



LANCASTER
CITY COUNCIL

Promoting City, Coast & Countryside

COUNCIL MEETING

**Wednesday, 5 November 2025 -
6.00 p.m.
Morecambe Town Hall**

Lancaster City Council welcomes members of the public to attend meetings. However, space in the public gallery is limited to 30 seats due to Fire Regulations. The seats are allocated on a first come, first served basis and no standing is permitted. Meetings are livestreamed please click [HERE](#) to watch using MS Teams. Please contact Democratic Support via email democracy@lancaster.gov.uk if you wish to register to speak or ask a question at this meeting. The deadline to register is 12pm on Friday 31 October 2025

Mark Davies,
Chief Executive,
Town Hall,
Dalton Square,
LANCASTER,
LA1 1PJ



LANCASTER CITY COUNCIL

Promoting City, Coast & Countryside

Sir/Madam,

You are hereby summoned to attend a meeting of the Lancaster City Council to be held in the Town Hall, Morecambe on Wednesday, 5 November 2025 commencing at 6.00 p.m. for the following purposes:

1. **APOLOGIES FOR ABSENCE**

2. **MINUTES**

To receive as a correct record the Minutes of the Meeting of the City Council held on 24 September 2025 (previously circulated).

3. **DECLARATIONS OF INTEREST**

To receive declarations by Councillors of interests in respect of items on this Agenda.

Councillors are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Councillors should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Councillors are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

4. **ITEMS OF URGENT BUSINESS**

5. **ANNOUNCEMENTS**

To receive any announcements which may be submitted by the Mayor or Chief Executive.

6. **QUESTIONS FROM THE PUBLIC UNDER COUNCIL PROCEDURE RULE 11**

To receive questions in accordance with the provisions of Council Procedure Rules 11.1 and 11.3 which require members of the public to give at least 3 days' notice in writing of questions to a Member of Cabinet or Committee Chairman.

7. **PETITIONS AND ADDRESSES**

To receive any petitions and/or addresses from members of the public which have been notified to the Chief Executive in accordance with the Council's Constitution.

8. **LEADER'S REPORT** (Pages 5 - 9)

To receive the Cabinet Leader's report on proceedings since the last meeting of Council.

REPORTS REFERRED FROM CABINET, COMMITTEES OR OVERVIEW AND SCRUTINY

9. **STATEMENT OF GAMBLING POLICY 2025-2028** (Pages 10 - 61)

Report of Cabinet.

Appendix 2 published 3 November.

MOTIONS ON NOTICE

10. **CELEBRATING ERIC MORECAMBE'S 100TH BIRTHDAY** (Pages 62 - 63)

To consider a motion on notice submitted by Councillors Matthew Black, Joanne Ainscough, Louise Belcher, Phillip Black, Ruth Colbridge, Claire Cozler, John Hanson, Jean Parr, and Margaret Patterson

OTHER BUSINESS

11. **APPOINTMENTS TO OUTSIDE BODIES - FOREST OF BOWLAND JOINT ADVISORY COMMITTEE** (Pages 64 - 65)

Report of the Senior Manager, Democratic Support and Elections.

12. **APPOINTMENTS AND CHANGES TO COMMITTEE MEMBERSHIP**

Group Administrators to report any changes to Committee Membership.

13. **QUESTIONS UNDER COUNCIL PROCEDURE RULE 12**

To receive questions in accordance with the provisions of Council Procedure Rules 12.2 and 12.4 which require a Member to give at least 3 working days' notice, in writing, of the question to the Chief Executive.

14. **MINUTES OF CABINET** (Pages 66 - 83)

To receive the Minutes of Meeting of Cabinet held 16 September 2025.



.....
Chief Executive

Town Hall,
Dalton Square,
LANCASTER,
LA1 1PJ

Published on, 28 October 2025.



Leader's Report

05 November 2025

Report of the Leader of the Council

PURPOSE OF REPORT

To present the Leader's report to Council.

This report is public.

RECOMMENDATIONS

To receive the report of the Leader of Council.

REPORT

1.0 Cabinet

- 1.1 Information on Cabinet matters is provided in the minutes from the Cabinet meeting held 16 September later in this agenda.

2.0 Decisions required to be taken urgently.

- 2.1 No urgent Cabinet decisions have been taken since the last Leader's Report

3.0 Leader's Comments

- 3.1 We have had another very busy month as a council with major progress made in a number of areas alongside many community events and festivals. We have also received very good news from government detailed at the end of the report.

Local Government Reorganisation and Devolution

- 3.2 The proposals for the five different possible unitary structures for Lancashire are now virtually complete. A timetable for all councils involved, districts, unitaries and counties to meet and endorse their choice has been worked through. In order to ensure parity between proposals district leaders have

asked authorities agree that once published, the proposals will not be significantly changed. Work is taking place to consider how all councillors in all authorities can have access to all the proposals. However, since these run to hundreds of pages each we are hoping to offer summaries for councillors.

Our special council meeting will be on 26th November the same week as a majority of other councils, followed by Cabinet which is required to make the final decision.

- 3.3 The Lancaster district-based consultation survey gained over 700 responses. The results have been circulated to all councillors. I hope you have found them a useful contribution to the debate. As with the Pan Lancashire survey, LGR was not a popular move with those that contributed. However Steven Reed in LGA councillors Forum this month re-iterated the governments' intentions and government belief that residents do not have strong ties to their current form of democratic representation.
- 3.4 On wider devolution matters, the Combined Authority Scrutiny Board met for the second time with its new chair. A clear work plan is proposed with papers to be circulated well in advance of meetings. The new committee Chair, Tony Oakman is also Interim Chair of UHMBT. I have also joined the county-wide Integrated Care Partnership meeting to represent districts.

Eden Morecambe Project.

- 3.5 The progress of the project was significantly furthered by the revised planning application being put in as a result of the changes to the original plans. Eden Morecambe is continuing with the recruitment of staff members for the Morecambe office and more work is being done to develop the gardens that will be open to the public on the site. A fund-raising dinner was held in London to garner support from Lancastrians now living there. Cllr Martin Bottoms attended to represent the council and community.

City Council Priorities

- 3.6 The first stage of the rollout of the district Waste Strategy has begun: each household is receiving two new 240 litre wheelie bins to contain recycling and replace the boxes currently used. Intended outcomes are higher recycling rates, no recycling blowing around the streets and better working conditions for staff. Waste department staff are working hard with residents to fit the new strategy to the complex needs of the residents in the terraced housing in the district in particular. The "Street Meets" are proving a popular way to work out individual problems with residents. All credit to officers as they work through the complexity and multiplicity of problems this produces.
- 3.7 Overview and Scrutiny met the Leader and Chief Executive for a Peer Challenge review. It was agreed that most of the recommendations of the challenge were either achieved or clearly progressing. There was further discussion of the budget and the way in which the Fit For the Future groups realise financial benefits. An LGA Transformation Action Learning group has

been established working with two other local authorities on data and timelines in order to support this.

- 3.8 Partnerships was a Peer Challenge priority, in particular the work with Lancaster District Strategic Partnership. Our most recent meeting has considered how concerted work on the economic strategy - in our terms the Health and Prosperity plan - for the district, could achieve faster and more effective change. In a future that is unclear in terms of the nature and character of the district the LDSP is developing as a distinctive voice for the area
- 3.9 The Mainway Board has met on two occasions and following a workshop on the progress of the business case, a paper was put to cabinet to outline the way ahead. Cabinet voted to follow a twin track approach, firstly to gain accurate costings for the Skerton site redevelopment which has planning permission and secondly to undertake preliminary market testing to find a partner to work on either both sites or either of the sites individually. A group of county council and district councillors for the area have met again to look at local developments, including the need to support Morecambe West End by working on the possibility of an Article 4 Designation to limit HMOs.

Cabinet Meetings

- 3.10 Cabinet has met twice - details of the meeting are elsewhere in the report. The budget preparation cycle has begun so cabinet members have begun on a sequence of face-to-face meetings to establish new and ongoing expenditure on both revenue and capital budgets. Engagement with residents is always part of budget preparation and has previously been done with online meetings and surveys. This year as a new strategy, cabinet members will be preparing short informative talks to be videoed and used on our website and social media.
- 3.11 Cabinet has received training this month on both the use of AI Copilot and on appearing in the media. It was also briefed on the new procurement act and the way that is affecting officers. Officers provided a briefing on the city renewable energy projects which was both enjoyable and highly informative. We hope all members will be able to access a similar briefing.

Assets And Developments

- 3.12 October Cabinet passed the in-principle decision to grant a lease on Ryelands House to a not-for-profit group. Further details remain to be worked out but we understand there is already a possible tenant for part of the building and look forward to the shutters being removed as soon as possible.
- 3.13 In Williamson Park the new manager is bringing forward plans to provide a replacement covered outdoor seating area and following the demolition of the cafe building the tea and coffee cabins are to be re-sited next to the Butterfly House.
- 3.14 The Ashton Hall has had its new sound system fitted. Bookings are up and the hall is now becoming a significant music venue for the district.

- 3.15 On parking matters, the Edward Street carpark extension is almost complete and the installation of ANPR on our carparks has been carried out. This will begin to give us accurate parking data from November.

Events, community matters, celebrations and achievements

- 3.16 This last month there have been a huge number of events big and small across the district, including both the Love Lancaster Music Festival and LitFest. The Salt Ayre Fun weekend returned and was well attended with the truck pull winners this year being Healthier Heroes CIC. Lancaster District CVS held the lively and hugely engaged young people's festival District Reach at the Mazuma stadium. I was pleased to meet a representative of the funder, Francis C Scott trust who praised the involvement of young people and the talented CVS team that had put the event together. The Catholic Diocese of Lancaster held a packed and beautiful celebration of its centenary followed by a cheerful get together in the Ashton Hall. The Town Hall also hosted Meet Your Muslim Neighbour, another well attended event with many opportunities to talk with local volunteers about their faith and their community activities as well as enjoy abundant hospitality. Two smaller but significant events to mention are the relaunch of the Captured Africans Memorial on the quay and the launch of the Disability Access forum led by Cllr Abi Mills.
- 3.17 Members will have heard the news about the County Council review of the provision of Day Care services at Vale View. This is a matter of concern for residents in the district. Please do consider your views - you can contribute to the consultation [here](#).
- 3.18 Finally in terms of community events, we have to celebrate this year's Festival of Culture in the Town Hall. The numbers were capped at one thousand attendees or I am sure we would have had more. Representative of all the diverse communities in the district attended, brought displays, provided singers, dancers and instrumentalists and ate some amazing food, which came round in never-ending platefuls. The organisers, principally Sarah Baines and Cllr Suhir Abuhajar have to be congratulated for providing the opportunity for so many connections and friendships to be made across our community.
- 3.19 As last time, I will finish in Morecambe. We heard this month that Morecambe West End area received one of the government's Pride in Place £20 million awards. This is yearly regeneration funding which will empower residents to bring about huge change in their neighbourhoods. From now until April 2027 when the funding will be released, the local community will be coming together to create their local board and make their plans. This is an incredibly exciting opportunity and we look forward to further news.

Caroline Jackson

4.0 Decisions

The following decisions were scheduled to be considered by Cabinet on 21 October 2025

Risk Appetite
Review of Council Housing Tenancy Agreement
Statement of Gambling Policy 2025-2028
Industrial Style Roof Repairs
Letting of Community Asset (Ryelands House)
Skerton School Procurement

There have been no Officer Delegated Key Decisions taken since the last Leader's Report

The following Individual Cabinet Member Decisions have been taken since the last Leader's report.

