpose, communicated, embedded and routinely complied with. In addition, the committee will request and consider reports in relation to relevant matters which come to our attention during the course of the year.

In response to questions raised during the year, the Committee plans to begin a piece of work to understand and champion the governance arrangements supporting the achievement of ambitions in relation to the Climate Emergency.

The committee plans to undertake a self-review based in best practice set out in CIPFA guidance and identified through a review of comparable authorities, with a view to ensuring the continuing robust assessment of the Council's systems and processes of internal control; whilst developing forward looking challenge to governance arrangements to gain assurance as to the effective identification, management and mitigation of risk.

| <b>CORPORATE GOVERNANCE AND AUDIT COMMITTEE<br/>ACTIVITY – 2020/21</b>                   | <b>June<br/>2020</b> | <b>July<br/>2020</b> | <b>Sept<br/>2020</b> | <b>Nov<br/>2020</b> | <b>Dec<br/>2020</b> | <b>Feb<br/>2021</b> | <b>Mar<br/>2021</b> |
|--|----------------------|----------------------|----------------------|---------------------|---------------------|---------------------|---------------------|
| <b>Annual Reports</b>  |                      |                      |                      |                     |                     |                     |                     |
| Annual Decision Making assurance report  |                      |                      |                      |                     |                     |                     |                     |
| Annual Procurement Assurance Report  |                      |                      |                      |                     |                     |                     |                     |
| Annual assurance report on employment policies and procedures and employee conduct       |                      |                      |                      |                     |                     |                     |                     |
| Statement of accounts  |                      | Draft                |                      |                     |                     |                     |                     |
| Annual governance statement  |                      | interim              |                      |                     |                     |                     |                     |
| Annual assurance report on corporate risk management arrangements                        |                      |                      |                      |                     |                     |                     |                     |
| Annual Assurance Report on Planning Decision Making and Enforcement Arrangements         |                      |                      |                      |                     |                     |                     |                     |
| Internal Audit annual report and opinion   |                      |                      |                      |                     |                     |                     |                     |
| Annual Business Continuity Report  |                      |                      |                      |                     |                     |                     |                     |
| Annual assurance report on corporate performance management arrangements                 |                      |                      |                      |                     |                     |                     |                     |
| Approval of the Audited Statement of Accounts and Grant Thornton Audit Report            |                      |                      |                      |                     |                     |                     |                     |
| Annual Assurance Report on Arrangements in Relation To Customer Contact and Satisfaction |                      |                      |                      |                     |                     |                     |                     |
| External audit – certification of housing benefit grant claims                           |                      |                      |                      |                     |                     |                     |                     |
| Internal audit plan  |                      |                      |                      |                     |                     |                     |                     |
| Annual financial management assurance report (incorporating capital)                     |                      |                      |                      |                     |                     |                     |                     |
| Annual treasury management assurance report  |                      |                      |                      |                     |                     |                     |                     |
| Information governance annual assurance report   |                      |                      |                      |                     |                     |                     |                     |
| Draft annual report of the committee   |                      |                      |                      |                     |                     |                     |                     |
| Annual Audit Letter and External audit plan (planned June 2021)                          |                      |                      |                      |                     |                     |                     |                     |

| <b>CORPORATE GOVERNANCE AND AUDIT COMMITTEE<br/>ACTIVITY – 2020/21</b>  | <b>June<br/>2020</b>   | <b>July<br/>2020</b> | <b>Sept<br/>2020</b> | <b>Nov<br/>2020</b> | <b>Dec<br/>2020</b> | <b>Feb<br/>2021</b> | <b>Mar<br/>2021</b> |
|---|------------------------|----------------------|----------------------|---------------------|---------------------|---------------------|---------------------|
| <b>Regular Reports</b>  |                        |                      |                      |                     |                     |                     |                     |
| Internal Audit Update Report  |                        |                      |                      |                     |                     |                     |                     |
| External audit progress report and sector update  | Changes to<br>the plan |                      |                      |                     |                     |                     |                     |
| Work Programme  |                        |                      |                      |                     |                     |                     | 2021/22<br>year     |
|   |                        |                      |                      |                     |                     |                     |                     |
| <b>Additional reports received in accordance with terms of<br/>reference</b>  |                        |                      |                      |                     |                     |                     |                     |
| Applications Portfolio Programme – update on access project   |                        |                      |                      |                     |                     |                     |                     |
| Compliance with the Governance Requirements Associated with<br>Setting an Emergency Budget and Issuing a Section 114 Report |                        |                      |                      |                     |                     |                     |                     |
| Leeds City Council Readiness for PSN Submission   |                        |                      |                      |                     |                     |                     |                     |
| Governance Arrangements for Devolution  |                        |                      |                      |                     |                     |                     |                     |
| International Transfers Following the UK's Exit from the European<br>Union.   |                        |                      |                      |                     |                     |                     |                     |
| Assurance Report on Digital Information Systems Controls  |                        |                      |                      |                     |                     |                     |                     |
|   |                        |                      |                      |                     |                     |                     |                     |

## HEALTH AND WELLBEING BOARD

THURSDAY, 16TH SEPTEMBER, 2021

**PRESENT:** Councillor F Venner in the Chair

Councillors S Arif, S Golton, M Harland and  
N Harrington

### **Representatives of Clinical Commissioning Group**

Tim Ryley – Chief Executive of NHS Leeds Clinical Commissioning Group

### **Directors of Leeds City Council**

Victoria Eaton – Director of Public Health

Chris Dickinson – Head of Commissioning, Children and Families

### **Third Sector Representative**

Pat McGeever – Health for All

Darren De Souza - Touchstone

Pip Goff – Forum Central

### **Representative of Local Health Watch Organisation**

Hannah Davies – Chief Executive of Healthwatch Leeds

### **Representatives of NHS providers**

Cathy Woffendin - Leeds and York Partnership NHS Foundation Trust

Julian Hartley - Leeds Teaching Hospitals NHS Trust

Thea Stein - Leeds Community Healthcare NHS Trust

### **Representative of Safer Leeds**

Supt. Richard Close – West Yorkshire Police

Jane Maxwell – Area Leader, Communities, Leeds City Council

### **Representative of Leeds GP Confederation**

Gaynor Connor – Leeds GP Confederation

## **1 Welcome and introductions**

The Chair welcomed all present and brief introductions were made.

## **2 Appeals against refusal of inspection of documents**

There were no appeals.

## **3 Exempt Information - Possible Exclusion of the Press and Public**

There were no appeals.

#### **4 Late Items**

There were no late items.

#### **5 Declaration of Interests**

There were no declarations of disclosable pecuniary interests or other interests.

#### **6 Apologies for Absence**

Apologies for absence were received from Dr John Beal, Anthony Kealy, Jason Broch, Cath Roff, Sal Tariq, Jim Barwick, Sara Munro and Dr Alistair Walling. Chris Dickinson, Gaynor Connor and Cathy Woffendin were in attendance as substitutes.

#### **7 Open Forum**

There were no matters raised on this occasion.

