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DATE: 18 September 2018

To: Members of the

GENERAL PURPOSES AND LICENSING COMMITTEE

Councillor Pauline Tunnicliffe (Chairman)

Councillor Michael Turner (Vice-Chairman)

Councillors Marina Ahmad, Gareth Allatt, Vanessa Allen, Nicholas Bennett J.P.,
Mary Cooke, Robert Evans, Russell Mellor, Alexa Michael, Tony Owen,
Neil Reddin FCCA, Melanie Stevens, Harry Stranger and Stephen Wells

A meeting of the General Purposes and Licensing Committee will be held at Bromley Civic Centre on **WEDNESDAY 26 SEPTEMBER 2018 AT 7.00 PM**

MARK BOWEN

Director of Corporate Services

Copies of the documents referred to below can be obtained from
<http://cds.bromley.gov.uk/>

A G E N D A

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 DECLARATIONS OF INTEREST**
- 3 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 25TH JULY 2018**
(Pages 3 - 8)
- 4 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

In accordance with the Council's Constitution, questions to the Chairman of this Committee must be received in writing 4 working days before the date of the meeting. Therefore please ensure questions are received by the Democratic Services Team by 5pm on Thursday 20th September 2018.

- 5 FEEDBACK ON THE 2018 LOCAL ELECTIONS AND VOTER ID PILOT SCHEME**
(Pages 9 - 30)
- 6 FEEDBACK FROM THE MEMBERS INDUCTION PROGRAMME 2018**
(Pages 31 - 42)

- 7 **REVIEW OF MEMBERS ALLOWANCES SCHEME**
(Pages 43 - 54)

- 8 **DRAFT STATEMENT OF PRINCIPLES FOR GAMBLING 2019/2022**
(Pages 55 - 108)

- 9 **CHANGES TO ANIMAL LICENSING LEGISLATION - REVIEW OF FEES AND
CONDITIONS**
(To Follow)

- 10 **WORK PROGRAMME**
(Pages 109 - 112)

- 11 **PENSIONS SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 24TH JULY
2018, EXCLUDING EXEMPT INFORMATION**
(Pages 113 - 122)

- 12 **APPEALS SUB-COMMITTEE: MINUTES OF THE MEETINGS HELD ON 7 AUGUST
AND 8 AUGUST 2018, EXCLUDING EXEMPT INFORMATION**
(Pages 123 - 126)

- 13 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT
(ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM
OF INFORMATION ACT 2000**

The Chairman to move that the Press and public be excluded during consideration of the items of business listed below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

<u>Items of Business</u>	<u>Schedule 12A Description</u>
14 PENSIONS SUB-COMMITTEE: EXEMPT MINUTES - 24 JULY 2018 (Pages 127 - 132)	Information relating to the financial or business affairs of any particular person (including the authority holding that information)
15 APPEALS SUB-COMMITTEE: EXEMPT MINUTES - 7 AUGUST AND 8 AUGUST 2018 (Pages 133 - 136)	Information which is likely to reveal the identity of an individual.

GENERAL PURPOSES AND LICENSING COMMITTEE

Minutes of the meeting held at 7.00pm on 25 July 2018

Present:

Councillor Pauline Tunnicliffe (Chairman)
Councillor Michael Turner (Vice-Chairman)
Councillors Kathy Bance MBE, Yvonne Bear,
Nicholas Bennett J.P., Kevin Brooks, Mary Cooke,
Robert Evans, Russell Mellor, Alexa Michael, Tony Owen,
Neil Reddin FCCA, Melanie Stevens, Harry Stranger and
Stephen Wells

20 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Marina Ahmad, Gareth Allatt and Vanessa Allen. They were replaced by Councillors Kathy Bance, Yvonne Bear and Kevin Brooks respectively. Apologies for lateness were received from Councillor Brooks.

21 DECLARATIONS OF INTEREST

There were no declarations of interest.

22 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

The following questions had been received from Sam Webber for written reply.

1. Given 2002 ward boundaries will have been in place for 20 years at the time of the next local elections would any redrawing take place before or after the 2022 local elections?
2. If so when will the Council begin the consultation process for drawing up the new boundaries and will it seek to involve representations from community groups and other local organisations.

Reply:

The Local Government Boundary Commission for England is responsible for the ward boundaries – not the Council.

The Commission has advised us that they will be undertaking an electoral review of Bromley (along with many other London Boroughs) in 2019/2020.

We are waiting for further details as to the timescales, methodology and the consultation process.

23 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 29TH MAY 2018

RESOLVED that the minutes of the meeting held on 29th May 2018 be confirmed.

24 AUDIT OF FINANCIAL STATEMENTS 2017/18
Report FSD18063

The Council's statutory accounts for 2017/18 were reported for approval by Members in accordance with the requirements of the Accounts and Audit Regulations 2015. The report also detailed the conclusions and significant issues arising from the work carried out in relation to the audit of the 2017/18 accounts. Philip Johnstone of KPMG, the Council's external auditors, attended the meeting to answer questions.