ICMD 12	Procurement of Ground Care Vehicles for the Public Realm Department.	Published on 12.9.25 Taken by: Cllr Paul Hart
ICMD 13	Rural England Prosperity Fund 2025-26 Grant Awards	Published on 30.09.25 Taken by: Cllr Mandy Bannon

Background Papers

Cabinet agenda of the meeting held on 21 October 2025

COUNCIL**Statement of Gambling Policy 2025-2028****5 November 2025****Report of Cabinet****PURPOSE OF REPORT**

Following consideration of the draft Statement of Gambling Policy 2025-28 by the Councils Licensing Committee, a public consultation and on the recommendation of Cabinet, Full Council are required under constitutional arrangements, to adopt the revised policy.

This report is public.

RECOMMENDATIONS

- (1) That Full Council consider the revised Statement of Gambling Policy 2025-2028 and following the recommendation of Cabinet, adopt the policy.
- (2) Following adoption, the policy shall take immediate effect.

1.0 Introduction

- 1.1 Section 349 of the Gambling Act 2005 ("the Act") provides that each Licensing Authority shall, before each successive period of three years, prepare a statement of the principles that they propose to apply in exercising their functions under the Act during that period, and publish that statement.
- 1.2 Licensing Committee and the Councils Cabinet have approved the draft policy, in line with the Councils constitution it is necessary for Cabinet to make recommendations to Full Council for adoption.

2.0 Proposal Details

- 2.1 The purpose of the Statement of Gambling Policy is to assist the Licensing Authority in determining applications and to provide clarity for applicants, residents and members of the business community. This also provides information and guidance on the general approach that the Licensing Authority will take when assessing applications and sets out expected operating standards.
- 2.2 This Licensing Authority covers a variety of licensed premises undertaking a range of activities, including small society lotteries, family entertainment centres, bingo halls, betting shops and gaming machines in pubs and clubs. It is therefore important that the Gambling Policy is sufficiently flexible to reflect their differing needs and characteristics.

3.0 Details of Consultation

- 3.1 A 6-week public consultation was carried out between Friday 13th June and Friday 25th July 2025, during that time the draft policy was made available to view on the Councils website and at Morecambe and Lancaster Town Hall(s).
- 3.2 The Act provides that, before determining the policy, a Licensing Authority must consult with: -
- The Chief Officer of Police for the area
 - One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area
 - One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling 2005.
- 3.3 In addition to the statutory consultees, Lancaster City Council consulted directly with the following.
- All holders of gambling premises licences and permits issued by the Council
 - All premises licensed under the Licensing Act 2003 where gaming machines are provided
 - All members of Lancaster City Council
 - All Parish councils within the Lancaster City Council area
 - Lancashire Constabulary
 - Lancashire Fire and Rescue Service
 - Lancashire Safeguarding – Children
 - Lancashire County Council – Trading Standards
 - Lancashire County Council - Public Health
 - Home Office - H M Revenues and Customs
 - Lancaster City Council – Planning and Building Control
 - The Gambling Commission
 - British Beer and Pub Association
 - British Institute of Inn-keeping
 - Disability Rights Commission Helpline
 - Equity Head Office
 - Gamcare
 - Gamblers Anonymous
 - Money Advice Trust
 - Step change Debt Charity
 - Local Citizens Advice Bureau
 - All agents and legal services who act on behalf of applicants
- 3.4 The policy document was shared with all consultees via email, along with instructions for those wishing to respond to the draft policy
- 3.5 No (0) responses were received during the consultation period; members of Licensing Committee therefore approved the initial draft without modification to Cabinet.
- 3.6 At its meeting on 21 October 2025, Cabinet resolved the following in respect of the draft policy.

“That Cabinet endorse the revised Statement of Gambling Policy 2025-2028 and refer the policy to full Council for adoption with the referral report reflecting Cabinet’s comments”

Members requested that the changes represented in the revised policy were highlighted to Full Council and that the final version would include a revised preface.

3.7 The revised and final Statement of Gambling Policy 2025-2028 is attached at **Appendix 1.**

3.8 As requested. a table highlighting the changes made is attached to the report at **Appendix 2.**

4.0 Options

Council is asked to adopt the Statement of Gambling Policy 2025-2028, and endorse that it shall take immediate effect.

6.0 Conclusion

6.1 Section 349 of the Gambling Act 2005 provides that each Licensing Authority shall, before each successive period of three years, prepare a statement of the principles that they propose to apply in exercising their functions under the Act during that period, and publish that statement.

6.2 The policy has been subject to a public consultation, members of Licensing Committee have considered its content, along with the Councils Cabinet. It is a recommendation of Cabinet to members of Full Council for adoption.

CONCLUSION OF IMPACT ASSESSMENT

(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):

The policy sets out how the Council will determine applications relating to gambling activity in the district, whilst promoting the licensing objectives and protecting children and vulnerable persons from gambling related harms.

LEGAL IMPLICATIONS

It is important to follow the correct process in implementing the updated policy, with Licensing Committee making recommendations to the Councils Cabinet prior to adoption by Full Council.

The absence of a valid policy leaves the Council susceptible to legal challenge.

FINANCIAL IMPLICATIONS

None.

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces

None.	
SECTION 151 OFFICER'S COMMENTS	
None.	
MONITORING OFFICER'S COMMENTS	
<p>By law, the Council must have a Policy Framework. This is a list of plans and strategies which are relevant to the Council's functions and are required by law to be decided by the Full Council, usually on the recommendation of the Cabinet. The Statement of Gambling Policy forms part of the Council's Policy Framework. The Licensing Committee's terms of reference include the following: - "To develop Licensing and Gambling Policies for consideration by the Cabinet and Full Council;"</p>	
BACKGROUND PAPERS	<p>Contact Officer: Jennifer Curtis Telephone: 01524 582732 Email: jcurtis@lancaster.gov.uk Ref: SOGP2025/28</p>



Gambling Act 2005

Statement of Gambling Policy

January 2025 - 2028

Author: Licensing Manager

Document Name: Statement of Gambling Policy 2025 - 2028

Approved by Full Council: XXXXX

Date due for review: January 2028

Responsible for review: Licensing Manager

Statement of Licensing Policy

Gambling Act 2005

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Preface

Under the Gambling Act 2005, a new regime for regulating gambling and betting was introduced throughout the United Kingdom from 1 September 2007. Apart from the National Lottery and spread betting, gambling and betting will be regulated by the Gambling Commission, whose duties include licensing the operators and individuals involved in providing gambling and betting facilities.

This, our own Statement of Gambling policy relates only to licences for premises and venues. The Gambling Commission will also licence premises and venues, so in effect, each physical premises has two licences. Online gambling is regulated though the Gambling Commission only.

Lancaster City Council, along with other local licensing authorities, has a duty under the Gambling Act 2005 to license premises where gambling is to take place and to license certain other activities (such as registering small society lotteries). This document sets out how the council intends to approach this task.

It is intended to be a policy document for businesses, residents and Interested Parties.

As a licencing Authority we are bound by our licencing objective to protect the public and in particular with this Statement, protect children from harm

Gambling can cause or exacerbate stress, anxiety and depression and increase reliance on alcohol and drugs to an unmanageable level. Gambling addiction can ensnare individuals and families into a spiral of debt which in turn can lead to loss of a home, a job and exceptional pressure on families and children, in particular. They will often bear the brunt of repercussions from gambling. Becoming addicted to gambling can happen to anyone. Online gambling is pernicious in that it is hidden, through shame and anxiety and only comes to light when matters have reached a crisis point.

Harm from gambling affects the whole community and can create situations that lead to fraud and theft and the breakdown of families. Economically, gambling can lead to a loss of productivity and can be expensive to treat.

Regard will be had to these considerations when the Council is fulfilling its obligations under the Gambling Act 2005. Consideration will also be given towards a number of the priorities included in the Council Plan 2024- 2027, in particular to create an inclusive and prosperous local economy and to create healthy and happy communities.

Part A

1. The Licensing Objectives

- 1.1 In exercising most of their functions under the Gambling Act 2005 (“the Act”), licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
 - Ensuring that gambling is conducted in a fair and open way
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling
- 1.2 It should be noted that the Gambling Commission has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”.
- 1.3 This licensing authority is aware that, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it:
- in accordance with any relevant code of practice issued by the Gambling Commission
 - in accordance with any relevant guidance issued by the Gambling Commission
 - reasonably consistent with the licensing objectives and
 - in accordance with the authority’s statement of licensing policy

Authorised Activities

- 1.4 ‘Gambling’ is defined in the Act as either, betting, gaming or taking part in a lottery:
- ‘gaming’ means playing a game of chance for a prize.
 - ‘betting’ means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not true.
 - a ‘lottery’ is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance.

- 1.5 Private gaming in private dwellings and on domestic occasions is exempt from licensing or registration providing that no charge is made for participating; only equal chance gaming takes place; and it does not occur in a place to which the public have access. Domestic betting between inhabitants of the same premises or between employees of the same employer is also exempt.
- 1.6 Non-commercial gaming and betting (where no parts of the proceeds are for private gain) may be subject to certain exemptions. Further advice should be sought from the council's Licensing Team where appropriate.

2.0 Introduction

- 2.1 In terms of area, Lancaster is the second largest district council in Lancashire, covering a total of 567 square kilometres. The boundaries extend to Westmorland and Furness in the North, North Yorkshire and Craven District in the East, and Wyre Borough in the South.
- 2.2 There are two large urban centres of population, at Lancaster and Morecambe, and a smaller town, Carnforth, to the north, together with an extensive rural area. The district has an estimated total population of 142,200 (January 2025). An influx of tourists, to the seaside resort of Morecambe and to the historic city of Lancaster, increases this population further, especially during the summer months.
- 2.3 A map of the council's area is included at **Appendix 5**.
- 2.4 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from "time to time" and any amended parts re-consulted upon. The statement must be then re-published.
- 2.5 Lancaster City Council is consulting widely upon this statement before finalising and publishing it. A list of those persons consulted is included at Appendix 1.
- 2.6 The Gambling Act requires that the following parties are consulted by Licensing Authorities:
 - The Chief Officer of Police.
 - One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area.
 - One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.

- 2.7 Lancaster City Council's consultation took place between Friday 13th June and Friday 25th July 2025, copies were made available at Council Offices and published on the Council's website. The consultation considered the HM Government Code of Practice on Consultation (updated 19 March 2018) which is available at:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/100807/file47158.pdf
- 2.8 The full list of comments made and the consideration by the council of those comments is available by request to the Licensing Manager via the details set out below.
- 2.9 The policy was approved at a meeting of the Full Council on XXXXXXXX. The revised policy statement was published on XXXXXXXX and the revised Statement of Gambling Licensing Policy came into force on the XXXXXXXX.
- 2.10 Should you have any queries regarding this policy statement please send them via e-mail or letter to the following contact: The Licensing Manager, Lancaster City Council, Lancaster Town Hall, Dalton Square, Lancaster, LA1 1PJ.
- E-mail: licensing@lancaster.gov.uk
Tel: (01524) 582033
- 2.11 It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

3.0 Declaration

- 3.1 In producing the final statement, this licensing authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the Guidance to the Licensing Authorities issued by the Gambling Commission, and any responses from those consulted on the statement.