#### **8 Minutes**

**RESOLVED** – That the minutes of the meeting held 29<sup>th</sup> April 2021 be approved as an accurate record.

#### **9 Joint Strategic Assessment 2021 - Draft Summary Report**

The Head of Intelligence and Policy (Leeds City Council) submitted a report that sets out progress in producing the 2021 Joint Strategic (Needs) Assessment (JSA). The production of a JSA on a three-yearly cycle is a joint responsibility between Leeds City Council and the NHS Leeds CCG to inform the Health and Wellbeing Strategy. Specifically, the JSA aims to shape priorities, inform commissioners, and guide the use of resources as part of the commissioning strategies and plans for the city, by understanding the core drivers of health and wellbeing.

Mike Eakins, Intelligence and Policy Officer at Leeds City Council provided an overview of the analysis set out within the report, the key findings and policy implications. It was also confirmed that the JSA would become a 'real-time' database of information, in recognition of the constantly evolving health and care system.

Members discussed a number of matters, including:

- *Identifying successful approaches.* Members sought more information about the findings relating to successful action taken to narrow the gap. Members noted the benefits of licensing policy, with selective licensing schemes providing further opportunities to identify needs through the selective licensing scheme in some of the most deprived areas in the city.

- *Wider determinants of health.* Members noted that wider determinants of health will have the greatest effect on the key challenges identified within the JSA in the long term, and therefore require commitment from all health partners across the city as Team Leeds through commissioning and multiagency response to issues such as housing. The Chair requested that an item to consider the quality of provision of housing across the city be scheduled for a future meeting.
- *The role of the Board moving forward.* Members noted that the assessment provides an extensive evidence base, and that the subsequent strategies and action plans will be presented to the Board at a later stage. Members also suggested introducing a number of bold ambitions to future plans, such as to reduce the rate of long-term conditions in the city, and noted that upcoming plans and strategies must align with existing work streams and strategies across the health and care system.

**RESOLVED** – That the contents of the report, along with Members’ comments, be noted.

## **10 How health and care organisations are working together in Leeds to tackle health inequalities**

The Leeds Tackling Health Inequalities Group submitted a report that proposes that the Health and Wellbeing Board holds the health and care system to account in making changes to tackle health inequalities and requires organisations to publicly say what has happened and what more is to be done.

Hannah Davies, Chief Executive of HealthWatch Leeds, introduced the report and presented the health inequalities toolkit developed for health partners to support decision making, along with three commitments for the Board to sign up to:

- 1) To hardwire a focus on the role of health and care in addressing health inequalities, as the future Place Based Partnership’s (PBP – working title) overriding purpose, and through our organisations, Population Boards, Care delivery and Service delivery group, and wider partnerships, requiring them to publicly say what has happened and what more is to be done.
- 2) To lead the culture shift that is required throughout organisations (at all levels) and commit to going further and faster than nationally mandated activity to tackle health inequalities, using the Tackling Health Inequalities Toolkit as a foundation to support our partnership’s individual and collective efforts.
- 3) To consistently establish robust and regular peer to peer support / challenge, including working with the Communities of Interest Network and Allies, to share commonalities and hold each other to account.

**RESOLVED** –

- a) That the contents of the report, along with Members' comments, be noted.
- b) That the Boards commitment to the three recommendations set out above be noted.

## **11 Digital Exclusion**

The People's Voices Group submitted a report that reflects on recommendations made a year ago by the People's Voices Group and views of health and care providers about how they have addressed this key inequalities and access issue.

Hannah Davies, Chief Executive of HealthWatch Leeds, introduced the report and provided an update on the progress against the recommendations one year on from the original Health Inequalities report. Anna Chippindale, HealthWatch Leeds, presented the key themes from service user feedback for digital inclusion within the last 6 months.

Members provided updates on the action taken to progress the recommendations and the challenges faced within their organisations, including:

- Members recognised that digital innovation requires buy in from the entire organisation – from leadership to frontline care providers and service users.
- Leeds Community Healthcare (LCH) have introduced as part of initial assessment a question - 'how would you like me to work with you?' – so that service users can request digital contact, face-to-face, or a combination of the two.
- All health partners had introduced training schemes for service users in the community. It was suggested that digital skills sessions could also be delivered within a health care settings or pharmacies.
- Members noted the additional barrier and training need for people with English as an additional language.
- During pandemic, Leeds and York Partnership Foundation Trust (LYPFT) delivered handheld devices to service users within mental health hospitals to ensure that they maintained contact with friends and families. Community Committees also allocated funding to provide equipment to vulnerable families.

### **RESOLVED –**

- a) That the contents of the report, along with Members' comments, be noted.
- b) That Members link with their Communities of interest ally in preparation for this item to understand how digital exclusion is currently impacting on the communities they work with.

## **12 Leeds BCF End of Year 2020/21 Template and iBCF Update**

The Chief Officer, Resources & Strategy, Adults & Health (Leeds City Council) and the Head of Planning & Performance (NHS Leeds CCG) submitted a report that sought sign off from the Health and Wellbeing Board of the End of Year 2020/21 Template.

**RESOLVED** – That the Board agreed to sign off the Leeds BCF End of Year 2020/21 Template attached as Appendix 1 and noted the benefits and outcomes of the additional iBCF funding.

**13 For information: Connecting the wider partnership work of the Leeds Health and Wellbeing Board**

The Board received, for information, the report of the Chief Officer, Health Partnerships, that provides a public account of recent activity from workshops and wider system meetings, convened by the Leeds Health and Wellbeing Board (HWB). It contains an overview of key pieces of work directed by the HWB and led by partners across the Leeds health and care system.

**RESOLVED** – That receipt of the report be noted.

**14 For information: Leeds Routine Enquiry: GPs and Health Practitioners in 8 GP Practices in Leeds- Evaluation Report 2019**

The Board received, for information, the report of the Safer Leeds Safeguarding & Domestic Violence Team, that report that explores data on the short term impact for victims where GPs and Health Practitioners, who have access to a specialist worker, have proactively screened female patients over the age of 16 for Domestic Violence and Abuse (DV&A).

**RESOLVED** – That receipt of the report be noted.

**15 For information: Putting people at the heart of decision-making - update on progress in planning the Big Leeds Chat 2021**

The Board received, for information, the report of the People's Voice Group that outlines the plans for Big Leeds Chat 2021.

**RESOLVED** – That receipt of the report be noted.

**16 Date and Time of Next Meeting**

The next meeting will be held Wednesday 8th December 2021 at 2.00 p.m.

(Pre-meet for Board Members at 1:30 p.m.)

**17 Any Other Business**

The Chief Officer and the Chair thanked Holly Dannhauser for her support over the years to the Board and the broader work of the Health Partnerships team, and wished her luck in her future ventures.



## EXECUTIVE BOARD

WEDNESDAY, 22ND SEPTEMBER, 2021

**PRESENT:** Councillor J Lewis in the Chair

Councillors S Arif, A Carter, D Coupar,  
S Golton, M Harland, J Pryor, M Rafique  
and F Venner

**APOLOGIES:** Councillor H Hayden

**44 Exempt Information - Possible Exclusion of the Press and Public**

There was no information contained within the agenda which was designated as being exempt from publication.