Mr Johnstone explained that one elector had raised objections to the 2016/17 and 2017/18 accounts. The objections were lengthy and mainly centred on waste collection and waste management services. Mr Johnstone anticipated that the process of addressing the 2016/17 objections should be completed within the next couple of months; work on the 2017/18 objections was still at the stage of narrowing them down to a small number of heads of objection. It was unlikely that the 2017/18 issues could be resolved before Christmas. In response to questions, Mr Johnstone stated that although the correspondence involved in dealing with these objections was extensive and time consuming, there was currently no need for external legal advice, which had driven up costs in dealing with objections in previous years.

Members noted that many of the issues raised by the objector relating to the waste contract had been considered by the former Contracts Working Group and, in particular, by Audit Sub-Committee following a report by Internal Audit.

Mr Johnstone clarified that the 2016/17 accounts had been signed off, but it was not yet possible to issue the certificate due to the outstanding objections. This was not unusual and several other boroughs audited by KPMG were in a similar position.

This was KPMG's last year as the Council's external auditor and the Chairman thanked Mr Johnstone and his colleagues for their work on behalf of the Council.

RESOLVED that

(1) The Council's statutory accounts for 2017/18 be approved.

(2) In accordance with the requirements of the Accounts and Audit Regulations 2015, the Chairman of this Committee be authorised to sign and date the statutory statements on page 1 as a formal record of the Committee's approval.

- (3) The external auditor's report be noted.**
- (4) The auditor's conclusion on Value for Money (VFM) be noted.**
- (5) Agreement with the Auditor's conclusion on their independence and objectivity be confirmed.**
- (6) The objections to the accounts as set out in paragraphs 3.14 to 3.16 be noted.**
- (7) The Chairman of this Committee be authorised to sign the letter of representation for 2017/18 on behalf of the Council (see Appendix 2.)**
- (8) The Annual Governance Statement which accompanies the statutory statement of accounts be approved.**

**25 DRAFT STATEMENT OF GAMBLING LICENSING POLICY
2019-21**

The Council's Gambling Licensing Policy was due for review. The Committee considered a draft statement of Gambling Policy for 2019-2021 and agreed that it should be subject to public consultation until 16th September 2018. A number of details in the policy had been updated as necessary, but no significant changes were proposed.

In response to questions, officers confirmed that there had been a spike in new betting shops across the borough about three years ago, but there had been very little increase since then. They had carried out an assessment in Penge at the time, but had insufficient evidence to take any action.

Members asked whether there was anything that could be done to encourage the managers of betting shops to move on groups of young people congregating outside their shops. Officers explained that the young people would be on the public highway and there was nothing in the Gambling Act that would allow this - the situation was different under the Licensing Act where conditions could be imposed in alcohol licenses.

Officers explained that holders of alcohol licenses could have up to two gaming machines in their premises. This did not apply to unlicensed premises such as chicken shops, but some owners attempted to get around this by installing skill-based machines. Determining whether such machines were skill-based or gaming machines could be a very difficult and technical issue which the Gambling Commission would need to advise on - Members were encouraged to report any unlicensed premises where they were concerned that these rules were being broken. Members also raised the possibility of premises owners (such as coffee shops and pizza parlours) seeking alcohol licenses with the real motive of being able to install gaming machines. Officers were not aware that this was a problem, and it would be difficult to refuse such applications, but in such cases there would be controls under the alcohol license.

RESOLVED that

(1) The draft Gambling Policy as attached to the report be subject to public consultation until 16th September 2018.

(2) Feedback from the consultation be received at the next meeting on 25th September 2018.

26 UPDATE ON THE NEW ANIMAL WELFARE REGULATIONS

The Committee received a report updating them on the draft Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 coming into force on 1st October 2018. The report advised on the key differences from the existing regime, and informed them of how the Licensing team would implement these. However, officers also advised that the Guidance for the new Regulations was not yet available, and was unlikely to be published before October, which made detailed planning very difficult.

A Member asked whether process maps were available to assist them in directing complaints and queries. Officers responded that process maps would be unlikely to capture all the variations possible in process and encouraged Members to seek advice on particular issues from the Licensing Team.

Members asked about officers' rights of entry to licensed animal premises. It was confirmed that significant evidence was required to apply to the court for a warrant to enter a private house, and officers usually took an informal approach in dealing with such cases.

RESOLVED that the report be noted, particularly the key changes highlighted in paragraphs 3.9 - 3.16.

27 LOCAL PENSION BOARD - APPOINTMENT OF BOARD MEMBER

Report FSD18062

The Committee was informed that Josepha Reynolds had resigned as one of the two Employer representatives on the Local Pension Board. Expressions of interest in the role had been sought and one application had been received, from Emma Downie, a current employee of the Council. Her expression of interest form had been included on the part 2 agenda.