4.0 Responsible Authorities

- 4.1 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:
- the need for the body to be responsible for an area covering the whole of the licensing authority's area; and

- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

- 4.2 In accordance with the suggestion in the Gambling Commission's Guidance to local authorities, this authority has consulted with Lancashire Safeguarding Children and Adults Board. This Authority considers that it is best able to fulfil the role of advising the Authority about the protection of children from harm for the purposes of Section 157(b) of the Act.
- 4.3 The contact details of all the Responsible Authorities under the Gambling Act 2005 are available via the council's website at: www.lancaster.gov.uk and are listed at Appendix 2

5.0 Interested Parties

- 5.1 Interested parties can make representations about licence applications or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

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

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

- 5.2 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party.
- 5.3 This authority will not apply a rigid rule to its decision making and each case will be decided upon its merits.
- 5.4 It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.
- 5.5 The Gambling Commission has recommended that the licensing authority states that interested parties may include trade associations and trade unions, and residents' and tenants' associations. This authority will not however generally view these bodies as interested parties unless they represent a member who can be classed as an interested person under the terms of the Gambling Act 2005 i.e. lives sufficiently close to the premises to be likely to be affected by the activities being applied for.

- 5.6 Interested parties can be persons who are democratically elected such as councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the councillor/MP represents the ward likely to be affected. Likewise, parish councils likely to be affected will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (eg an advocate/relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is likely to be sufficient.
- 5.7 If individuals wish to approach councillors to ask them to represent their views, then care should be taken that the councillors are not a Member of the Licensing Committee dealing with the licence application. If there are any doubts, then please contact the council's Licensing Department.

6.0 Exchange of Information

- 6.1 Licensing Authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.
- 6.2 The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the General Data Protection Regulation (2018) will not be contravened. The licensing authority will also have regard to any Guidance issued by the Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
- 6.3 Should any protocols be established as regards information exchange with other bodies then they will be made available. This authority will normally share the information it holds about licensed premises with the Gambling Commission, the police and other responsible authorities.

7.0 Enforcement

- 7.1 Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.
- 7.2 This licensing authority's principles are that:

It will be guided by the Gambling Commission's Guidance for local authorities and will endeavour to be:

- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised.
- Accountable: regulators must be able to justify decisions and be subject to public scrutiny.
- Consistent: rules and standards must be joined up and implemented fairly.
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem and minimise side effects.

- 7.3 As per the Gambling Commission's Guidance to Licensing Authorities, this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 7.4 This licensing authority has adopted and implemented a risk-based inspection programme, based on.
- The licensing objectives
 - Relevant codes of practice
 - Part 36 of Guidance issued by the Gambling Commission
 - The principles set out in this statement of licensing policy
- 7.5 The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 is to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines are not dealt with by the licensing authority but should be notified to the Gambling Commission.
- 7.6 This licensing authority also keeps itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the Regulatory functions of local authorities.
- 7.7 Bearing in mind the principle of transparency, this licensing authority's enforcement protocol is available upon request to the licensing department. Our risk-based inspection is also available upon request.

8.0 Licensing Authority Functions

Local Authorities

8.1 Licensing Authorities are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences
- Issue Provisional Statements
- Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issue Club Machine Permits to Commercial Clubs
- Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- Grant Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
- Register small society lotteries below prescribed thresholds
- Issue Prize Gaming Permits
- Receive and Endorse Temporary Use Notices
- Receive Occasional Use Notices
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')
- Maintain registers of the permits and licences that are issued under these functions
- Exercise its powers of compliance and enforcement under the Act, in partnership with the Gambling Commission and other relevant responsible authorities.

The licensing authority will not be involved in licensing remote gambling at all, which is regulated by the Gambling Commission via operating licences.

The Gambling Commission

- 8.2 The Gambling Commission regulates gambling in the public interest. It does so by keeping crime out of gambling; by ensuring that gambling is conducted in a fair and open way; and by protecting children and vulnerable people. The Commission provides independent advice to the Government about the matter in which gambling is carried out, the effects of gambling and the regulations of gambling generally.
- 8.3 The Commission has issued guidance under Section 25 of the Act about the manner in which licensing authorities exercise their licensing functions under the Act and, in particular, the principles to be applied.
- 8.4 The Commission has also issued Codes of Practice under Section 24 about the way in which facilities for gambling is provided, which may also include provisions about the advertising of gambling facilities.
- 8.5 The Gambling Commission can be contacted at:

Gambling Commission
Victoria Square House
Victoria Square
Birmingham
B2 4BP

Website: www.gamblingcommission.gov.uk
Email: info@gamblingcommission.gov.uk

Part B

Premises Licences

9.0 General Principles

- 9.1 Premises licences are subject to the requirements set out in the Act and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. The licensing authority is able to exclude default conditions and also attach others, where it is believed to be appropriate.
- 9.2 Conditions beyond the mandatory and default conditions will only be imposed where there is evidence of a risk to the licensing objectives that requires the mandatory and default conditions to be supplemented
- 9.3 This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:
- in accordance with any relevant code of practice issued by the Gambling Commission.
 - in accordance with any relevant guidance issued by the Gambling Commission.
 - reasonably consistent with the licensing objectives; and
 - in accordance with the authority's statement of licensing policy.

This authority will not regard moral objections to gambling as a valid reason to reject applications for premises licences (except as regards any 'no casino resolution' - see section on Casinos below) and also acknowledges that unmet demand is not a criterion for a licensing authority to consider. Issues of nuisance and the likelihood of planning permission or building regulations are not issues that can be taken into account when considering an application for a premises licence.

- 9.4 Licence conditions are one method by which it is possible to mitigate risks associated with a particular premises. The imposition of licence conditions might be prompted by locality specific evidence-based risks. If additional conditions are to be imposed, they will be imposed following evidence presented that is considered sufficient to pose significant risk to the licensing objectives that is not already addressed by the mandatory and default conditions
- 9.5 Wherever possible and where there are justifiable concerns the licensing authority will have a proactive engagement with local operators to mitigate risks to the licensing objectives.

Such engagement could facilitate an open and constructive partnership which, in turn would aim to improve compliance and reduce regulatory costs.

- 9.6 The Gambling Commissions Licensing Conditions and Code of Practice (LCCP) document contains two types of code provisions:
- Social responsibility code provisions: compliance with these is a condition of licences
 - Ordinary code provisions: These do not have the status of operator licence conditions but set out good practice. Operators may adopt alternative approaches to those set out in ordinary code provisions if they have actively taken account of the ordinary code provisions and can demonstrate that an alternative approach is reasonable in the operator's particular circumstances; or that to take an alternative approach would be acting in a similar effective manner.
- 9.7 To improve the exchange of information between licensing authorities and operators, the Commission has introduced social responsibility code provisions that require operators of premises-based businesses to conduct local risk assessments (SR 10.1.1), and an ordinary code provision that says licensees should share their risk assessments with licensing authorities in certain circumstances (OC 10.1.2).
- 9.8 SR 10.1.1 which will come into force on 6th April 2016 applies to non-remote licensees who hold or are applying for premise licences. The provision requires licensees to assess and have policies, procedures and control measures to mitigate local risks to the licensing objectives, taking account of the licensing authority's statement of licensing policy. It goes on to require local risk assessments to be reviewed when there are significant changes in local circumstances or at the premises, or when applying for a new licence or a variation of a licence. The risk assessments should be carried out to identify specific risks to the licensing objectives in the local area and to assess whether control measures going beyond standard control measures are needed.
- 9.9 The licensing authority when considering an application in relation to the grant or variation of the premise licence will expect to see a risk assessment that has been carried out as per the above provision and will consider that risk assessment before making a decision.
- 9.10 **Definition of "premises"** – In the Act, premises is defined as including "any place". Section 152 therefore prevents more than one premises license applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

- 9.11 The Gambling Commission states in the latest edition of its Guidance to Licensing Authorities that: “In most cases the expectation is that a single building/plot will be the subject of an application for a licence, for example, 32 High Street. But that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration, and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises.”
- 9.12 This licensing authority takes particular note of the Gambling Commission’s Guidance to Licensing Authorities which states that: “licensing authorities should take particular care in considering applications for multiple licences for a building and those related to a discrete part of a building used for other (non gambling) purposes. In particular they should be aware of the following:
- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling but also preventing them from being in close proximity to gambling. Therefore, premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gaming where they are prohibited from participating.
 - Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so the separation of different premises is not compromised, and people do not ‘drift’ into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
 - Customers should be able to participate in the activities named on the premises licence.

The Guidance also gives a list of factors which the licensing authority should be aware of, which may include:

- Do the premises have a separate registration for business rates
- Is the premises’ neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from another gambling premises?

This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

9.13 Licensing authorities are subject to some specific constraints in exercising their functions. s.153 of the Act provides that licensing authorities shall aim to permit the use of premises for gambling in so far as the application is in accordance with the principles set out in s.153(a) to (d).

- (a) in accordance with any code of practice under section 24,
- (b) in accordance with any relevant guidance issued by the Commission under section 25
- (c) reasonably consistent with the licensing objectives (subject to paragraphs (a) and (b), and
- (d) in accordance with the statement published by the authority under section 349 (subject to paragraphs (a) to (c)).

Therefore, a licensing authority has no discretion to grant a premises licence where that would mean taking a course which it did not think accorded with the Commissions Guidance, any relevant Commission code of practice, the licensing objectives or the licensing authority's own policy statement.

In addition, the Act makes specific reference to factors that must **not** be considered by a licensing authority in exercising its functions under s.153:

- the expected demand for facilities (s.153) (2)
- whether the application is to be permitted in accordance with law relating to planning or building (s.153) (1).

9.14 **The Gambling Commission's relevant access provisions for each premises type are reproduced below:**

Casinos

- The principal access entrance to the premises must be from a street (as defined at 7.23 of the Guidance).
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons.
- No person must be able to enter a casino directly from any other premises which holds a gambling premises licence.

Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises.

Tracks

- No customer should be able to access the premises directly from:
 - a casino
 - an adult gaming centre

Bingo Premises

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

Family Entertainment Centre

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

Part 7 of the Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also consider in its decision-making.

- 9.15 **Premises “ready for gambling”** – The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority are satisfied will be ready to be used for gambling in the reasonably near future, considering the scale of the building works or alteration required before the premises are brought into use.
- 9.16 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.
- 9.17 In deciding whether a premises licence can be granted where there is outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two-stage consideration process: -
- First, whether the premises ought to be permitted to be used for gambling
 - Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.
- 9.18 Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.
- 9.19 **Location** - This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to its decision-making. As per the Gambling Commission's Guidance to

Licensing Authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

9.20 Planning – The Gambling Commission Guidance to Local Authorities states:

7.59 – In determining applications, the licensing authority has a duty to take into consideration all relevant matters and not to take into consideration irrelevant matters, i.e. those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal.

This authority will not consider irrelevant matters as per the above guidance. In addition, this authority notes the following excerpt from the guidance:

7.66 – When dealing with a premises licence application for finished buildings, the licensing authority should not consider whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control and building regulation powers and not form part of the consideration for the premises licence. Section 210 of the Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice any action that may be appropriate under law relating to planning or building.

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

When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or building consents. Fire or health and safety risks will not be considered, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

Licensing Objectives

- 9.22 Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission's Guidance to local authorities and some comments are made below.
- 9.23 **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime** - This licensing authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, if an area should have known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed via the Gambling Act provisions.
- 9.24 **Ensuring that gambling is conducted in a fair and open way** - This licensing authority has noted that the Gambling Commission states that it generally does not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences issued by the Gambling Commission. There is, however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section below at Paragraph 15.
- 9.25 **Protecting children and other vulnerable persons from being harmed or exploited by gambling** - This objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The licensing authority will therefore consider, 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.

This licensing authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.