**45 Late Items**

There were no formal late items of business considered by the Board, however, regarding agenda items 9 (Outcome of Statutory Notice on a Proposal to Permanently Increase Learning Places at St. Edward's Catholic Primary School from September 2022) and 10 (Outcome of Statutory Notice on a Proposal to Permanently Increase Learning Places at Allerton High School from September 2022), prior to the meeting Board Members had received the full (redacted) versions of the representations received as part of the Statutory Notice process, which was in addition to the summaries as detailed within the submitted cover reports. (Minute Nos. 51 and 52 refer).

**46 Declaration of Interests**

There were no interests declared at the meeting.

**47 Minutes**

**RESOLVED** – That the minutes of the previous meeting held on 21<sup>st</sup> July 2021 be approved as a correct record.

### **COMMUNITIES**

**48 Leeds City Listening Project - Update 2021**

The Director of Communities, Housing and Environment submitted a report providing an update on the Leeds City Listening project. In April 2019 the Council was successful in its bid for funding for the Leeds City Listening Project, and the programme of work from that looked to engage with marginalised women in communities facing multiple barriers to achieving their potential. The report highlighted the collaborative working undertaken with the West Yorkshire Mayor's office and provided details of the overall outcomes from the project and the work which continued in this area.

Members welcomed the submitted report.

In response to a Member's enquiry regarding how the women involved in sex work within the Managed Approach in Holbeck were being supported and engaged as part of this initiative, further detail was provided regarding the relevant organisations which were involved in the City Listening Project.

Also, responding to a specific enquiry about knife crime in the community, it was undertaken that a response would be provided to the Member in question around the approach being taken towards addressing such issues.

Members also received further information on how actions arising from the specific conversations had as part of the project would be progressed and monitored.

#### **RESOLVED –**

- (a) That the City Listening Project update report, as submitted, be approved;
- (b) That actions continue to be taken to ensure that the voice of women is heard in key Council work, for example initiatives such as;
  - Ending Violence Against Women and Girls Working Group;
  - City Centre violence Against Women and Girls Thematic Working Group;
  - Period poverty;
  - Forgotten Women Project;
  - Women Friendly City.
- (c) That the work which is currently ongoing in collaboration between the West Yorkshire Mayor's office and Leeds City Council in regard to Violence Against Women and Girls, be supported;
- (d) That the partnership working taking place between Leeds City Council and Women's Lives Leeds, be continued; and
- (e) That it be noted that the Director of Communities, Housing and Environment is responsible for the implementation of decisions made by Executive Board in respect of this report.

#### **ECONOMY, CULTURE AND EDUCATION**

##### **49 Future trends and opportunities in our city and local centres**

The Director of City Development submitted a report providing an update on the work which had been undertaken to date regarding the future of the city and local centres moving forward, and how the city and local centres respond to people's changing routines and the implications arising from the pandemic, with the report outlining proposed next steps in order to support and progress this agenda.

In considering the report, Members highlighted the importance of acknowledging the individuality of each local centre and welcomed the fact that bidding processes for external funding streams would be undertaken for

appropriate schemes across the city. It was also noted that the actions being taken to progress this agenda including the Board's consideration of this report would help to ensure that the Council had a firm basis on which to maximise its opportunities to successfully bid for such funding.

With regard to the provision of 'Changing Places' toilet facilities, the Board received an update regarding the current position in Leeds, and it was undertaken that a further written update would be provided to the Member in question regarding any funding being sought for further provision across the city. Members also discussed the role of the Council in ensuring that developers delivered such facilities in new developments in instances where prior agreement to do so had been reached.

Responding to a Member's comments regarding the proposed approach detailed in the report, it was emphasised that given the financial challenge that continued to be faced the Council was heavily reliant upon external funding streams to deliver the proposals outlined. Members also noted that the overall aim of this agenda was to improve the local and city centre economies whilst also developing sustainable and inclusive growth. Further to this, a Member highlighted the importance of robust consultation taking place with affected communities when considering proposals for local centres, suggesting the involvement of the Council's Communities Team in such matters.

**RESOLVED –**

- (a) That the work which has been undertaken as detailed in the submitted report looking at the future of Leeds' city and local centres, be noted;
- (b) That the recommendations for next steps, as outlined in the submitted report and as listed below, be approved; and that agreement be given that they are the right areas of focus to take forward at this stage with the resources the Council has available; that the potential for additional resources through successful Government funding bids be noted; and that such matters be delegated to the Director of City Development:
  - (i) We will continue to identify and deliver transformational projects across the city, linked to external funding streams.
  - (ii) We will explore how we can facilitate flexible workspaces and co-working spaces in areas outside of the city centre.
  - (iii) We will work to capitalise on the role of Culture for the future of our centres, including the opportunities presented through Leeds2023.
  - (iv) We will continue to support our local centres as we recognise their importance in providing services, employment and social opportunities to local people.
  - (v) We will continue to support businesses across the whole city and we will continue to support people who are seeking employment.

- (vi) We will continue to encourage collaboration and experimentation to connect activity across centres of innovation, now and in the future.
- (vii) We will explore how we can create a long-term, sustainable way of collecting local data and intelligence for each of our centres.
- (viii) We will continue to drive this work and these recommendations for next steps forward, both externally across the city and internally within the Council.

(c) That it be noted that this work will inform the development of and be reflected within the new City Plan for Leeds which is currently underway, and that it be noted that Executive Board will be kept informed of work to develop the City Plan as this progresses.

**50 Local Government and Social Care Ombudsman report on the decision relating to Summer Born school admission**

The Director of Children and Families submitted a report which informed Executive Board of the findings from a recent Local Government and Social Care Ombudsman report and which provided details on the actions taken by the Council in response to that report.

Responding to a Member's enquiry, the Board received further clarification on the actions which had been taken by the Council in response to the report, including the fact that all other similar requests regarding summer born admissions had been reviewed, and it was confirmed that there were no further outstanding cases.

**RESOLVED –**

- (a) That the Local Government and Social Care Ombudsman report and the recommendations for improvement, as appended to the submitted report, be noted;
- (b) That it be noted that the responsible officer for this matter is the Head of Learning Systems.

**51 Outcome of statutory notice on a proposal to permanently increase learning places at St Edward's Catholic Primary School from September 2022**

Further to Minute No. 11, 23 June 2021, the Director of Children and Families submitted a report detailing a proposal brought forward to meet the Local Authority's duty to ensure a sufficiency of school places. Specifically, the submitted report presented a proposal to expand St. Edward's Catholic Primary School to permanently increase the number of places offered at the school in Reception from 20 to 30 places from September 2022. The submitted report summarised the representations received during the statutory notice period and which sought a final decision on the proposal.

Prior to the meeting, Board Members had received for their consideration the full (redacted) versions of the representations received as part of the Statutory

Notice process, which was in addition to the summaries as detailed within the submitted cover report.