RESOLVED that

(1) It is noted that Josepha Reynolds has resigned as an Employer Representative on the Local Pension Board.

(2) Council be recommended to appoint Emma Downie as an Employer Representative.

28 WORK PROGRAMME
Report CSD18113

The Committee considered its work programme for the 2018/19 Council year. As the agenda for the meeting on 27th November was quite light, the Chairman suggested that this meeting could potentially be cancelled. The only item listed, a review of the Members Allowances Scheme, could be taken at the September meeting.

Members also discussed whether it was necessary to re-establish the Constitution Improvement Working Group. The Committee was advised that in recent years the Working Group had been set up by the Leader using his executive powers, although it did not have to be an executive working group and could be set up by this Committee.

A Member suggested that a skills audit of Members should be carried out to ensure that advantage was being taken of the abilities and experience of all Members. The Chairman suggested that this could be considered at the next meeting.

29 PENSIONS INVESTMENT SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 22ND MAY 2018, EXCLUDING EXEMPT INFORMATION

The draft minutes of the meeting of the Pensions Investment Sub-Committee held on 22nd May 2018, excluding exempt information, were received.

The Chairman suggested that it might be useful for the Committee to receive a presentation from one of the chairmen of the Sub-Committees at successive meetings, possibly starting with the Chairman of the Pensions Investment Sub-Committee. She promised to email Committee Members about this to seek their views.

30 AUDIT SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 24TH MAY 2018, EXCLUDING EXEMPT INFORMATION

The draft minutes of the meeting of the Audit Sub-Committee held on 24th May 2018, excluding exempt information, were received.

31 APPEALS SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 25TH JUNE 2018, EXCLUDING EXEMPT INFORMATION

The draft minutes of the meeting of the Appeals Sub-Committee held on 25th June 2018, excluding exempt information, were received.

32 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000

RESOLVED that the Press and public be excluded during consideration of the items of business referred to below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

**The following summaries
refer to matters
involving exempt information**

33 LOCAL PENSION BOARD - APPOINTMENT OF BOARD MEMBER: PART 2 APPENDIX

The Committee noted the expression of interest form received in relation to this appointment.

34 PENSIONS INVESTMENT SUB-COMMITTEE: EXEMPT MINUTES - 22ND MAY 2018

The draft exempt minutes of the meeting of the Pensions Investment Sub-Committee held on 22nd May 2018 were received.

35 AUDIT SUB-COMMITTEE: EXEMPT MINUTES - 24TH MAY 2018

The draft exempt minutes of the meeting of the Audit Sub-Committee held on 24th May 2018, excluding exempt information, were received.

36 APPEALS SUB-COMMITTEE: EXEMPT MINUTES - 25TH JUNE 2018

Extracts from the draft exempt minutes of the meeting of the Appeals Sub-Committee held on 25th June 2018 were received.

(After the meeting was closed, the Committee received a briefing on licensing issues.)

The Meeting ended at 7.51 pm.

Chairman

Report No.
CSD 18121

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: GENERAL PURPOSES AND LICENSING COMMITTEE

Date: 26 September 2018

Non-Urgent

Non-Executive

Non-Key

Title: FEEDBACK ON THE 2018 LOCAL COUNCIL ELECTIONS & VOTER ID PILOT SCHEME

Contact Officer: Carol Ling, Electoral Services Manager
Tel: 020 8313 4367 E-mail: carol.ling@bromley.gov.uk
Mark Bowen, Director of Corporate Services
Tel: 020 8313 4355 E-mail: mark.bowen@bromley.gov.uk

Chief Officer: Doug Patterson, Chief Executive/Returning Officer

Ward: Not Applicable

1. Reason for report

To advise Members on the key issues relating to the Local Council elections held on Thursday 3 May 2018, the initial findings on the Voter ID Pilot Scheme, and to give Members the opportunity to comment on the electoral arrangements.

2. **RECOMMENDATION**

Members note the content of the report and consider whether there is any feedback they want to give the Returning Officer for him to take into account when planning for future elections or referenda.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
-

Corporate Policy

1. Policy Status: Not Applicable
 2. BBB Priority: Excellent Council
-

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable: Local Council Elections held every four years
 3. Budget head/performance centre: Conducting Elections
 4. Total current budget for this head: £500k
 5. Source of funding: London Borough of Bromley funds the Local Council Elections and the Cabinet Office funds the additional costs of the Voter ID Pilot Scheme
-

Personnel

1. Number of staff (current and additional): 5 full time staff, 3 casual staff and approximately 1,500 temporary staff (recruited by the Returning Officer) for staffing polling stations, opening and verifying the postal votes, and counting the votes
 2. If from existing staff resources, number of staff hours: Not Applicable
-

Legal

1. Legal Requirement: The Council is required to appoint one of its officers as Returning Officer for local council elections under the provisions of section 35 of the Representation of the People Act 1983. The Returning Officer is personally responsible for the conduct of elections.
 2. Call-in: Not Applicable:
-