- 9.26 As regards the term "vulnerable persons" it is noted that the Gambling Commission does not seek to offer a definition but states that "it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who are gambling beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, learning disabilities, alcohol or drugs. This licensing authority will consider this licensing objective on a case-by-case basis.

Conditions

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

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

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

9.29 This licensing authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

9.30 This authority will also ensure that where category C (for information about the different categories of machine, please see appendix 3) or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance.
- only adults are admitted to the area where these machines are located.
- access to the area where the machines are located is supervised.
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

- 9.31 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance this licensing authority will consider the impact upon the objective to protect children and other vulnerable persons from being harmed or exploited by gambling and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
- 9.32 It is noted that there are conditions which the licensing authority cannot attach to premises licences which are:
- any condition on the premises licence which makes it impossible to comply with an operating licence condition.
 - conditions relating to gaming machine categories, numbers, or method of operation.
 - conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
 - conditions in relation to stakes, fees, winning or prizes.
- 9.33 **Door Supervisors** – The Gambling Commission advises in its Guidance to Licensing Authorities that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence condition to this effect.
- 9.34 Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different premises vary (as per Guidance, Part 33).
- 9.35 It should be noted that the above paragraphs relate to door supervisors only in relation to premises licences granted under the Gambling Act 2005. Where a premises licence has also been granted under the Licensing Act 2003 in relation to the same premises, there may also be conditions on that licence which relate to door supervisors. The premises licence holder should ensure compliance with those conditions.

10.0 Adult Gaming Centres (AGC)

- 10.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18-year-olds do not have access to the premises.

- 10.2 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:
- Staff awareness training
 - Proof of age schemes
 - CCTV – this should be of sufficient quality that it will be of use in evidence and camera locations chosen to give maximum coverage
 - Supervision of entrances/machine areas
 - Physical separation of areas
 - Location of entry
 - Notices/signage
 - Specific opening hours
 - Self-exclusion schemes – these are schemes whereby individuals who acknowledge they have a gambling problem ask to be barred from certain premises.
 - Provision of information leaflets/helpline numbers for organisations such as GamCare.
- 10.3 This list is not mandatory, nor exhaustive, and is merely indicative of example measures which applicants can consider implementing however the Licensing Authority would expect the applicant to give due consideration to the examples above as part of their application.
- 10.4 Section 172(1) of the Act, as amended, provides that the holder of an AGC premises licence may 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. For example, a premises with a total of 30 gaming machines available for use can make six or fewer category B3 gaming machines available on those premises.
- 10.5 Premises subject to a licence granted before 13 July 2011 are entitled to make available four category B3/B4 gaming machines, or 20% of the total number of gaming machines, whichever is the greater. AGC premises licences granted on or after 13 July 2011 are entitled to 20% of the total number of gaming machines only. Regulations specify that the category B machines should be restricted to subcategory B3 and B4 machines, but not B3A machines (S1 2158 The Categories of Gaming Machine Regulations 2007).

Gaming machine provisions by premises are set out at Appendix 3.

11.0 (Licensed) Family Entertainment Centres

- 11.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18-year-olds do not have access to the adult only gaming machine areas.
- 11.2 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:
- Staff awareness training
 - Proof of age schemes
 - CCTV – this should be of sufficient quality that it will be of use in evidence and camera locations chosen to give maximum coverage
 - Supervision of entrances/machine areas
 - Physical separation of areas
 - Location of entry
 - Notices/signage
 - Specific opening hours
 - Self-exclusion schemes– these are schemes whereby individuals who acknowledge they have a gambling problem ask to be barred from certain premises
 - Provision of information leaflets/helpline numbers for organisations such as GamCare.
 - Measures/training for staff on how to deal with suspected truant school children on the premises
- 11.3 This list is not mandatory, nor exhaustive, and is merely indicative of example measures which applicants can consider implementing. Same comment as above
- 11.4 This licensing authority will refer to the Gambling Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. It will normally impose conditions on granting licences which accord with the above. This licensing authority will also make itself aware of and impose any mandatory or default conditions on these premises' licences.

12.0 Casinos

- 12.1 *No Casinos resolution* - This licensing authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005 but is aware that it has the power to do so. Should this licensing authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the Full Council.
- 12.2 *Casinos and competitive bidding* - This licensing authority is aware that where a licensing authority area is enabled to grant a premises licence for a new style casino (ie the Secretary of State has made such regulations under Section 175 of the Gambling Act 2005) there are likely to be a number of operators who will want to run the casino. In such situations the local authority will run a 'competition' under Schedule 9 of the Gambling Act 2005. Should the Secretary of State's approval be given for this licensing authority to grant a premises licence for a casino, the authority would run such a competition in line with the Gambling (Inviting Competing Applications for Large and Small Casino Premises Licences) Regulations 2008, as well as following the procedure set out in Part 17 of the Guidance.
- 12.3 *Licence considerations/conditions* – This licensing authority will attach conditions to casino premises licences according to the principles set out in the Gambling Commission's Guidance at paragraph 9, bearing in mind the mandatory conditions listed in paragraph 17 of the Guidance, and the Licence Conditions and Codes of Practice published by the Gambling Commission.
- 12.4 *Betting machines* - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

13. Bingo Premises

This licensing authority notes that the Gambling Commission's Guidance states:

- 13.1 Licensing Authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded premises.
- 13.2 Section 172(7), as amended, provides that the holder of a bingo premises licence may make available for use a number of category B gaming machines not exceeding 20% of the total

number of gaming machines on the premise. For example, a premises with a total of 25 gaming machines available for use can make five or fewer category B3 gaming machines available on that premises.

Premises that were licensed before 13 July 2011 are entitled to make available eight category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. There are no restrictions on the number of category C or D machines that can be made available. Regulations state that category B machines at bingo premises are restricted to sub-category B346 (but not B3A) and B4 machines.

- 13.3 Equipment operated by a bingo operating licence for the purpose of playing bingo, for example what are currently known as mechanised cash bingo, electronic bingo terminal (EBTs) and video bingo terminals (VBTs), will be exempt from controls on gaming machines provided they comply with any conditions set by the Commission and, in the case of EBTs, do not hold gaming machine content.
- 13.4 This authority also notes the Guidance at para. 18.8 regarding the unusual circumstances in which the splitting of pre-existing premises into two adjacent premises might be permitted, and in particular that it is not permissible to locate all gaming machines to which each of the licences brings an entitlement within one of the licensed premises (with none in the other one), as the gaming machine entitlement for that premises would be exceeded.

An EBT that offers gaming machine content in addition to bingo content is considered to be a gaming machine and would count towards the total number of gaming machines or towards the offering of bingo. Any EBTs that do not offer gaming machine content would not count towards the number of gaming machines.

- 13.5 Children and young people are allowed into bingo premises; however, they are not permitted to participate in bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.
- 13.6 Amusement arcades providing prize bingo will require a prize gaming permit from the Council.

Members' Clubs and Commercial Clubs

- 13.7 Bingo may be provided at clubs and institutes either in accordance with a permit or providing that the limits in Section 275 of the Act are complied with. These restrictions limit the aggregate stake or prizes within any seven days of £2,000 and require the Commission to be notified as soon as is reasonably practicable if that limit is breached. Stakes or prizes above that limit will require a bingo operators' licence and the corresponding personal and premises licences.

14.0 Betting Premises

- 14.1 Anyone wishing to operate a betting office will require a betting premises licence from the Council. Children and young persons will not be able to enter premises with a betting premises licence.
- 14.2 Betting premises will be able to provide a limited number of gaming machines and some betting machines.
- 14.3 *Betting machines* - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.
- 14.4 Social Responsibility Code Provision 3.5.6 requires that all non-remote casino and bingo and betting licences (except those at a track) and holders of gaming machine general operating licences for adult gaming centres must offer self-exclusion schemes to customers requesting such a facility. There is also an Ordinary Code provision at 3.5.7.

15.0 Tracks

- 15.1 Only one premises licence can be issued for any particular premises at any time unless the premises is a 'track'. A track is a site where races or other sporting events take place.
- 15.2 Track operators are not required to hold an 'operators' licence' granted by the Gambling Commission. Therefore, premises licences for tracks, issued by the Council are likely to contain requirements for premises licence holders about their responsibilities in relation to the proper conduct of betting. Indeed, track operators will have an important role to play, for example in ensuring that betting areas are properly administered and supervised.
- 15.3 Although there will, primarily be a betting premises licence for the track there may be a number of subsidiary licences authorising other gambling activities to take place. Unlike betting offices, a betting premises licence in respect of a track does not give an automatic entitlement to use gaming machines.
- 15.4 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will especially consider the impact upon the third licensing objective (ie the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances

to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

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

It is expressly prohibited in the Gambling Act 2005 to employ children and young people to work on tracks.

- 15.6 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives, however appropriate measures/licence conditions may cover issues such as:
- Proof of age schemes
 - CCTV– this should be of sufficient quality that it will be of use in evidence and camera locations chosen to give maximum coverage
 - Supervision of entrances/machine areas
 - Physical separation of areas
 - Location of entry
 - Notices/signage
 - Specific opening hours
 - Self-exclusion schemes– these are schemes whereby individuals who acknowledge they have a gambling problem ask to be barred from certain premises.
 - Provision of information leaflets/helpline numbers for organisations such as GamCare
- 15.7 This list is not mandatory, nor exhaustive, and is merely indicative of example measures which applicants can consider implementing.
- 15.8 *Gaming machines* - Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.

- 15.9 *Betting machines* - Licensing authorities have a power under the Gambling Act 2005 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.

Similar considerations apply in relation to tracks, where the potential space for such machines may be considerable, bringing with it significant problems in relation to the proliferation of such machines, the ability of track staff to supervise them if they are scattered around the track and the ability of the track operator to comply with the law and prevent children betting on the machines.

This licensing authority will, as per Part 6 of the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

- 15.10 *Condition on rules being displayed* - A condition will normally be attached to track premises licences requiring the track operator to ensure that the rules relating to tracks which are contained in the Act are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the racecard or made available in leaflet form from the track office.
- 15.11 *Applications and plans* – The Act (s51) require applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity (See Guidance, para 20.28).
- 15.12 Plans for tracks do not need to be in a particular scale but should be drawn to scale and should be sufficiently detailed to include the information required by regulations (see Guidance, para 20.29).
- 15.13 Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such circumstances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises (See Guidance, para 20.31)
- 15.14 In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined (See Guidance, para 20.32).
- 15.15 This authority appreciates it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required

to be shown on the track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of tracks. Applicants should provide sufficient information that this authority can satisfy itself that the [plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the “five times rule” (commonly known as betting rings) must be indicated on the plan (See Guidance, para 20.33).

16.0 Travelling Fairs

16.1 This licensing authority is responsible for deciding whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

16.2 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair:

For the purposes of this Act –

(a) “fair” means a fair consisting wholly or principally of the provision of amusements, and

(b) a fair held on a day in a calendar year is a “travelling fair” if provided-

- (i) wholly or principally by persons who travel from place to place for the purpose of providing fairs, and
- (ii) at a place no part of which has been used for the provision of a fair on more than 27 days in that calendar year.

16.3 It is noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

17.0 Provisional Statements

17.1 Developers may wish to apply to this authority for provisional statement before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

17.2 S204 of the Act provides for a person to make application to the licensing authority for a provisional statement in respect of premises that he or she:

- Expects to be constructed.
- Expects to be altered; or

- Expects to acquire a right to occupy.

17.3 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

17.4 In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track), and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

17.5 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from responsible authorities or interested parties can be taken into account unless they:

- concern matters which could not have been raised by objectors at the provisional licence stage; or
- reflect a change in the operator's circumstances.