In introducing the report, the Executive Member highlighted that the matter had been considered by the Children and Families Scrutiny Board, with it being noted that the statement and recommendations of the Scrutiny Board arising from such consideration were appended to the report. The Executive Member confirmed that he was happy to accept all of the Scrutiny Board recommendations, and specifically regarding the recommendation that all consultation responses be shared in full with Executive Board Members, it was suggested that these be handled as 'Background Documents' which would be published alongside the agenda papers, but not form part of the formal agenda, so that Board Members had access to such information.

In considering the report, a Member highlighted the importance of ensuring that any agreed actions arising from consultation with Ward Members, specifically in response to transport, highways or access issues were not delayed, but implemented during the relevant construction period, with it being undertaken that any specific concern that a Member had would be investigated.

#### **RESOLVED –**

- (a) That the proposal to expand St. Edward's Catholic Primary School to permanently increase the number of places offered at the school in Reception from 20 to 30 places with effect from September 2022, be approved;
- (b) That the recommendation to exempt the decisions arising from this report from the Call In process, for the reasons as set out in paragraph 23 of the submitted report, be approved;
- (c) That it be noted that the responsible officer for the implementation of such matters is the Head of Learning Systems;
- (d) That the conclusions and recommendations of the Scrutiny Board (Children and Families) arising from its consideration of the proposal to increase learning places at St. Edward's Catholic Primary School, as appended to the submitted report, be noted and accepted.

(The Council's Executive and Decision Making Procedure Rules state that a decision may be declared as being exempt from the Call In process by the decision taker if it is considered that the matter is urgent and any delay would seriously prejudice the Council's or the public's interests. In line with this, the resolutions contained within this minute were exempted from the Call In process, as per resolution (b) above, and for the reasons as detailed within paragraph 23 of the submitted report)

**52 Outcome of statutory notice on a proposal to permanently increase learning places at Allerton High School from September 2022**

Further to Minute No. 10, 23 June 2021, the Director of Children and Families submitted a report detailing a proposal brought forward to meet the Local Authority's duty to ensure a sufficiency of school places. Specifically, the submitted report detailed a proposal to permanently expand secondary provision at Allerton High School from a capacity of 1100 to 1400 pupils by increasing the admission number in Year 7 from 220 to 280, with effect from September 2022. The submitted report summarised the representations received during the statutory notice period and which sought a final decision on the proposal.

Prior to the meeting, Board Members had received for their consideration the full (redacted) versions of the representations received as part of the Statutory Notice process, which was in addition to the summaries as detailed within the submitted cover report.

In considering the report, assurance was provided that relevant Ward Members would continue to be kept informed on the progress of agreed actions being taken in response to any concerns raised around transport and highways issues.

**RESOLVED –**

- (a) That the proposal to permanently expand secondary provision at Allerton High School from a capacity of 1100 to 1400 pupils by increasing the admission number in Year 7 from 220 to 280, with effect from September 2022, be approved;
- (b) That the recommendation to exempt the decisions arising from this report from the Call In process, for the reasons set out in paragraph 24 of the submitted report, be approved;
- (c) That it be noted that the responsible officer for implementation of such matters is the Head of Learning Systems.

(The Council's Executive and Decision Making Procedure Rules state that a decision may be declared as being exempt from the Call In process by the decision taker if it is considered that the matter is urgent and any delay would seriously prejudice the Council's or the public's interests. In line with this, the resolutions contained within this minute were exempted from the Call In process, as per resolution (b) above, and for the reasons as detailed within paragraph 24 of the submitted report)

**LEADER'S PORTFOLIO**

**53 Update on Coronavirus (COVID19) pandemic – Response and Recovery Plan**

Further to Minute No. 36, 21 July 2021, the Chief Executive submitted a report providing the latest details of the wide ranging activity being undertaken across the multi-agency partnership as part of the response to, and recovery

from the Covid-19 pandemic. Key information in the report included details of the work undertaken to increase vaccination uptake, recover backlogs on services, control the number of cases across the city, as well as encouraging continued testing, tracing and isolating within the context of most restrictions being removed and living with the virus.

The Board received an update on the progress being made on the continued vaccination roll out across the city. Also, responding to an enquiry, information was provided on the actions being taken to monitor the relevant data and promote vaccinations in communities where hesitancy remained.

Regarding Members' comments on a number of issues, the Board received further information on the actions being taken to progress the response and recovery from the pandemic as set out in the appended plan, with particular discussion around the scale of the challenge faced, the ongoing resumption of services, the establishment of new ways of working and the aim of ensuring that services were delivered in the most effective way. The Board also received further information on the challenges and pressures being faced during the recovery process, not only in Local Government, but across all sectors.

Responding to a specific enquiry regarding officer attendance at site visits, reassurance was provided that where appropriate, such visits would be made, with it being undertaken that any specific concerns that the Member in question had on this issue could be addressed separately. More generally, it was noted that such matters would be considered by the Council's Silver Group to ensure that a consistent approach was being taken across directorates.

Specifically with regard to the Council's Planning Service, Members highlighted their willingness for further consideration to be given to the making of representations to Government about providing Local Authorities with greater powers around the setting of planning fees.

#### **RESOLVED –**

- (a) That the updated Response & Recovery Plan, as detailed at Annex A to the submitted report, which is the summary plan for the period ahead and which also details ongoing response, risks, recovery and service recovery efforts, be noted;
- (b) That the updated Local Outbreak Management Plan for Leeds, as detailed at Annex B to the submitted report, which the report highlights is in-line with the Government's current Contain Framework, be noted;
- (c) That a summary of national developments since the last meeting of Executive Board (Annex C) and the latest Covid-19 Dashboard detailing information across the seven key themes (Annex D), be noted;

- (d) That it be noted that there are national announcements anticipated which will influence local plans, with it also being noted that the next full update to Executive Board will be in December 2021, with regular Member updates continuing to be provided.

## **RESOURCES**

### **54 West Yorkshire Pension Fund - Divestment from Fossil Fuels**

Further to Minute No. 52 of the Climate Emergency Advisory Committee (CEAC) meeting held on 18th January 2021, the Director of Resources submitted a report which presented for the Board's consideration the Climate Emergency Advisory Committee's recommendation to the West Yorkshire Pension Fund (WYPF) regarding the divestment from fossil fuels.

In introducing the report, the Executive Member highlighted that although the Council had no direct decision making powers over WYPF, it was appropriate to raise the issue of investment in fossil fuels with the Pension Fund in response to the Climate Emergency, and the prospect of such investments losing value.

The Board discussed this matter in detail and acknowledged that the WYPF Board members had a duty to act in the best financial interests of its members. Also, Executive Board considered the role of the Council in this process and that of WYPF Board members. Members also highlighted how the consideration of the report raised people's awareness of the issue of climate change. At the same time it was acknowledged that the recommendation of CEAC to divest from fossil fuels within three years was not supported due to the financial risks involved. The Council would look to receive information from WYPF regarding progress on divesting from fossil fuels at the appropriate time and in a way that minimised the risk of any losses being incurred.