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): c240,000 registered electors, candidates, agents and staff
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not Applicable

3. COMMENTARY

- 3.1 Local Council elections were held in Bromley on Thursday 3 May 2018, electing sixty (60) councillors in twenty two (22) wards. These elections are held every four years, but unlike the last Local Council elections in 2014 (when the elections were combined with the European Parliamentary elections) and in 2010 (when the elections were combined with a UK Parliamentary (General) election) no other polls were held with these elections this year.
- 3.2 Reports identifying the proposed arrangements around polling stations, the appointment of staff, the counting of the votes and the voter identification pilot scheme were considered by this Committee on 12 September 2017, 6 February 2018 and (a briefing note) on 20 March 2018.
- 3.3 The delivery of these elections is the responsibility of the Returning Officer (the Chief Executive). His duties as a Returning Officer are separate from his duties as a local government officer. He is **not** responsible to the Council but is personally responsible for the conduct of the elections and is directly accountable to the courts as an independent statutory office holder.
- 3.4 Bromley was one of five local authorities along with Gosport, Swindon, Watford and Woking selected by the Cabinet Office to conduct Voter ID pilots at these elections on 3 May 2018. Further details are set out later in this report.

NOMINATIONS AND CANDIDATES

- 3.5 Nominations were accepted by the Returning Officer from Tuesday 27 March 2018 to Friday 6 April 2018. In total 228 candidates were validly nominated for these elections. The table below shows the number of candidates for each party:
- Conservative Party – 60
 - Green Party – 23
 - Independent – 3
 - Labour Party – 60
 - Liberal Democrat Party – 60
 - Libertarian Party UK – 1
 - The For Britain Movement – 1
 - UKIP – 19
 - Women’s Equality Party – 1
- 3.6 The greatest number of candidates (14) stood in Cray Valley West ward, and the least number (4) stood in the Darwin ward.

REGISTERING TO VOTE

- 3.7 The statutory deadline for registering to vote at these elections was Tuesday 17 April 2018 (12 working days before polling day).
- 3.8 Following experience at recent polls, it was anticipated that there would be a high number of applications for registration close to the deadline, as it is now easier and quicker for residents to register online.
- 3.9 The total number of registration applications received (online/paper/phone) between 1 March and 17 April 2018 was **6,283**, of which **2,062** were duplicate applications (i.e. an application can be matched to an individual already on the register at the same address). These figures

were significant lower than at last year's General Election when 22,007 registration applications were received with 7,918 duplicate applications.

POLL CARDS

- 3.10 Poll cards were sent out by Royal Mail to some 240,000 registered electors on Tuesday 27 March 2018. A further 7,000 or so were issued up to a week before polling day, to those residents who registered close to the relevant deadlines.
- 3.11 Two types of poll cards were issued to:
- Postal voters – printed in the traditional A5 card format with details of the elector and when/where their postal vote would be despatched
 - Polling station voters – printed in an A4 letter format (enclosed in an envelope) specifically designed for these elections with the usual information on the front (i.e. the elector's details, their allocated polling station, polling hours and any notes specific to that polling station), and information regarding the testing of ID on the back, with a full list of the acceptable forms of ID that could be taken to the polling station

APPOINTMENT OF STAFF

- 3.12 In the early stages of planning, it was agreed with the Cabinet Office that given the additional requirements of the Voter ID pilot to record information and the extensive list of forms of ID being tested, the Returning Officer would appoint extra poll clerks, to ensure that all polling stations ran smoothly. Cabinet Office agreed to fund these additional costs and most polling stations were adequately staffed with one presiding officer and three poll clerks.
- 3.13 The Returning Officer appointed to a total of 1,475 roles at these elections. Roles included those at the polling stations, opening & verifying postal votes and counting the votes. Several individuals fulfilled different roles, and approximately 900 different people were appointed. Only 150 of these were Bromley Council officers/employees.

POSTAL VOTING

- 3.14 **Issue of Postal Votes:** The total of number of postal vote packs issued at these elections was **37,341** with the bulk of these being sent out from the printers by first class post on Thursday 19 April 2018. Voters who had opted for permanent postal votes and those who had applied up until 4 April 2018 were included in this dispatch. Residents who applied after this date and up until the deadline of Wednesday 18 April 2018 (some 1,250 voters) received their postal votes a few days later.
- 3.15 A small number of complaints were received from residents about the non-receipt of their postal vote pack, and 36 replacement postal vote packs were issued (up to 5pm on polling day).
- 3.16 **Receipt and verification of Postal Votes:** As usual there was a good return of postal vote packs with 26,314 (70.47%) being returned at these elections by 10pm on Thursday 3 May 2018.
- 3.17 The personal identifiers (signature and date of birth) on every returned postal vote statement in each pack, must be checked and verified against those held on file from the original applications – this is a huge logistical operation requiring suitable accommodation (the Great Hall) for two weeks or so before polling day, and is totally dependent on IT systems and staff.