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

- Which could not have been raised by objectors at the provisional statement stage.
- Which in the authority's opinion reflect a change in the operator's circumstances; or
- Where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

18.0 Reviews

18.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the licensing authority to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is relevant to the matters listed below:

- in accordance with any relevant code of practice issued by the Gambling Commission.
- in accordance with any relevant guidance issued by the Gambling Commission.
- reasonably consistent with the licensing objectives; and
- in accordance with this authority's statement of licensing policy.

- 18.2 The request for a review will also be subject to the consideration by the licensing authority as to whether the request is frivolous, vexatious, or whether it will certainly not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.
- 18.3 Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28-day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.
- 18.4 The licensing authority must carry out the review as soon as possible after the 28-day period for making representations has passed.
- 18.5 The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:
- Add, remove or amend a licence condition imposed by the licensing authority.
 - Exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion.
 - Suspend the premises licence for a period not exceeding three months; and
 - Revoke the premises licence.
- 18.6 In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in s153 of the Act, as well as any relevant representations.
- 18.7 In particular, the licensing authority may also initiate a review of the premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.
- 18.8 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:
- The licence holder.
 - The applicant for review (if any).
 - The Gambling Commission.
 - Any person who made representations.
 - The chief officer of police or Chief Constable.
 - Her Majesty's Commissioners for Revenues and Customs.

Part C

Permits/Temporary & Occasional Use Notice

19.0 Unlicensed Family Entertainment Centre Gaming Machine Permits (Statement of Principles on Permits - Schedule 10 paragraph 7)

- 19.1 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (s238 of the Act).
- 19.2 The Act states that a licensing authority may prepare a *statement of principles* that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25. The Gambling Commission's Guidance also states, "In their three-year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits, licensing authorities will want to give weight to child protection issues" (para, 24.6).
- 19.3 Guidance also states: "... An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed Family Entertainment Centre (FEC), and if the chief officer of police has been consulted on the application.... Licensing authorities might wish to consider asking applications to demonstrate:
- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
 - that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and
 - that staff are trained to have a full understanding of the maximum stakes and prizes. (para. 24.7)
- 19.4 It should be noted that a licensing authority cannot attach conditions to this type of permit.

- 19.5 This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits; however, they may include appropriate measures/training for staff as regards suspected truant school children on the premises, measures/training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on/around the premises.
- 19.6 This licensing authority will also expect, as per Gambling Commission Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant has no relevant convictions (Sched. 7 of the Act) and that staff are trained to have a full understanding of the maximum stakes and prizes.

20.0 (Alcohol) Licensed Premises Gaming Machine Permits - (Schedule 13 paragraph 4(1))

- 20.1 *Automatic entitlement: up to 2 machines* - There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines of categories C and/or D. The operator of the premises merely needs to notify the licensing authority and pay the prescribed fee. The licensing authority can remove the automatic authorisation in respect of any particular premises if:
- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives.
 - gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (ie 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.
- 20.2 *Permit: 3 or more machines* - If the operator of alcohol licensed premises wishes to have more than 2 machines, then an application must be made for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant.*”
- 20.3 This licensing authority considers that “*such matters*” will be decided on a case-by-case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy

the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be a help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

- 20.4 This licensing authority recognises that some operators of alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for and dealt with as an Adult Gaming Centre premises licence.
- 20.5 The licensing authority may decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.
- 20.6 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.

21.0 Prize Gaming Permits - (Principles on Permits - Schedule 14 paragraph 8 (3))

- 21.1 The Gambling Act 2005 states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority proposes to consider in determining the suitability of the applicant for a permit”.
- 21.2 This licensing authority has prepared a statement of principles which is that the applicant should set out the types of gaming that he or she is intending to offer, and that the applicant should demonstrate:
- That they understand the limits to stakes and prizes that are set out in Regulations.
 - That the gaming offered is within the law.
 - Clear policies that outline the steps to be taken to protect children from harm.
- 21.3 Prize gaming may be provided in bingo premises as a consequence of their bingo operating licence. Any type of prize gaming may be provided in adult gaming centres and licensed family entertainment centres. Unlicensed family entertainment centres may offer equal chance prize gaming under a gaming machine permit. Prize gaming without a permit may be provided by travelling fairs, providing that none of the gambling facilities at the fair amount to more than an ancillary amusement. Children and young people may participate in equal chance gaming only.

21.4 In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance (Sched. 14 para. 8(3) of the Act).

21.5 It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with.
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played.
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

22.0 Club Gaming and Club Machines Permits (Principles on Permits - Schedule 12)

22.1 Members Clubs and Miners' Welfare Institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming Machines Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance. A Club Gaming Machine Permit will enable the premises to provide gaming machines (up to 3 machines of categories B, C or D).

22.2 Gambling Commission Guidance states: "Members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist, which replicates the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations".

22.3 The Guidance also states that licensing authorities may only refuse an application on the grounds that:

- the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied.
- the applicant's premises are used wholly or mainly by children and/or young persons.

- an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities.
- a permit held by the applicant has been cancelled in the previous ten years; or
- an objection has been lodged by the Gambling Commission or the police.

22.4 There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Sched. 12 paragraph 10). As the Gambling Commission's Guidance for local authority's states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced." and "The grounds on which an application under the process may be refused are:

- a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12.
- 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".

22.5 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

23.0 Temporary Use Notices (Principles on Permits - Schedule 12)

23.1 Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Event Notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.

23.2 The licensing authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non remote casino operating licence.

23.3 The Secretary of State has power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this statement the relevant regulations (The Gambling Act (Temporary Use Notices) Regulations 2007) state that temporary Use Notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments. (is this still valid?)

- 23.4 There are a number of statutory limits as regards Temporary Use Notices. The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Guidance. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises.
- 23.5 This licensing authority will normally object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Guidance.

24.0 Occasional Use Notices

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

Part D

Licence Conditions and Codes of Practice (LCCP)

25.0 The Gambling Commission released an LCCP in February 2015 with a commencement date of May 2015. The code strengthened the social responsibility code (SR) requirements. Details regarding the LCCP and SR code can be accessed via the Gambling Commission website at www.gamblingcommission.gov.uk.

The code requires operators.

- To supervise customers effectively on gambling premises and identify customers who are at risk of gambling related harm.
- To have in place schemes to allow customers to self-exclude themselves from all operators of a similar type in the area where they live and work.
- To have a range of measures with regard to marketing to ensure social responsibility that are transparent and not misleading; and
- To produce a risk assessment on individual premises and have policies and procedures and control measures in place to mitigate local risks to the licensing objectives.

25.1 Risk Assessments

Such risk assessments are required from new applicants, and from existing premises licensees seeking to vary a licence and are to be presented to the licensing authority upon application. The code requires all operators of; Casino's, AGC's, Bingo Premises, FEC's, Betting shops and remote betting intermediaries to assess local risks to the licensing objectives, and to have policies, procedures and control measures in place to mitigate those risks.

25.2 Operators are required by the SR code to make the risk assessment available to licensing authorities when an application is submitted either for new premises licence or variation of a premises licence, or otherwise on request, and this will form part of the council's inspection regime and may be requested when officers are investigating complaints.

25.3 The code requires the Council to set out matters they expect the operator to take account of in the risk assessment in its statement of policy and this council expects the following matters to be considered by operators when making their risk assessment.

- Information held by the licensee regarding self-exclusions and incidences of underage gambling.
- Gaming trends that may reflect benefit payments.

- Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
- Urban setting such as proximity to schools, commercial environment, factors affecting footfall.
- Range of facilities in proximity to the licensed premises such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities; and
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activities, etc.

25.4 The council expects the following matters to be considered by operators when making their risk assessment.

Matters relating to children and young persons, including.

- Institutions, places or areas where presence of children and young persons should be expected such as schools, youth clubs, parks,
- playgrounds and entertainment venues such as bowling allies, cinemas etc.
- Any premises where children congregate including bus stops, cafés, shops, and any other place where children are attracted.
- Areas that are prone to issues of youths participating in anti-social behaviour, including such activities as graffiti/tagging, underage drinking, etc.; and
- Recorded incidents of attempted underage gambling.

Matters relating to vulnerable adults, including.

- Information held by the licensee regarding self-exclusions and incidence of underage gambling.
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments.
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends; and
- Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor's surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate, etc.

Other issues that may be considered could include:

- Matters of faith, including all religious or faith denominations including proximity to churches, mosques, temples or any other place of worship.

25.5 This list is not exhaustive and other factors not in this list that are identified must be taken into consideration.

26.0 Local Area Profile

- 26.1 The Council has considered the local area profile and feels the main issues will be covered by the risk assessments required under the LCCP.

APPENDIX 1 – LIST OF CONSULTEES

- All holders of gambling premises licences and permits issued by the Council
- All premises licensed under the Licensing Act 2003 where gaming machines are provided
- All members of Lancaster City Council
- All Parish councils within the Lancaster City Council area
- Lancashire Constabulary
- Lancashire Fire and Rescue Service
- Lancashire Safeguarding –Children
- Lancashire County Council – Trading Standards
- Lancashire County Council - Public Health
- Home Office - H M Revenues and Customs
- Lancaster City Council – Planning and Building Control
- The Gambling Commission
- British Beer and Pub Association
- British Institute of Inn-keeping
- Disability Rights Commission Helpline
- Equity Head Office
- Gamcare
- Gamblers Anonymous
- Money Advice Trust
- Step change Debt Charity

APPENDIX 2 - USEFUL ADDRESSES

Responsible Authorities

CONTACT DETAILS FOR LICENSING AUTHORITY:

Licensing Manager
Lancaster City Council
Lancaster Town Hall
Dalton Square
Lancaster LA1 1 PJ
Tel: (01524) 582033
Email: licensing@lancaster.gov.uk

CONTACT DETAILS OF OTHER RESPONSIBLE AUTHORITIES:

The Gambling Commission

Victoria Square House
Victoria Square
Birmingham B2 4BP
Tel: (0121) 230 6500
Fax: (0121) 230 6720
E-mail: info@gamblingcommission.gov.uk

Police Authority

The Licensing Officer
Lancaster Licensing Unit
West Division
Lancashire Constabulary
Thurnham Street
Lancaster LA1 1YB
E-mail: WestLicensing@lancashire.police.uk

Fire & Rescue Authority

Morecambe Community Fire Station
Westgate
Morecambe LA4 4TA
Email: Licensing@lancsfirerescue.org.uk

Lancashire County Council,
Public Health Licensing
Level 1
CCP Building
County Hall
Preston,
PR1 8XB
Email: phlicensing@lancashire.gov.uk

Directorate for Communities and Environment

Morecambe Town Hall
Morecambe LA4 5AF
Email: publicprotection@lancaster.gov.uk

Regeneration and Planning

Head of Regeneration and Planning
Town Hall
Dalton Square
Lancaster LA1 1PJ
Email: developmentcontrol@lancaster.gov.uk

Lancashire Safeguarding Children and Adults Board

Room B52
County Hall
Preston PR1 8RJ
E-mail: JPBU@lancashire.gov.uk

H M Revenues and Customs

Boundary House
Cheadle Point
Cheadle
Cheshire SK8 2JZ
Email: IE.licensing.applications@homeoffice.gov.uk