**RESOLVED** – That the West Yorkshire Pension Fund be requested to:-

- (i) be explicit about acknowledging the Climate Emergency and the need to divest from fossil fuels;
- (ii) actively look to divest into alternative, cleaner investments with comparable returns; and
- (iii) report annually against the progress on divestment, specifically against the region's declared net zero target.

### **55 Gambling Act 2005 - Public Consultation on Policy**

The Director of Communities, Housing and Environment submitted a report which presented to the Board details of the triennial review of the Gambling Act 2005 Statement of Licensing Policy, and which sought the Board's approval to refer the matter to the relevant Scrutiny Board in accordance with the Budgetary and Policy Framework Procedure Rules.

**RESOLVED** – That the contents of the submitted report, including the outcomes from the related statutory consultation exercise undertaken, be noted; and that the matter be referred to Scrutiny Board (Environment,

Housing and Communities) for consideration in line with the Council's Budgetary and Policy Framework Procedure Rules.

(The matters referred to within this minute, given that they were decisions being made in accordance with the Budget and Policy Framework Procedure Rules, were not eligible for Call In, as Executive and Decision Making Procedure Rule 5.1.2 states that the power to Call In decisions does not extend to those decisions being made in accordance with the Budget and Policy Framework Procedure Rules)

**56 Taxi and private hire licensing - Proposed new criterion in Suitability (Convictions) Policy**

The Director of Communities, Housing and Environment submitted a report which sought the Board's approval to undertake a consultation exercise upon proposed new criterion for minor motoring convictions for determining the suitability of applicants and licensees as drivers in taxi and private hire licensing.

In introducing the report and in outlining the proposed process moving forward, the Executive Member highlighted the following corrections proposed to be made to the submitted report:

- That the outcomes of the consultation would be considered by Licensing Committee followed by Executive Board, and not the other way around as detailed within the report; and
- That the consultation period be scheduled for 6 weeks duration, rather than the 4 weeks, as detailed within the report.

In considering the report, Members discussed several matters including the importance of continuing to ensure that appropriate safeguarding measures remained in place, the timing of the proposed consultation process, the impact suffered by the taxi trade during the pandemic, the actions being taken to simplify the consultation process for stakeholders and make it as accessible as possible, the actions being taken to provide wider support for drivers as part of the recovery from the pandemic, and addressing the issue of wider harmonisation across neighbouring Authorities.

With regard to the wider harmonisation of the taxi and private hire trade across neighbouring Authorities, it was noted that work continued in this area, with the aim that further detail would be presented to the Board at the appropriate time.

**RESOLVED –**

- (a) That the contents of the submitted report, subject to the inclusion of the corrections detailed above, be noted;
- (b) That a consultation exercise on the new criterion in the Suitability Policy, as presented within the submitted report/appendices, but subject to the inclusion of the corrections detailed above, be approved;

- (c) That a further report be submitted to the Board outlining the findings of the consultation and making final proposals on the policy to be adopted.

**57 Revenue Savings Proposals for 2022/23 to 2024/25**

The Chief Officer (Financial Services) submitted a report which outlined details of proposed savings over the next three years to meet the financial challenge which continued to be faced by the Council. The proposals were categorised as either 'Business as Usual' or 'Service Reviews'.

Members acknowledged that a number of assumptions have had to be made in respect of the current position, whilst further detail on announcements such as the Government's Spending Review were awaited.

The Board noted the work which was underway, with specific reference being made to the review being undertaken into procurement services. In considering such matters, Members noted the intention to submit further reports and proposals to the November and December Executive Board meetings.

**RESOLVED –**

- (a) That the financial position for 2022/23 to 2024/25, as outlined in the submitted report, be noted, and that it also be noted that further savings are required to deliver a balanced budget position for 2022/23 and to close the projected gaps in the years 2023/24 and 2024/25;
- (b) That the 'Business as Usual' savings, as outlined, be noted, with it also being noted that decisions to give effect to them shall be taken by the relevant Director or Chief Officer in accordance with the Officer Delegation Scheme (Executive functions);
- (c) That it be agreed that consultation commences where required with regard to the 'Service Review' proposals, as detailed in the submitted report, with it being noted that decisions to give effect to them shall be taken by the relevant Director or Chief Officer, following any consultation period, in accordance with the Officer Delegation Scheme (Executive functions).

**58 The Medium Term Financial Strategy 2022/23 - 2026/27**

The Chief Officer (Financial Services) submitted a report which provided an update on the Council's Medium Term Financial Strategy for 2022/23 to 2026/27, with the report highlighting how the strategy aimed to deliver a robust and sustainable approach towards establishing and maintaining a stable and prudent financial basis upon which the Council's services were delivered.

Responding to a Member's enquiry, officers undertook to provide the Member in question with the latest information on the Council's level of Reserves.

**RESOLVED** – That the updated Medium Term Financial Strategy for 2022/23 to 2026/27, as detailed within the submitted report, be noted.

**59 Financial Health Monitoring 2021/22 – Month 4 (July)**

The Chief Officer (Financial Services) submitted a report which provided an update on the financial health of the Authority in respect of both the General Fund revenue budget and the Housing Revenue Account, as at month 4 (July) of the financial year.

Responding to a Member's enquiry, the Board received further information regarding the current budget position of the refuse collection service, and the reasons for that position.

Also in response to a Member's enquiry, the Board received an update on the work which continued around ensuring the Council was 'energy secure' moving forward, with specific reference being made to the continued roll out of the District Heating scheme in the city. Members highlighted that this was an area of work which was particularly significant at present, given the considerable price increases being experienced in gas and electricity.

With regard to the collection of food waste and the associated anaerobic digestion process, Members received an update regarding national developments in this area which would continue to be monitored.

**RESOLVED –**

- (a) That the projected financial position of the Authority, as at Month 4 of the financial year, be noted, with the projected impact of COVID-19 on that position also being noted;
- (b) That for 2021/22, it be noted that the Authority is forecasting an overspend of £0.4m;
- (c) That it be noted that the position as detailed within the submitted report does not reflect the potential effects of any further local or national lockdown arrangements on the financial projections, or any potential additional costs arising from the current 2021/22 pay negotiations.

**DATE OF PUBLICATION:** FRIDAY, 24<sup>TH</sup> SEPTEMBER 2021

**LAST DATE FOR CALL IN OF ELIGIBLE DECISIONS:** 5.00 P.M., FRIDAY, 1<sup>ST</sup> OCTOBER 2021

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## EXECUTIVE BOARD

WEDNESDAY, 20TH OCTOBER, 2021

**PRESENT:** Councillor J Lewis in the Chair

Councillors S Arif, A Carter, D Coupar,  
S Golton, M Harland, H Hayden, J Pryor,  
M Rafique and F Venner

**60 Exempt Information - Possible Exclusion of the Press and Public**

**RESOLVED** – That, in accordance with Regulation 4 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during consideration of the following parts of the agenda designated as exempt from publication on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information so designated as follows:-

(A) That appendix 2 to the report entitled, 'Housing Estate Redevelopment at Sugar Hill Close and Wordsworth Drive, Oulton', referred to in Minute No. 67 be designated as being exempt from publication in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 and considered in private. This is on the grounds that this appendix contains information relating to the identity and business affairs of a third party to the Council which does not wish to be publicly identified at this stage, but which is relevant to the understanding of the Board. Releasing the identity of this third party may prejudice their commercial interests and as such, withholding the information is considered to outweigh the public interest benefit of its release given that there is a risk that if the details of the Housing Association are made public at this stage, they may withdraw their interest.