3.18 Over 26,000 personal identifiers were checked with 472 postal votes being rejected (in accordance with the Electoral Commission Guidance which has been developed by experts from the Forensic Science Service). The table below shows the details at ward level:

WARD	Postal Votes Issued	Postal Votes Returned	Returned %	Postal Votes Rejected
Bickley	2201	1559	70.83%	23
Biggin Hill	1013	720	71.08%	11
Bromley Common & Keston	2084	1479	70.97%	37
Bromley Town	2036	1420	69.74%	26
Chelsfield & Pratts Bottom	1764	1209	68.54%	26
Chislehurst	2388	1598	66.92%	28
Clock House	1631	1154	70.75%	22
Copers Cope	2163	1578	72.95%	30
Cray Valley East	1889	1271	67.28%	23
Cray Valley West	1607	1078	67.08%	35
Crystal Palace	1104	723	65.49%	18
Darwin	695	481	69.21%	6
Farnborough & Crofton	2057	1552	75.45%	24
Hayes & Coney Hall	1933	1378	71.29%	22
Kelsey & Eden Park	2036	1465	71.95%	20
Mottingham & Chislehurst N	862	551	63.92%	7
Orpington	1910	1341	70.21%	15
Penge & Cator	1489	1037	69.64%	29
Petts Wood & Knoll	1746	1304	74.68%	11
Plaistow & Sundridge	1573	1103	70.12%	13
Shortlands	1251	895	71.54%	21
West Wickham	1909	1418	74.28%	25
TOTAL:	37341	26314	70.47%	472

3.19 Personal identifiers are checked by scanning the relevant document (postal vote statement) so a match can be checked by the IT system. Where the system cannot make a match then a manual check of dates of birth and signatures is undertaken.

3.20 The Electoral Commission's advice is that staff should only reject postal voting statements when they cannot satisfy themselves that the statement has been duly completed with a genuine signature, and that a signature shows 'major and significant differences' before deciding they are not so satisfied. This is carried out by a core team of staff who are trained by fraud experts in the techniques required to decide whether to accept or reject a signature.

3.21 Once the personal identifiers were verified, the postal ballot papers were placed in ballot boxes, sealed and stored securely before being transported to the count venue on the evening of polling day

POLLING STATIONS

3.22 The following changes were made to the polling stations used at these elections:

New Venue – St Mary's Green Street Green Church Hall, Worlds End Lane in place of Green Street Green Primary School in Chelsfield and Pratts Bottom ward (following a request by the Head teacher)

New Venue – Neighbourhood Church, Cromwell Road in place of Balgowan Primary School in Clock House ward (following a request by the Head teacher)

New Venue – Darrick Wood Infant School, Lovibonds Avenue in place of Darrick Wood Community Centre in Farnborough and Crofton ward (as the previous arrangements at the Community Centre had not worked, as the premises were not suitable for the voters)

New Venue – Avenue Road Baptist Church Hall, 94 Avenue Road in place of St Michaels and All Angels Church in Clock House ward (following late notification of major building works)

Change of entrance – Mottingham Primary School in Mottingham and Chislehurst North ward (following a request by the Head teacher, and in order to assist her in keeping the school open, we agreed a change of building within the school grounds and a change of entrance from Ravensworth Road to Mottingham Road)

- 3.23 In all instances information was included on the poll cards to draw the changes to the attention of the voters prior to polling day, and signage was displayed at the previous polling place entrances, to remind voters of the change. The changes were also drawn to the attention of Councillors, candidates and agents.
- 3.24 Initial feedback from polling staff and voters indicates that arrangements at the new venues worked well.
- 3.25 However a number of verbal complaints were made on the day to the polling staff about the change of building/entrance at Mottingham Primary School, and a written complaint was made to the Returning Officer after the elections by the Labour party election agent about the changes.
- 3.26 The Returning Officer takes these complaints very seriously and responded with full details on how and why the changes were made to the polling arrangements at Mottingham Primary School. He is quite satisfied that the changes were adequately considered in advance of the elections and that the changes were drawn to the attention of all electors, Councillors, candidates and agents.
- 3.27 There were also incidents at the following Polling Stations:
- Leasons Hill Primary School – building works caused parking and access issues
 - One Head teacher initially refused delivery of polling equipment
 - The Mobile Unit at Leaves Green – generator temporarily ran out of fuel
- 3.28 Although the Returning Officer has the right by law to use a room in a school for polling purposes (and receives encouragement from successive Governments to do so), he will, if requested, work with Head teachers wherever possible to agree alternative arrangements to enable the school to remain open (as was the case with Mottingham Primary School, Edgebury Primary School, Valley Primary School). He will also consider suggested alternative premises (as was the case with Green Street Green Primary School and Balgowan Primary School). However, any changes must enable the voting arrangements to be as good as those previously particularly in regard to access, suitability and facilities.
- 3.29 A small number of Head teachers do make it difficult for the delivery/collection of polling equipment (polling booths, signage and ramps), and some restrict the use of kitchen and toilet facilities to the polling staff, or close off access gates. The Returning Officer will continue to work with Head teachers, but ultimately must put the welfare of his staff and the convenience

to the voters first which may lead to schools where there have been issues of this nature, closing on election day in the future.