Other Useful Addresses

British Beer and Pub Association

Groundfloor
Brewer's Hall
Aldermanbury Square
London
EC2V 7HR

Tel: 0207 627 9191
Email: contact@beerandpub.com
Web: www.beerandpub.com

British Institute of Innkeeping

Infor House
1 Lakeside Road
Farnborough
GU14 6XP

Tel: 01276 684 449
Email: enquiries@bii.org
Web: www.bii.org

Disability Rights Commission Helpline

Freepost MID01264
Stratford Upon Avon
CV37 9BR

Tel: 08457 622 633
Web: www.drc.org.uk

Equity Head Office

Guild house
Upper Martins Lane
London
WC2H 9EG

Tel: 0207 379 6000
Email: info@equity.org.uk
Web: www.equity.org.uk

Gamcare

1st Floor
CAN Mezzaine Old Street
London N1 6AH

Tel: 020 7378 5200
Helpline: 0808 8020 133
Email: info@gamcare.org.uk
Web: gamcare.org.uk

Gamblers Anonymous

The Wellness Centre
45 Montrose Avenue
Intake, Doncaster
DN2 6PL

www.gamblersanonymous.org.uk

Money Advice Trust

21 Garlick Hill
London EC4V 2AU

Tel: 020 7489 7796
Web: www.moneyadvicetrust.org/home.html

Stepchange Debt Charity

Wade House
Merrion Centre
Leeds LS2 8NG

Web: www.stepchange.org
Tel: 0800 138 1111

APPENDIX 3 - CATEGORIES OF GAMING MACHINES

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

***With the option of a maximum £20,000 linked progressive jackpot on a premised basis**

	Machine Category						
Premises Type	A	B1	B2	B3	B4	C	D
Large casino (machine/table ration of 5-1 up to maximum)		Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)					
Small casino (machine/table ration of 2-1 up to maximum)		Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)					
Pre-2005 Act 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 occupied by Pool Betting			Maximum of 4 machines categories B2 to D				
Bingo Premises				Maximum of 8 machines or 20% of total machines in category B3 or B4		No limit on category C or D machines	
Adult gaming centres				Maximum of 4 machines in category B3 or B4 or 20% of total machines		No limit on category C or D machines	
Family entertainment centre (with premises licence)						No limit on category C or D machines	
Family entertainment centre (with permit)							No limit on category D machines
Clubs or miners' welfare institutes with permits					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 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

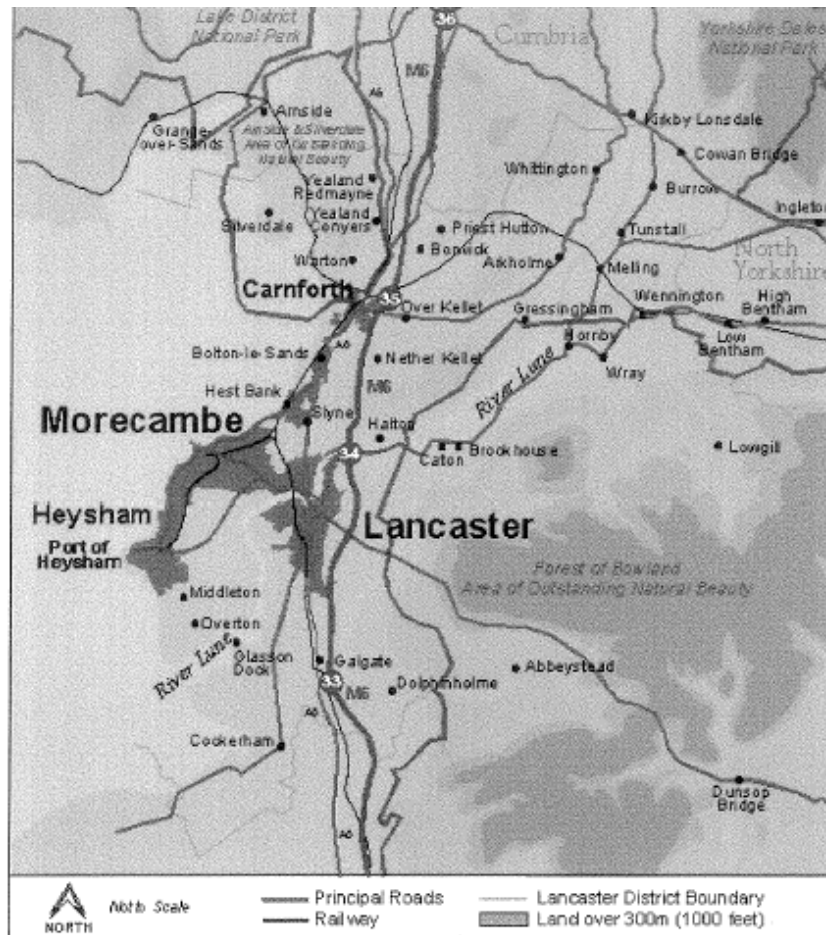
- It should be noted that members' clubs and miners' welfare institutes are entitled to site a total of three machines in categories B3A to D, but only one B3A machine can be sited as part of this entitlement. Commercial clubs are entitled to a total of three machines in categories B4 to D.

APPENDIX 4 - DELEGATION OF FUNCTIONS

Matter to be dealt with	Full Council	Sub-committee of Licensing Committee	Officers
Final approval of three-year licensing policy	X		
Policy not to permit casinos	X		
Fee setting (when appropriate)		X	
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Review of a premises licence		X	
Application for club gaming/club machine permits		Where objections have been made (and not withdrawn)	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits		X	
Applications for other permits		X (for more than 4 machines)	X (up to 4 machines)
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

X - Indicates at the lowest level to which decisions can be delegated.

APPENDIX 5 - MAP OF THE DISTRICT



See UK Location Map for information about Ordnance Survey mapping

Appendix 2 – Table of Amendments

Page/Paragraph	Amendment	Reason
Cover	Version control added	As per instructions from Project team
Pg 4	Preface Updated	To reflect Cabinet/Portfolio holders recommendations
Pg 6 (Intro)	Updates to text/Removal of data	Reflect changes to neighbouring Authorities, Updated population figures and removal of data – no value/purpose.
Para 2.10	Updated contact details	To allow comments/feedback etc.
Para 4.0	Review and update Responsible Authority contact details	For Info sharing/reporting purposes
Various/throughout doc	All Schedules/Powers/Sections/Parts/Codes referenced reviewed for accuracy	Accuracy/Ease of reference
Para 8.5	Contact details Gambling Commission reviewed	For users/members/Officers and applicants
Para 10.4/10.5	Paragraphs inserted	To provide further details regarding % of gaming machines permitted Introduced Appendix 3 – gaming machine detailed info.
Para 13.2/13.3/13/4	Paragraphs inserted	To provide further details regarding % of gaming machines permitted Consideration of electronic bingo terminals in permitted totals
Para 14.4	Paragraph inserted	Include social responsibility/self-exclusion reference.
Para 15.5	Paragraph inserted	Statement include regarding employment of children at tracks.
Para 23.3	*Further amends required (seek clarity)	Temporary use notices
Para 26	Local Area Profile	Risk assessments provided as part of application satisfies individual premises. No evidence from responsible authorities or Gambling Commission to suggest local area profile required.
Appendix 1	Updated consultees *Include citizens advice in final draft	
Appendix 2	Updated responsible authority contacts	Now included email addresses
Appendix 3	Updated Stakes on B2 machines	To reflect changes to gaming machines category stakes/prizes
Appendix 4	Check constitution delegations *Licensing Sub-Committee	

MOTION ON NOTICE

CELEBRATING ERIC MORECAMBE'S 100TH BIRTHDAY

Council Notes:

- That 14 May 2026 marks the 100th anniversary of the birth of John Eric Bartholomew, known professionally as Eric Morecambe, born in Morecambe, Lancashire.
- Eric Morecambe was a nationally beloved comedian and entertainer, widely recognised as one of Britain's greatest entertainers.
- His legacy continues to attract visitors and remains a source of civic pride and cultural heritage for Morecambe.
-

Council Believes:

- That Eric Morecambe's centenary provides an opportunity to promote the town's cultural identity, tourism, and local economy.
- That the Council should play a leading role in supporting and facilitating appropriate celebrations.

Council Resolves:

- To formally recognise and celebrate Eric Morecambe's 100th birthday on or around 14 May 2026.
- To work in partnership with local organisations, community groups, and businesses to plan and deliver public events, exhibitions, and other commemorative activities.
- To explore potential funding streams or sponsorship opportunities to support these celebrations without placing undue burden on council finances.
- To establish a working group of councillors, officers, and community representatives to coordinate the centenary programme, reporting back to Full Council with proposals by March 2026

PROPOSERS: Councillors Matthew Black, Joanne Ainscough, Louise Belcher, Phillip Black, Ruth Colbridge, Claire Cozler, John Hanson, Jean Parr and Margaret Pattison.

OFFICER BRIEFING NOTE

There is a commitment within the Council Plan 2024-27 to provide access to culture and leisure (3.3) and ensure local communities are active, engaged, involved and connected (3.4). Working collaboratively with partners to commemorate the 100th birthday of Eric Morecambe supports delivery of aspects of our Council plan including providing access to and involvement in arts, culture, leisure and recreation, supporting our thriving arts, culture and heritage sector and ensuring local communities are active, engaged, involved and connected.

Informal discussions have commenced at an officer level between Comms, Marketing and Museums and Morecambe BID, to start working up initial proposals. Should the motion be accepted, officers will look at lead organisations and resource and there may be a budgetary ask if the event cannot be delivered within existing resource available, dependant on size and scale of the planned event.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.
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SECTION 151 OFFICER'S COMMENTS

The s151 Officer has been consulted and has no further comments.
--

COUNCIL

**Appointments to Outside Bodies
5 November 2025
Report of the Senior Manager, Democratic Support
and Elections**

PURPOSE OF REPORT

To consider making an appointment to a vacancy on the Forest of Bowland Joint Advisory Committee

This report is public

RECOMMENDATIONS

- (1) That Council confirms the basis of appointment for the Forest of Bowland Joint Advisory Committee as nomination and voting at full Council.**
- (2) That should the basis of appointment be confirmed, nominations be received and an appointment made at this meeting.**

1.0 Introduction

- 1.1 Councillor Colbridge has resigned from her role on the Forest of Bowland Joint Advisory Committee due to work commitments, therefore a vacancy on that body has occurred.

2.0 Forest of Bowland Joint Advisory Committee

- 2.1 The Forest of Bowland Joint Advisory Committee was constituted in 1986 and is responsible for strategic liaison and decision-making between the wide range of partner organisations and interests within the Forest of Bowland National Landscape.
- 2.2 Meetings are held twice a year in April and October with a site visit arranged for the morning followed by lunch and then the meeting at 2pm.
- 2.3 Information about the committee, including Terms of Reference, can be found here <https://www.forestofbowland.com/joint-advisory-committee>.
- 2.4 Members are asked to consider appointing by: -
 - (a) Reconfirming that appointment should be on the basis nomination and voting at full Council; and
 - (b) If this is reconfirmed, that nominations be put forward and an appointment made at this meeting.

3.0 Conclusion

- 3.1 Council is asked to consider appointing to the vacancy on the Forest of Bowland Joint Advisory Committee.

CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing) None directly arising from this report.	
LEGAL IMPLICATIONS There are no legal implications stemming from this report	
FINANCIAL IMPLICATIONS Members of outside bodies are entitled to travel expenses, which are currently being funded from within existing budgets.	
OTHER RESOURCE IMPLICATIONS Human Resources: None Information Services: None Property: None Open Spaces: None	
SECTION 151 OFFICER'S COMMENTS The Section 151 Officer has been consulted and has no comments to add.	
MONITORING OFFICER'S COMMENTS The Monitoring Officer has been consulted and has no comments to add.	
BACKGROUND PAPERS None	Contact Officer: Debbie Chambers Telephone: 01524 582057 E-mail: dchambers@lancaster.gov.uk Ref:

CABINET

6.00 P.M.

16TH SEPTEMBER 2025

PRESENT:- Councillors Caroline Jackson (Chair), Peter Jackson, Mandy Bannon, Martin Bottoms, Tim Hamilton-Cox, Paul Hart, Sam Riches and Sue Tyldesley

Apologies for Absence:-

Councillor Sally Maddocks

Officers in attendance:-

Mark Davies	Chief Executive
Luke Gorst	Chief Officer - Governance and Monitoring Officer
Paul Thompson	Chief Officer - Resources and Section 151 Officer
Jonathan Noad	Chief Officer - Sustainable Growth
Paul Rogers	Regeneration Service Manager
Paul Hatch	Principal Planning Policy Officer
Emma Coffey	Conservation Officer, Regeneration and Policy
Liz Bateson	Principal Democratic Support Officer

40 MINUTES

The minutes of the meeting held on Thursday 31 July 2025 were approved as a correct record.

41 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

The Chair advised that there were no items of urgent business.

42 DECLARATIONS OF INTEREST

No declarations were made at this point although Councillor Tyldesley made a declaration regarding the Adoption of Conservation Area Appraisals during consideration of that item in view of her living in one of the affected areas. Minute 46 refers).

43 PUBLIC SPEAKING

Members were advised that there had been no requests to speak at the meeting in accordance with Cabinet's agreed procedure.

44 ANNUAL COMPLAINTS REPORT

Cabinet Member with Special Responsibility Councillor Maddocks)

Cabinet received a report from the Chief Officer Housing and Property that provided an update to developments in complaints handling within council services in line with the joint Code of Practice issued by the Housing Ombudsman and the Local Government

and Social Care Ombudsman (2024). The report provided performance information and the required self-assessments against the code.

The options, options analysis, including risk assessment and officer preferred option, were set out in the report as follows:

	Option 1: To approve the recommendations as set out in the report.	Option 2: That an alternative approach to complaint handling be proposed
Advantages	Ensures continued compliance with mandatory Code (housing) and prepares for future expected mandatory compliance across all services. Improves consistency and builds a learning culture. Continued improvement work required in non-housing areas	Unknown
Disadvantages	Continued resource requirements required on an area not yet mandatory for the Council.	Unknown
Risks	Inconsistency may persist while new systems embed.	Risk of non-compliance, reputational harm, and missed opportunity to improve customer service.

The officer preferred option was option 1: This allows officers to work towards a realistic plan for full compliance across the council in time for the expected mandatory requirement in 12 months' time. It promotes a resident focused approach to complaints, and service improvement. It also supports the continued development of IT solutions to promote a streamlined, and consistent service for residents.

During questions an update was requested on the 3 cases that remained open from March 2025. Cabinet members suggested that the work indicated how seriously the Council took the issue of complaints and requested that the thanks of Cabinet to those involved be noted.

Councillor Caroline Jackson proposed, seconded by Councillor Riches:-

"That the recommendations as set out in the report be approved,"

Councillors then voted:-

Resolved unanimously:

- (1) That the Cabinet member with responsibility for complaints be delegated to agree a statement to be published by the end of September 2025 on the Council's complaints handling in accordance with the Code.
- (2) That Cabinet approve the both the Complaint self-assessment forms and

endorse the annual report and service improvement plans for 2025 and that all documents are published.

Officer responsible for effecting the decision:

Chief Officer Housing & Property

Reasons for making the decision:

Generally, residents who have reached the stage of making a formal complaint against the Council are using this mechanism to show genuine and reasonable dissatisfaction. Effective and unified complaint handling and the continuation of the development of a positive complaints culture offers vital feedback on service delivery and should be treated as a genuine opportunity for improvement.

The Code provides a clear and unified framework to ensure complaints are taken seriously, handled fairly, and used to drive improvement. It prioritises open, transparent communication with complainants; consistency in responses and response times; accessibility for complainants; and a strong focus on evidenced learning from complaints.

The report and associated Appendices set out the progress made across housing and non-housing services, and our continued commitment to accountability and learning and supports the Council's wider vision of being a 'Co-operative, Kind and Responsible Council'.

45 RENEWAL TO REGULATION 7 DIRECTION UNDER TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) (ENGLAND) REGULATION 2007

Cabinet Member with Special Responsibility Councillor Tyldesley)

Cabinet received a report from the Chief Officer Planning & Climate Change which sought authorisation for the Chief Officer (Planning & Climate Change) to proceed with the statutory process and submit a proposal to the Secretary of State requesting that a Direction under Regulation 7 be renewed. The Direction had been in place for 5 years and had been successful in managing 'To Let' boards.

The options, options analysis, including risk assessment and officer preferred option, were set out in the report as follows:

	Option 1: Submit a request to the Secretary of State to renew the designation of a Direction under Regulation 7 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 for the wards of Bulk, Castle, John	Option 2: Submit a request to the Secretary of State to renew the designation of a Direction under Regulation 7 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007	Option 3: Do not progress a Regulation 7 Direction under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
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	O'Gaunt, Marsh, Scotforth East and Scotforth West.	for the wards described in Option 1 and additional wards in the District.	
Advantages	<p>The renewal of the Direction under Article 7 will ensure that the current regime of managing 'to let' advertisements remain in place in the wards described and no new proliferation of signage occurs over the next 5 years. It will continue to manage this matter in the wards which have been historically most affected by these signage issues.</p> <p>Starting the process now provides sufficient time for the renewal to take place, informal consultation to be undertaken and a decision from the Secretary of State to be received.</p>	The addition of further wards would provide the opportunity to expand the geographic scope of the Article 7 Direction to include other areas of the district where it is believed that these issues with signage are occurring.	None known
Disadvantages	None known	<p>Expanding the geographic scope of the Article 7 direction would not constitute a renewal of the process. It would require sufficient robust evidence that a demonstrable problem exists in additional areas of the district to justify such action.</p> <p>This would require significant additional evidence</p>	Allowing the Direction to lapse in September 2026 could allow for a re1establishment of 'to let' signs in the Wards identified and a return to the issues which were identified prior to the Direction coming into force.

		<p>to be gathered to justify expanding the scope of the Direction.</p> <p>It is not clear there is sufficient evidence to justify an expansion in the scope of the Direction.</p>	
Risks	None known	<p>Should this option be pursued further work would be required to secure the necessary evidence to justify an expansion of the scope of the Direction.</p> <p>Regardless of whether sufficient evidence could be secured to justify the need for an expansion, this would take time to collect and analyse which would risk a delay in securing a decision from the Secretary of State and the current Direction lapsing.</p>	<p>In the absence of any management of 'to let' signs under the Article 7 Direction the issues around visual amenity and impacts on the street scene in the wards identified may increase.</p>

The preferred option is Option 1. The renewal of the current Article 7 Direction provides the most effective approach to continuing management of this issue in the most affected wards. The City Council have the evidence to demonstrate the historical problems around 'to let' signage in these areas and the success which the Direction has had on improving this matter. This means that a renewal of the Direction can be progressed as quickly as possible.

It is recommended that authorisation is given for the Chief Officer (Planning & Climate Change) to proceed with the statutory process and submit a proposal to the Secretary of State requesting that a Direction under Regulation 7 is to be renewed.

Councillor Tyldesley proposed, seconded by Councillor Hamilton-Cox:-

"That the recommendations, as set out in the report, be approved."

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet authorise the renewal of the Regulation 7 Direction under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, to prohibit the display of To Let boards on residential properties in the wards of Bulk, Castle, John O'Gaunt, Marsh, Scotforth East and Scotforth West, without express consent and to comply with all necessary requirements.
- (2) That delegated authority is provided to the Chief Officer for Planning & Climate Change to submit the proposed renewal to the Secretary of State.

Officer responsible for effecting the decision:

Chief Officer Planning & Climate Change

Reasons for making the decision:

The decision is consistent with the Council Plan.

The Council Plan includes ambitions to make our neighbourhoods clean, well maintained and safe. The Lancaster District Local Plan includes policies which seek to improve the amenity of residents in Lancaster and to protect the character and appearance. Policies in the Strategic Policies and Land Allocations Development Plan Document aim to ensure that development, including uses of buildings, maintain the district's heritage (SP7). Policy DM21 seeks to ensure that signage is well designed and appropriately sited and does not contribute to an unsightly proliferation or clutter of signage. Policies DM37 to 41 seek to ensure that the district heritage is protected or enhanced. The proposal seeks to address the detrimental impacts of concentration of letting boards associated to HMOs in accordance with the ambitions of the Council Plan and the Local Plan.

46 ADOPTION OF CONSERVATION AREA APPRAISALS FOR AND BOUNDARY CHANGES TO OVER KELLET, WHITTINGTON AND YEALAND CONYERS & REDMAYNE CONSERVATION AREAS

Cabinet Member with Special Responsibility Councillor Tyldesley)

Councillor Tyldesley declared an interest during the consideration of this item in view of her living in Yealand, one of the affected areas.

Cabinet received a report from the Chief Officer Planning & Climate Change with regard to the adoption of Conservation Area Appraisals for and boundary changes to Over Kellet, Whittington and Yealand Conyers & Redmayne Conservation Areas.

The options, options analysis, including risk assessment and officer preferred option, were set out in the report as follows:

	Option 1: To adopt the CAAs and approve the boundary changes	Option 2: Not to adopt the CAAs or approve the	Option 3: To adopt the CAAs without the
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		boundary changes	boundary changes (this would involve amending the CAAs)
Advantages	<p>Their adoption would be in accordance with national planning guidance (Government Planning Practice Guidance (PPG) and Historic England) which makes it clear that CAAs are the starting point for actively managing these significant parts of the historic environment.</p> <p>The CAAs would form part of the evidence base of the district's Local Plan.</p> <p>The National Planning Policy Framework (2024) (paragraph 203) states that "Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay and other threats. This strategy should take into account:</p> <p>a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;</p> <p>b) the wider social,</p>	None known	<p>Their adoption would be in accordance with national planning guidance (Government Planning Practice Guidance (PPG) and Historic England) which makes it clear that CAAs are the starting point for actively managing these significant parts of the historic environment.</p> <p>The National Planning Policy Framework (2024) (paragraph 203) states that "Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay and other threats. This strategy should take into account:</p> <p>a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses</p>

	<p>cultural, economic and environmental benefits that conservation of the historic environment can bring;</p> <p>c) the desirability of new development making a positive contribution to local character and distinctiveness; and</p> <p>d) opportunities to draw on the contribution made by the historic environment to the character of a place.</p> <p>By approving the boundary changes, the council would be fulfilling its duties under Section 69(2) of Planning (Listed Buildings and Conservation Areas) Act 1990 which states that local planning authorities have a duty “from time to time to...determine whether any parts or further parts of their area should be designated as conservation areas...”</p> <p>The CAAs will assist and guide the Development Management Team and Conservation Team in in their work managing development within this area, as well as having a wider application for officers, property owners and</p>		<p>consistent with their conservation;</p> <p>b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;</p> <p>c) the desirability of new development making a positive contribution to local character and distinctiveness; and</p> <p>d) opportunities to draw on the contribution made by the historic environment to the character of a place.</p> <p>The CAAs would assist and guide the Development Management Team and Conservation Team in in their work managing development within this area, as well as having a wider application for officers, property owners and the community as a reference tool and evidence base for better understanding the</p>
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	the community as a reference tool and evidence base for better understanding the area. Its adoption will give the document more weight as a material consideration in planning decisions.		area. Its adoption will give the document more weight as a material consideration in planning decisions.
Disadvantages	None known	Without formal adoption, the CAA would not carry as much weight and could not be relied upon as a material consideration in planning decisions. The Council would not be fulfilling a duty under s.69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (see above).	Omitting the review of the boundary would mean that a fundamental element of the appraisal process had been overlooked. The Council would not be fulfilling a duty under s.69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (see above).
Risks	None known	Without an adopted CAA, it will be harder to protect the CA from inappropriate development and more difficult to defend at appeal.	