**61 Late Items**

There were no late items of business considered by the Board.

**62 Declaration of Interests**

There were no interests declared at the meeting.

**63 Minutes**

**RESOLVED** – That the minutes of the previous meeting held on 22nd September 2021 be approved as a correct record.

## **ADULT AND CHILDREN'S SOCIAL CARE AND HEALTH PARTNERSHIPS**

### **64 Update on Thriving: The Child Poverty Strategy for Leeds**

Further to Minute No. 26, 23 June 2021, the Director of Children and Families submitted a report which provided a further update on the 'Thriving: The Child Poverty Strategy for Leeds' and the work which continued to be undertaken as part of the strategy, including actions in response to issues arising from the pandemic. Specifically, the report provided an update on each of the strategy's workstreams in terms of recent activities, outcomes and next steps.

In presenting the report, the Executive Member provided an update regarding the current position with regard to child poverty in Leeds, together with further details on actions being undertaken as part of each of the workstreams within the strategy.

Responding to a question regarding the application of the Household Support Grant, the Board was advised that a proportion of the funding would be used for the provision of free school meals during holiday periods, which would apply across the city. Parallel to that, it was noted that there was a range of criteria which would need to be adhered to when allocating the funding in other areas. It was noted that such criteria was being worked through and that further details would be provided to Members in the near future.

Responding to a Member's enquiry, the Board was provided with further information on the actions being taken to mitigate against the impact of child poverty linked with housing provision and the quality of accommodation.

In discussing the report and in welcoming the data within it, a suggestion was made that in future the update report further reflected upon and evaluated the services being provided in this area to demonstrate the impact being made. Also, in highlighting the crucial role played by Children's Centres across Leeds, it was undertaken that future reports would reference the work of the Children's Centres moving forward.

Members discussed the definition of poverty, as detailed within the report.

Reference was made to the recent Children's Services Ofsted Inspection which had been undertaken, with a brief update being provided on the actions being taken in response to the inspection's recommendations.

### **RESOLVED –**

- (a) That the strategic framework in place to mitigate against the impact of child poverty, together with the work being undertaken by the Council and other partners in the key areas of activity, as detailed within the submitted report, be endorsed;
- (b) That the need to promote the work of the 'Thriving' strategy across the city and in particular in each respective Member's portfolio in order to highlight the impact of poverty on children and their families, be acknowledged;

- (c) That it be noted that the responsible officer for such matters is the Head of Workforce Development and Change.

## **COMMUNITIES**

### **65 Annual Update on Migration Activity in Leeds**

Further to Minute No. 58, 21 October 2020, the Director of Communities, Housing and Environment submitted a report which provided an update on the delivery of migration activity in Leeds and which provided information on key migration population trends and the responses to national policy changes, together with details of the activities undertaken across the Council to support new and emerging communities.

In presenting the report, the Executive Member highlighted her desire for the issue of migration to once again be added to the relevant Scrutiny Board work programme next year, should the Scrutiny Board and its Chair be agreeable. The Executive Member thanked the migration programme team for their continued work in this area, and also highlighted a forthcoming and related training session being delivered for Elected Members.

Responding to a specific enquiry, the Board was provided with details of the actions being taken with Children and Families to identify local school places for those recent Afghan migrants of school age who were residing in Leeds.

Reference was made to the provision of data relating to trends of outward migration from Leeds and it was undertaken that such information would be provided to the Member in question.

Responding to an enquiry regarding the provision of appropriate and permanent accommodation for Afghan migrants coming into Leeds, the Board received an update on the current position and the liaison which continued with the Home Office and Migration Yorkshire to provide such accommodation.

### **RESOLVED –**

- (a) That the contents of the submitted report, together with the appended update overview, be noted; and that the approach adopted within the Council's strategic, co-ordinated and inclusive approach towards migration for Leeds, as detailed, be endorsed;
- (b) That it be noted that the Director of Communities, Housing and Environment is responsible for leading this work through the Council's Stronger Communities Programme;
- (c) That it be noted that the Chief Officer for Safer, Stronger Communities is responsible for leading the work of the Leeds Strategic Migration Board which oversees the delivery of the strategic, co-ordinated and inclusive approach towards migration in Leeds, together with

the work of the Council's Migration team which provides strategic and operational direction for the city;

- (d) That agreement be given for the Director of Communities, Housing and Environment to write to the Home Office requesting the establishment of improved communication structures between Government and the Local Authority in order to ensure that the effectiveness of the support provided is maximised and that Leeds' experience and expertise is fully utilised;
- (e) That approval be given for a further annual report on migration activity in Leeds to be submitted to the Board at the appropriate time.

## **INFRASTRUCTURE AND CLIMATE**

### **66 Connecting Leeds Transport Strategy and Action Plan**

Further to Minute No. 104, 16 December 2020, the Director of City Development submitted a report presenting the 'Connecting Leeds' Transport Strategy, Executive Summary and associated Action Plan for 2021-24 which set out the vision for Leeds' transport provision and infrastructure during that period. Specifically, the report sought the Board's approval for the adoption and publication of those documents following the extensive consultation and engagement exercise which had been undertaken during 2021.

In considering the report, Members discussed a range of issues, including:-

- The associated consultation process which had been undertaken, the range of actions within that and the level of response received;
- The ambitious nature of the strategy and its deliverability in the timeframes presented;
- The range of net zero carbon emission targets nationally, regionally and for Leeds, together with ongoing national transportation discussions, and the delivery of the strategy alongside such matters;
- The timing of the strategy and the need for action to be taken at the earliest opportunity;
- The need to ensure that the strategy reflected people's adapted ways of living and working as a result of the pandemic, and the importance for the strategy to understand and provide for the bespoke needs of each community across the city. Also, Members received further information on the intention for the Council to continue to engage with communities on such matters;
- Members paid tribute to the work of the Highways and Transportation services for the work they continued to undertake in challenging circumstances. Members also discussed the capacity of the relevant services within the Council to deliver the aims of the strategy and the actions being taken where possible to increase such capacity;
- The importance for all partners, businesses and members of the community to fully engage with the aims of the strategy, in order to ensure that the required 'step change' was made;
- The Board discussed the impact of road works, with further detail being provided on the logistical considerations given to such works, the range

of reasons why they were required, often in restricted timeframes, and the approach taken to co-ordinate such works and minimise impact wherever possible.