- 3.30 The Returning Officer is required to review the current polling arrangements across the borough early next year. This is a formal process and will include widespread consultation. The Returning Officer will be pleased to receive representations at the appropriate time on the current arrangements and any prospective changes so as to ensure the best possible polling arrangements for the voters of Bromley are maintained.

THE VOTER ID PILOT SCHEME

Forms of ID:

- 3.31 The Returning Officer and his staff worked closely with the Cabinet Office to agree the extensive and readily available forms of ID to be accepted at the polling stations in Bromley on 3 May 2018. Regard was given to the Equalities Impact Assessment that had been carried out and scrutinised by the Cabinet Office, the Electoral Commission and the Association of Electoral Administrators. Voters were required to show either one form of photographic ID, or two forms of non photographic ID (one of which needed to include the registered address of the voter). The full list of accepted ID in Bromley is set out in **Appendix 1**.
- 3.32 If an elector was unable to provide any of the acceptable forms of ID, they could either apply for a postal or proxy vote by the appropriate statutory deadline, or the Pilot Scheme introduced a new arrangement where an elector could apply (free of charge) for a certificate of identity by 5pm on 2 May 2018 (the day before the Poll), if they were not able to satisfy the ID requirements thus ensuring that no one who was eligible to vote was prevented from voting because they didn't have the right ID.
- 3.33 Where a voter was unable to present the required form of ID at the polling station, they were refused a ballot paper and unable to vote. However, they were given a leaflet with details of the correct ID and had the opportunity to return to the polling station by 10pm.
- 3.34 A Pilot Order allowing the changes to the electoral process in Bromley was signed by the Minister of the Constitution in the Cabinet Office on 16 January 2018.

Public Awareness:

- 3.35 There was an extensive and targeted awareness campaign (funded by the Cabinet Office) to make sure that every eligible elector knew they needed to take ID to a polling station to vote – it wasn't in anyone's interest that people were disenfranchised.
- 3.36 Officers worked closely with the Cabinet Office agreeing the branding and logo of the public awareness materials. The message was kept short and simple 'Bring ID to vote on 3 May' and was used on posters, leaflets, billboards and all communications sent out in regard to the elections.
- 3.37 The campaign was launched in January using a wide range of mechanisms to get the message across to residents and included:
- Sending posters and leaflets to some 500 community organisations
 - Placing bill boards in prime locations in Bromley including bus stops, railway stations and shopping centres
 - Targeting use of social media - Facebook and twitter
 - Issuing regular local press releases

- Placing full page adverts in local newspapers and magazines
- Producing short video clips
- Spreading the word through Community Links with particular emphasis on hard to reach groups

3.38 However the main focus of the campaign was five ‘through the door’ communications to every household/elector in the borough through a Household Notification letter, a post card, a leaflet with the Council’s publication ‘Environment Matters’, a leaflet with the Council Tax billing and a re-designed poll card.

Evaluation:

3.39 As part of the evaluation process, the Cabinet Office and the Electoral Commission required the polling staff to record the types of ID produced, where an elector was turned away for having no ID or wrong ID, and where an elector returned to vote. This was recorded on a version of the polling station register designed to capture prescribed information. The register also captured information on voters who had originally attended without the correct ID but who subsequently returned with it to vote.

POLLING DAY

3.40 Polling day went smoothly with the Returning Officer and his Deputy visiting many polling stations throughout the day. They spoke to a large number of voters and were struck that most thought that producing ID to vote was a sensible idea and that it should definitely be rolled out. Feedback from polling staff was that the vast majority of voters knew what they had to bring in order to vote and were not dissuaded from voting by this measure.

3.41 There was occasional journalistic and social media traffic on the ID pilot during the day, some presented in a sensational way. A small number of voters took the opportunity to object to the pilot to polling staff.

3.42 The requirement of checking and recording the voters’ ID did not cause polling staff any significant issues at the polling stations, helped by the appointment of an additional poll clerk (funded by the Cabinet Office) at most polling stations to ensure that the process run smoothly and reduce the risk of queues forming.

3.43 Polling finished at 10pm and presiding officers returned their sealed ballot boxes together with other election equipment and materials to the Bromley Civic Centre where the ballot paper accounts were checked for arithmetical errors, and staff opened and verified the final postal votes which had been handed into the polling stations and Civic Centre by 10pm). The sealed ballot boxes were then loaded on to waiting vehicles and delivered to the count venue at Kent County Cricket Ground for the counting of the votes the next day on Friday 4 May 2018.