The officer preferred option is Option 1. The adoption of the CAAs and the boundary changes align with heritage duties and requirements under the relevant Acts and the NPPF and national guidance. It would ensure that there is more robust protection in place for managing these conservation areas.

This report sets out the preferred way forward for (i) adopting conservation area appraisals for three existing conservation areas, and (ii) approving boundary extensions for them following a review of these areas, some 40-50 years since their original designation. These actions will help ensure that they are managed with a more thorough understanding of their significance going forward.

The Cabinet member with responsibility confirmed that a map detailing the conservation areas within the district would be circulated to Cabinet members.

Councillor Tyldesley proposed, seconded by Councillor Bottoms:-

“That the recommendations, as set out in the report, be approved.”

Councillors then voted:-

Resolved unanimously:

- (1) That the adoption of the draft Conservation Area Appraisals for Over Kellet, Whittington and Yealand Conyers & Redmayne be approved.
- (2) That the proposed extensions to the current conservation area boundaries in these three settlements be approved.

Officer responsible for effecting the decision:

Chief Officer Planning & Climate Change

Reasons for making the decision:

Government planning guidance relating to the historic environment is set out in the National Planning Policy Framework (NPPF, 2021) and the CAAs align with this.

The CAAs contribute to the Council's vision for the Lancaster district to thrive as vibrant regional centre in the north west of England, making the most of our district's many attributes as a great place to live, work and visit.

The Council Plan sets out the Council's priorities for 2024-2027, and the CAAs align with three of these, specifically:

- *A Sustainable District – encouraging the repair and re-use of existing buildings, which reduces waste and locks in carbon;*
- *An Inclusive and Prosperous Local Economy – supporting investment and regeneration; and*
- *Healthy and Happy Communities – supporting access to heritage and culture and quality public spaces.*

At a district level, the Local Plan sets out the Council's broad strategy for heritage conservation within the Strategic Policies and Land Allocations (climate emergency review) DPD and the Development Management (climate emergency review) DPD, both adopted in January 2025. The CAAs align with these documents.

47 PROJECTS AND PERFORMANCE: Q1 2025-26

Cabinet Member with Special Responsibility Councillor Hamilton-Cox)

Cabinet received a report from the Chief Executive that provided members with an update on corporate performance and strategic projects during quarter one of 2025 - 26 (April - June 2025).

As the report was for commenting and noting no options were provided. Cabinet members responded to questions within their portfolios and the work of the Homelessness Team was applauded.

Resolved:

That the report be noted.

Reasons for making the decision:

Monitoring of strategic projects and key performance indicators provides a link between the Council Plan 24-27 by providing progress updates.

48 STRATEGIC RISK MANAGEMENT**Cabinet Member with Special Responsibility Councillor Hamilton-Cox)**

Cabinet received a report from the Chief Executive that provided Cabinet with an update on the authority's progress in updating the Strategic Risk Register.

As the report was for comments and noting no options were provided.

Resolved:

That the report be noted.

Reasons for making the decision:

The Council have a Risk Management Policy, which is written to provide guidance on the management of risk. Risk Management is identified in the Council Plan 2024-27.

49 DELIVERING OUR PRIORITIES: Q1 2025/26**Cabinet Member with Special Responsibility Councillor Hamilton-Cox)**

Cabinet received a report from the Chief Executive & 151 Officer that provided members with an update on financial performance during the first quarter of 2025/26 (April – June 2025).

As the report was for comments and noting no options were provided. In response to a question relating service support within Corporate Property Review the Cabinet member with responsibility confirmed that he would look into this and advise Cabinet members accordingly.

Resolved:

That the report be noted.

Reasons for making the decision:

Performance, project and resource monitoring provides a link between the Council plan and operational achievement by providing regular updates on the impact of operational initiatives against strategic aims.

50 CAPITAL PROGRAMME MID-YEAR REVIEW 2025/26

Cabinet Member with Special Responsibility Councillor Hamilton-Cox)

Cabinet received a report from the Chief Officer Resources that provided information regarding the latest position regarding the delivery of the approved capital programme for 2025/26. It also set out information regarding any delays surrounding capital expenditure and other matters for Members' consideration.

As the report was for consideration and progressing to Full Council no alternative options were put forward.

Although the General Fund was able to respond to the financial challenges in 2024/25 and maintain balanced budget positions by utilising its reserves, this did not mean that the financial issues for the Council had been resolved, it simply means that the in-year budget pressures were addressed. To put into context, a budget gap of £2.6M was still forecast for 2026/27 and this would rise annually to £5.5M in 2029/30 for which the cumulative effect is not sustainable.

Reviewing the Capital Programme will allow for more robust revenue projections which in turn will improve financial planning. This will ensure that funds are allocated according to a set of predefined outcomes, or priorities to ensure that funds are directed toward the Council's key ambitions and statutory functions and away from areas which contribute less or not at all against the predetermined objectives.

Councillor Hamilton-Cox proposed, seconded by Councillor Riches:-

"That recommendation (1) as set out in the report be approved, and recommendation (2) noted."

Councillors then voted:-

Resolved unanimously:

- (1) That the adjustments to the capital programme as set out in Appendix C of the report be endorsed and referred to Council for full approval.
- (2) That Cabinet note that relevant revenue adjustments in respect of minimum revenue provision and future borrowing requirements will be built into projected revenue estimates and considered alongside future reports to Cabinet in respect of the budget and policy framework updates.

Officer responsible for effecting the decision:

Chief Officer Resources

Reasons for making the decision:

Effective use of the Councils' resources is fundamental to the delivery of its priorities and outcomes.

Cabinet Member with Special Responsibility Councillor Caroline Jackson)

Cabinet received a report from the Chief Officer Housing & Property that sought approval to accept government grant revenue funding to support progression towards increasing council house building within the District.

The options, options analysis, including risk assessment and officer preferred option, were set out in the report as follows:

	Option 1: Do not accept the grant funding	Option 2: Accept the grant funding
Advantages	No advantages identified.	The Council will continue to be able to progress housing ambitions.
Disadvantages	Delivery of new housing ambitions will stall.	None known.
Risks/Mitigation	<p>Delivery of new housing ambitions will stall.</p> <p>Continued additional pressure on Council Officers supporting key housing projects without additional support.</p> <p>Missed opportunity for funded training on Homes England application system / development software could lead to incorrect Affordable Homes England applications submitted at some point in the future.</p>	As outlined in Appendix A (exempt).

The officer preferred option is Option 2: For the Council to accept the grant funding so as to seek to continue to drive forward opportunities to deliver much needed new housing within the District.

Councillor Caroline Jackson proposed, seconded by Councillor Peter Jackson:-

“That the recommendation, as set out in the report, be approved.”

Councillors then voted:-

Resolved unanimously:

That should Lancaster City Council be successful in its Expression of Interest, Cabinet accept the Council Housebuilding Support Fund as set out in the report and authorise the s151 officer to sign off a funding agreement and Statement of Grant Usage.

Officer responsible for effecting the decision:

Chief Officer Housing & Property

Reasons for making the decision:

Lancaster has key ambitions to deliver new housing for residents in need. Current financial constraints within the HRA are making these ambitions challenging to bring forward currently, therefore additional revenue grant funding to support momentum should not be overlooked.

The decision is consistent with Council Priorities :

A Sustainable District –Climate Emergency: Properties brought forward will be developed to a high standard, therefore benefitting residents with quality and warm homes.

An Inclusive and Prosperous Local Economy – opportunities for local contractors to be employed as part of development opportunities.

The decision is also consistent with the Housing Strategy and will link directly to the Homes Strategy for Lancaster District 2020- 2025 by seeking to increase provision of affordable housing.

52 APPOINTMENTS TO OUTSIDE BODIES (Page 17)**Cabinet Member with Special Responsibility Councillor Caroline Jackson)**

Cabinet received a report from the Chief Executive to enable Cabinet to appoint members to a number of Outside Bodies and Partnerships following a revision to the membership of Cabinet and portfolio areas. The appointments affected by the portfolio changes were highlighted in the appendix to the report.

It was proposed by Councillor Caroline Jackson, seconded by Councillor Riches and resolved unanimously when put to the vote:-

Resolved unanimously:

That the revisions to the Cabinet appointments to outside bodies as set out in the appendix be approved.

Officer responsible for effecting the decision:

Chief Officer Governance

Reasons for making the decision:

Representation on Outside Bodies is part of the City Council's Community Leadership role.

53 EXCLUSION OF THE PRESS AND PUBLIC

It was moved by Councillor Riches and seconded by Councillor Bottoms:-

“That, in accordance with Section 100A(4) of the Local Government Act 1972, the press

and public be excluded from the meeting for the following item of business, on the grounds that it could involve the possible disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act.”

Members then voted as follows:-

Resolved unanimously:

- (1) That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that it could involve the possible disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act.

**54 CENTENARY HOUSE (FORMER CO-OP BUILDING), MORECAMBE:
PROCUREMENT OF A PREFERRED DEVELOPER PARTNER (Pages 18 - 21)**

Cabinet Member with Special Responsibility Councillor Bottoms)

Cabinet received a report from the Chief Officer Sustainable Growth to consider the progress and next steps for the council's Centenary House building, the former Co-op on Regent Road, Morecambe, to secure the positive reuse of this long-term vacant property. The report was exempt from publication by virtue of paragraph 3, of Schedule 12a of the Local Government Act 1972.

The options, options analysis, including risk assessment and officer preferred option, were set out in the exempt report.

Resolved unanimously:

The resolution is set out in a minute exempt from publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act, 1972.

Officer responsible for effecting the decision:

Chief Officer Sustainable Growth

Reasons for making the decision:

The decision is consistent with the Council's priorities. Exactly how the decision fits with Council priorities is set out in the exempt minute.

Chair

(The meeting ended at 7.18 p.m.)

**Any queries regarding these Minutes, please contact
Liz Bateson, Democratic Support - email ebateson@lancaster.gov.uk**

MINUTES PUBLISHED ON FRIDAY 19 SEPTEMBER 2025

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
MONDAY 29 SEPTEMBER, 2025.**

CABINET APPOINTMENTS TO OUTSIDE BODIES – CONFIRMED SEPTEMBER 2025

BID Company Ltd (Morecambe) *Cllr Bottoms*

Community Safety Partnership (Cabinet Member and reserve) *Cllr M Bannon (Cllr C Jackson reserve)*

Health and Wellbeing Partnership (Cabinet Member and reserve) *Cllr M Bannon (Cllr C Jackson reserve)*

Lancashire Leaders Meeting (Leader of the Council) *Cllr C Jackson*

District Leaders Board (Leader of the Council) *Cllr C Jackson*

Lancashire Waste Partnership *Cllr Hart*

Lancaster Community Fund Grants Panel (1 place; the other place is by nomination and voting at Council) *Cllr M Bannon*

Lancaster Business Improvement District (BID) Management Group *Cllr P Jackson*

LGA General Assembly (Leader of the Council) *Cllr C Jackson*

Yorkshire Dales National Park Board *Cllr P Jackson*

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