**RESOLVED –**

- (a) That the adoption and publication of the 'Connecting Leeds' Transport Strategy and first Action Plan 2021-24, as appended to the submitted report, be agreed;
- (b) That an annual progress report on the Strategy and Action Plan be submitted to the Board at the appropriate time;
- (c) That agreement be given for the Director of City Development alongside the Chief Officer (Highways and Transportation) to lead on implementing the delivery of the 'Connecting Leeds' Transport Strategy and Action Plan;
- (d) That it be noted that the future Action Plans beyond 2024 will require greater levels of funding to achieve the targets as set out within the 'Connecting Leeds' Transport Strategy.

**67 Housing Estate Redevelopment at Sugar Hill Close & Wordsworth Drive, Oulton**

Further to Minute No. 36 of the meeting of full Council held on 14 September 2021, the Director of City Development and the Director of Communities, Environment and Housing submitted a joint report providing information on how the Council was responding to the issues arising from the proposed redevelopment of the privately owned housing estate at Sugar Hill Close and Wordsworth Drive, Oulton.

In considering the report, and in response to comments and concerns raised, the Board discussed / received further details on the following:-

- the actions taken to date, and which continued to be taken to support those on Assured Shorthold Tenancies and in receipt of 'no fault' evictions, and in the longer term, the proposals for further action as detailed within the submitted report, which aimed to secure new build affordable housing provision on the site;
- the length of time in which the matter had been ongoing;
- the role of the Council and that of the site owner / landlord;
- the number of 'no fault' evictions issued across the city in recent years.

In noting that a recommendation within the report proposed the submission of a further report to the Board in due course, responding to a Member's enquiry, it was undertaken that the future report would provide further details on the actions being taken to support affected residents.

Following consideration of Appendix 2 to the submitted report designated as being exempt from publication under the provisions of Access to Information

Procedure Rule 10.4(3), which was considered in private at the conclusion of the public part of the meeting, it was

**RESOLVED –**

- (a) That the Council's offer of support from Housing Leeds to tenants of the Sugar Hill Close and Wordsworth Drive estate to support them in securing alternative housing where they may be at risk of homelessness following no-fault evictions, be noted and supported;
- (b) That the Council's further engagement with the Housing Association as identified in exempt Appendix 2 to the submitted report, be supported, with a view to maximising the affordable housing that could be delivered at Sugar Hill Close and Wordsworth Drive through the application of pooled commuted sums or other resources as may be identified and agreed by the Directors in consultation with the Executive Member for 'Infrastructure and Climate' and the Executive Member for 'Resources';
- (c) That the options considered as detailed within the submitted report, be noted; and that the potential for the Council to directly acquire homes in the completed development as outlined in paragraph 47.3 of the submitted report and/or use commuted sums to secure the delivery of additional affordable housing alongside a local lettings policy for the benefit of tenants rehoused from the estate, as outlined in paragraphs 48.1 - 48.4, be supported;
- (d) That an update on the progress made in taking forward the preferred approach, as outlined in the submitted report, be provided, with a further report requiring any subsequent decisions on the use of resources to support the detailed proposals, be brought to Executive Board in due course, which also provides further details of the actions being taken to support affected residents.

(Under the provisions of Council Procedure Rule 16.5, Councillor S Golton required it to be recorded that he abstained from voting on the decisions referred to within this minute)

**LEADER'S PORTFOLIO**

**68 Leeds 2030: Shaping Our Best City Ambition**

The Director of Resources submitted a report which sought the Board's agreement in principle to the replacement of the Best Council Plan with a more externally facing and partnership focused City Ambition from February 2022. The report also provided the context for such proposals and set out the required approval pathway for that change.

In presenting the proposals within the report, the Leader highlighted how the Best City Ambition would aim to work more collaboratively with partner organisations across Leeds and build upon the positive learning and stronger relationships which had been developed in response to the pandemic.

The Board noted the comments made during the discussion, which included suggestions regarding the need for communities of Leeds, partner organisations and Members to be involved in the formation and delivery of the aims of the Best City Ambition, and that future reports on the Ambition consider how it would deliver those stronger relationships between the Council and its partners.

**RESOLVED –**

- (a) That the principle of replacing the Best Council Plan with a City Ambition, be endorsed;
- (b) That it be noted that General Purposes Committee (GPC) will receive a report which recommends that GPC endorses the necessary amendments to the Budget and Policy Framework, and refers such matters to Full Council for approval;
- (c) That agreement be given for Executive Board to receive a report in December 2021 which presents initial proposals and a draft City Ambition.

**RESOURCES**

**69 Gambling Act 2005 - Statement of Licensing Policy**

Further to Minute No. 55, 22<sup>nd</sup> September 2021, the Director of Communities, Housing and Environment submitted a report on the three-yearly review of the Gambling Act 2005 Statement of Licensing Policy. The report presented the proposed final policy for consideration, included the outcomes from the associated consultation exercises undertaken and recommended that the Policy be referred to Full Council for consideration and adoption.

Responding to a Member's specific enquiry about a licensed organisation's failure to effectively implement its anti-money laundering and safer gambling policies, and the Council, as the Licensing Authority not being informed of such matters, the Board was assured that liaison was taking place with the Gambling Commission and the organisation involved to ensure that an appropriate protocol was in place moving forward. In addition, responding to a request, it was undertaken that Members of the Licensing Committee would be briefed on such matters, and that the Executive Board Member in question would also be offered a separate briefing.

**RESOLVED –**

- (a) That the contents of the submitted report, together with the final draft of the Statement of Licensing Policy, as appended, which includes the outcomes from the statutory consultation exercise and any comments/recommendations from Scrutiny Board (Environment, Housing and Communities), be noted;

- (b) That the final draft of the Statement of Licensing Policy, as appended to the submitted report, be referred to Full Council with a recommendation for its adoption.

(The matters referred to within this minute, given that they were decisions being made in accordance with the Budget and Policy Framework Procedure Rules, were not eligible for Call In, as Executive and Decision Making Procedure Rule 5.1.2 states that the power to Call In decisions does not extend to those decisions being made in accordance with the Budget and Policy Framework Procedure Rules)

**70 Financial Health Monitoring 2021/22 - August (Month 5)**

The Chief Officer, Financial Services, submitted a report which presented an update on the financial health of the Authority in respect of both the General Fund revenue budget and the Housing Revenue Account as at month 5 of the 2021/22 financial year.

Members discussed the projected overspend in respect of Waste Management services, as detailed within the report, with a specific request for a report to be submitted to a future Board meeting which addressed related financial and operational matters. In response, the request was noted and it was undertaken that information on such matters would be brought forward.

**RESOLVED –**

- (a) That the projected financial position of the Authority, as at the end of Month 5 (August) of the 2021/22 financial year, as detailed within the submitted report, be noted, together with the projected impact of COVID-19 on that position;
- (b) That for 2021/22, it be noted that the Authority is forecasting an overspend of £1.087m, as at the end of August 2021;
- (c) That it be noted that the position as detailed within the submitted report does not reflect the potential effects of any further local or national lockdown arrangements on these financial projections, or any potential additional costs arising from the current 2021/22 pay negotiations.