3.44 Overall turnout at these elections in Bromley was similar at 40% to the overall 41% recorded at the last Local Council elections in 2014 (combined with the European Parliamentary Elections). This overall turnout is higher than neighbouring London Boroughs:

London Borough	Overall Turnout 2018
Bexley	37%
Croydon	32%
Lambeth	34%
Lewisham	37%

3.46 The table below shows the turnout by ward in Bromley:

WARD	2014	2018
Bickley	42%	43%
Biggin Hill	41%	40%
Bromley Common & Keston	40%	36%
Bromley Town	37%	40%
Chelsfield & Pratts Bottom	47%	42%
Chislehurst	39%	39%
Clock House	42%	46%
Copers Cope	39%	45%
Cray Valley East	36%	32%
Cray Valley West	35%	29%
Crystal Palace	37%	35%
Darwin	48%	40%
Farnborough & Crofton	45%	44%
Hayes & Coney Hall	42%	41%
Kelsey & Eden Park	42%	42%
Mottingham & Chislehurst N	36%	33%
Orpington	43%	38%
Penge & Cator	40%	40%
Petts Wood & Knoll	46%	47%
Plaistow & Sundridge	37%	40%
Shortlands	44%	43%
West Wickham	44%	42%

THE COUNT

- 3.47 The Returning Officer was personally responsible for the verification and counting of the votes at these elections. The report to this Committee on 12 September 2017 outlined the factors on the timing of the count. Having taken Members comments into consideration, the Returning Officer decided on commencing the count the next morning (Friday 4 May 2018) at 8.30am.
- 3.48 The process took place at the Kent County Cricket Ground in Beckenham. The layout of the count was changed from previous electoral events held at this venue, in order to ensure that all the proceedings were carried out in clear view of the candidates and agents. Feedback received about this layout has been positive and the Returning Officer sees merit in using this layout at future elections.
- 3.49 Most counting staff appointed by the Returning Officer were well rested following polling day, reducing errors, mistakes and unnecessary re-counts and giving safe and accurate counts.
- 3.50 The Local Council election counts are the most difficult and complex to organise and manage as there are twenty two (22) ward counts that are run separately but simultaneously. In these elections, electors can, vote for up to three candidates in the majority of wards – the exceptions being Darwin (single vote) and Biggin Hill, Crystal Palace, Mottingham and Shortlands (up to two candidates).
- 3.51 A large number of voters use all their vote entitlement for the same political party (known as ‘block votes’). These votes are more straightforward to count and record. However some electors don’t use all their vote entitlement, or, split their votes between political parties – these votes (known as ‘split votes’) need to be separately identified and counted/logged on to counting sheets, making the process much more complicated and time consuming. Details of

the votes cast at ward level are set out in **Appendix 2**.

- 3.52 The first result (Darwin ward) declared was at about 11.30am and the last result declared (Hayes & Coney Hall ward) was at 3.15pm. There were two close results (Bromley Town and Mottingham & Chislehurst North wards) where candidates and agents requested further scrutiny of the ballot papers but the initial results were accurate and results were declared.
- 3.53 Following the declaration of result of each ward, the successful candidates accepted their Office and were provided with induction information in a separate room set aside for this purpose (upstairs).

KEY FINDINGS AND EVALUATION REPORTS

a) The Returning Officer's Findings

- 3.54 The Returning Officer collected information from the following sources to help evaluate the impact of the pilot scheme on voters in Bromley and the administration of the elections:
- Extensive data was collected by polling station staff on the day
 - Feedback from all polling station staff on the training provided
 - A survey (through Survey Monkey) of all polling station staff (shortly after the elections) (this was independent of the Electoral Commissions polling station staff survey completed on the day)
 - Feedback from observers and other stakeholders on polling day
 - Online Feedback form on the Council website before/after the election
 - Local authority data such as the number of Absent votes and certificate of identities issued
- 3.55 Key Findings from this information are:
- Most voters in Bromley were aware of and able to produce required ID on 3 May 2018
 - 92% of voters produced one form of photographic ID
 - 8% of voters produced a combination of 2 non-photographic forms of ID
 - Most popular forms of photographic ID produced:
 - Driving Licence – 54%
 - Passport – 24%
 - Freedom Pass – 15%
 - Most popular forms of non photographic ID produced:
 - Poll Card – 3%
 - Credit/Debit card – 2%
 - 569 voters turned up at polling station with no ID or the wrong ID
 - 415 voters returned to the polling station with suitable ID
 - 154 voters did not return to the polling station with correct ID
 - A detailed breakdown of the above information (at both Borough and ward level) is shown in **Appendix 3**
 - No evidence that ID requirements significantly deterred electors from voting
 - No impact on turnout (40% in 2018, 41% in 2014)
 - No certificate of identities issued – probably due to the extensive list of photo graphic and non photographic forms of ID tested
 - No evidence that hard to reach groups were disenfranchised
 - No increase in levels of postal voting (instead of polling station voting)
 - Most polling station staff were happy with the training they received and confident in delivering the requirements of Voter ID