**DATE OF PUBLICATION:**

FRIDAY, 22<sup>ND</sup> OCTOBER 2021

**LAST DATE FOR CALL IN  
OF ELIGIBLE DECISIONS:**

5.00 P.M., FRIDAY, 29<sup>TH</sup> OCTOBER 2021



## COUNCIL MEETING – 10th NOVEMBER 2021

|             |               |                |                 |
|-------------|---------------|----------------|-----------------|
| NOTICE OF:  | Reference No: | Date Received: | Date Forwarded: |
| White Paper | WP1           | 1/11/21        | 2/11/21         |

|                                  |  |
|----------------------------------|--|
| Submitted by:                    | Councillor Stewart Golton                        |
| Relevant Board/Regulatory Panel: | Executive Board                                  |
| Executive Member/Chair:          | Executive Member (Environment and Housing)       |
| Relevant Director                | Director of Communities, Housing and Environment |

This Council regrets that the current Administration’s delivery of affordable housing for the people of Leeds has been sub-optimal, and in particular has led to a worsening shortage of affordable homes to rent and buy:

The Council’s mismanagement of the much-vaunted Council Housing Growth program has delivered considerably less than the promised 300 homes per year; The Housing Company promised to help deliver affordable homes has been abandoned before even being constituted; the tendency to accept commuted sums, and the Council’s reliance on city centre schemes to achieve its citywide housing targets has allowed the lowest percentage of affordable homes built through private development for years.

Council therefore calls on the Administration to review its current Council Housing Growth Strategy to:

Vary the housing delivery options allowed within the business model; constitute a housing company to enable council housing growth opportunities in communities with little council owned land; commit to refurbishing properties to create new council housing; ensure that policy compliant affordable housing is built within and reflects the needs of individual local communities; commit to delivery of new Council housing in every Leeds City Council ward within the next five years.

### Deadlines for submission

- White Papers - 10.00 am on the day before the issue of the Summons
  - Questions - 10.00 am on Monday before the meeting
  - Amendments - 10.00 am on the day before the meeting
- (including references back)

(All submissions should be made to Governance Services for receipt to be recorded and distribution made)

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## COUNCIL MEETING – 10<sup>TH</sup> NOVEMBER 2021

|             |               |                |                 |
|-------------|---------------|----------------|-----------------|
| NOTICE OF:  | Reference No: | Date Received: | Date Forwarded: |
| White Paper | WP2           | 01/11/2021     | 02/11/2021      |

Submitted by: Councillor Andrew Carter  
 Relevant Board/Regulatory Panel: Executive Board  
 Executive Member/Chair: Executive Member for Resources  
 Relevant Director: Director of Communities, Housing and Environment

This Council calls on the administration to make community safety and the prevention of crime and disorder a priority for funding and resources.

Council remains concerned about the administration's February budget decision to cut funding for Police Community Support Officers (PCSOs). At a time when residents are concerned about crime and disorder, and when central government is providing substantial funds to recruit more police officers, the local Leeds decision to cut community safety funding will seem inexplicable to many communities, and risks undermining wider efforts to build back better after the pandemic.

Whilst supporting the right to peaceful protest, Council also notes events in other parts of the country which have highlighted concerns about some protest groups, whose extreme actions threaten to damage the economy and cause an unacceptable level of disruption to the public.

Council also notes recent tragic events which have highlighted the specific threats posed to elected representatives carrying out their duties on behalf of the public.

Council calls on the administration to work with the West Yorkshire Mayor and other partners to urgently action the following:

1. Reverse the budget cut to PCSOs and uphold the long-standing Leeds commitment to financially support PCSO deployment across the city to boost community safety for residents;
2. Put in place local measures and allocate sufficient resources to ensure Leeds is prepared to respond effectively if disruptive protests of the type seen elsewhere come to the streets of Leeds and threaten to damage the city's post-pandemic recovery;
3. Ensure the appropriate level of resources are provided for the safety and protection of council officers in front-line roles and elected members carrying out their responsibilities.

Councillor Andrew Carter

### Deadlines for submission

- White Papers - 10.00 am on the day before the issue of the Summons  
 Questions - 10.00 am on Monday before the meeting

Amendments - 10.00 am on the day before the meeting  
(including references back)

(All submissions should be made to Governance Services for receipt to be recorded and distribution made)

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## COUNCIL MEETING – 10th NOVEMBER 2021

|             |               |                |                 |
|-------------|---------------|----------------|-----------------|
| NOTICE OF:  | Reference No: | Date Received: | Date Forwarded: |
| White Paper | WP3           | 1/11/21        | 2/11/21         |

|                                  |   |
|----------------------------------|---|
| Submitted by:                    | Councillor Ann Forsaith                       |
| Relevant Board/Regulatory Panel: | Executive Board                               |
| Executive Member/Chair:          | Executive Member (Infrastructure and Climate) |
| Relevant Director                | Director of Resources                         |

This Council notes the crucial UN Climate Change Conference summit (COP26) currently underway in Glasgow aimed at limiting global temperature rise to 1.5°C. Leeds City Council declared a climate emergency in March 2019, with the target of 2030 for achieving carbon neutrality, recognising the part Leeds has to play in this global challenge.

Council recognises that some communities in Leeds have far larger carbon footprints than others. Climate change is already affecting most those who are least able to pay, whilst those with higher incomes add proportionally more to carbon emissions in the City. Council therefore understands that positive actions by more affluent communities and sectors to reduce their carbon emissions can contribute most effectively to ensuring our City reaches net zero carbon by 2030.

Whilst supporting the current work of Leeds City Council on a range of issues that includes fuel poverty reduction and home insulation, Council resolves to focus Leeds City Council carbon reduction plans, and any related policies, on those sectors and those communities that through reducing their high carbon footprints will contribute most to reaching our carbon neutral target. In this way, Council’s response can aim to deliver climate and social justice together with carbon neutrality by 2030.

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### Deadlines for submission

- White Papers - 10.00 am on the day before the issue of the Summons
  - Questions - 10.00 am on Monday before the meeting
  - Amendments - 10.00 am on the day before the meeting
- (including references back)

(All submissions should be made to Governance Services for receipt to be recorded and distribution made)

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## COUNCIL MEETING – 10th NOVEMBER 2021

| NOTICE OF:  | Reference No: | Date Received: | Date Forwarded: |
|-------------|---------------|----------------|-----------------|
| White Paper | WP4           | 1/11/21        | 2/11/21         |

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|                                  |                              |
|----------------------------------|------------------------------|
| Submitted by:                    | Councillor Debra Coupar      |
| Relevant Board/Regulatory Panel: | Executive Board              |
| Executive Member/Chair:          | Executive Member (Resources) |
| Relevant Director                | Director of Resources        |

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This Council regrets the additional funding identified by the cross-party Local Government Association as essential to help councils maintain services just at 2019/20 levels wasn't in the Chancellor's budget. Council is very concerned by the effect this will have on services for the people of Leeds and calls on the Government to rethink.

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### Deadlines for submission

- White Papers - 10.00 am on the day before the issue of the Summons
  - Questions - 10.00 am on Monday before the meeting
  - Amendments - 10.00 am on the day before the meeting
- (including references back)

(All submissions should be made to Governance Services for receipt to be recorded and distribution made)

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