- Most polling station staff agreed that the majority of voters were aware of and produced the correct form of ID
- The checking of ID slowed the process down slightly in a few polling stations and in one or two instances queues formed – however these were effectively managed by polling staff and no significant concerns were raised.

b) The Electoral Commission’s Evaluation

3.56 The Electoral Commission published an overall report and individual evaluations on each of the specific pilot schemes in July 2018. The Director of Communications and Research at the Electoral Commission reported that:

‘93% of polling station voters in Bromley said that they were aware that they had to take identification with them to the polling station to vote. This is a testimony to the hard work put in by Bromley Council staff. From the experience of voters to the staff delivering the pilots, the broad picture is a positive one.....’

3.57 The reports can be found at the following links:

https://www.electoralcommission.org.uk/_data/assets/pdf_file/0006/244950/May-2018-voter-identification-pilots-evaluation-report.pdf and

https://www.electoralcommission.org.uk/_data/assets/pdf_file/0010/244954/Voter-identification-pilot-Bromley-evaluation.pdf

3.58 A copy of the Summary of key findings in regard to the Bromley Voter ID evaluation is attached in **Appendix 4**.

c) The Cabinet Office’s Evaluation

3.59 The Cabinet Office published their report ‘Electoral Integrity Project – Local Elections 2018 – Evaluation’ in July 2018. This can be found at the following link:

<https://www.gov.uk/government/publications/electoral-integrity-project-local-elections-2018-evaluation>

3.60 A copy of the Executive Summary is attached in **Appendix 5**.

CONCLUSION

3.61 The Local Council elections in Bromley were delivered successfully without any major problems, legal challenges or allegations of fraud. The Voter ID pilot worked well, and although the Returning Officer regrets that 154 voters who turned up without ID or the wrong ID didn’t return to vote, most people in Bromley were aware of, and comfortable with, providing ID to vote. The Returning Officer is pleased that this evaluation will be taken into account and used to shape how the final policy will look when it is introduced.

3.62 Cabinet Office are now inviting expressions of interest from local authorities where Local Government elections are scheduled for 2 May 2019 to run further pilots to get a deeper understanding of how Voter ID will work on a wider scale and what works best for the voter.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

4.1 There are no implications arising from this report for vulnerable adults and children.

5. POLICY IMPLICATIONS

5.1 None arising from this report.

6. FINANCIAL IMPLICATIONS

6.1 The Local Council elections are fully funded from Bromley's revenue budget. £500k was set aside in the Central Contingency to meet this cost, however the final costs are expected to be around £550k.

6.2 The Cabinet Office will fund the additional costs of the Voter ID Pilot Scheme. These costs include the public awareness campaign, additional staffing, training of the polling station staff, and the additional costs in regard to the printing and postage of the poll cards. These costs are expected to be about £210k.

7. PERSONNEL IMPLICATIONS

7.1 Some Council employees were recruited by the Returning Officer to help with various duties regarding the conduct of these elections. However, a majority of staff were recruited from other sources. The Returning Officer has a statutory right under section 35(6) of the Representation of the People Act 1983 to require the Council to provide as many staff as required for election purposes.

8. LEGAL IMPLICATIONS

8.1 The Council is required to designate one of its officers as Returning Officer for Local Council Elections under the provision of section 35(1) of the Representation of the People Act 1983. The Returning Officer is personally responsible for the conduct of elections.

8.2 The rules and regulations for the conduct of Local Council Elections are primarily contained in the Representation of the People Acts 1983, 1985 and 2000, the Representation of the People (England and Wales) Regulations 2001, the Electoral Administration Act 2006, the Electoral Registration and Administration Act 2013 and the Local Government Act 1972 and 2000, and the Local Elections (Principal Areas)(England and Wales) Rules 2006

9. PROCUREMENT IMPLICATIONS

Not Applicable

Non-Applicable Sections:	
Background Documents: (Access via Contact Officer)	

APPENDIX 1

List of Accepted Forms of ID at Polling Station

One of the following:

- a passport issued by the United Kingdom, a Commonwealth country or a member state of the European Union
- a photo card driving licence (including a provisional licence) issued in the United Kingdom or by a Crown Dependency, or by a member State of the European Union
- an electoral identity card issued under section 13C (electoral identity card: Northern Ireland) of the Representation of the People Act 1983
- a biometric immigration document issued in the United Kingdom in accordance with regulations made under section 5 of the UK Borders Act 2007
- an identity card issued in the European Economic Area
- an Oyster 60+ London Pass
- a Freedom Pass (London)
- a PASS scheme card (national proof of age standards scheme)

Or two of the following (one of which must show the elector's registered address):

- a valid bank or building society debit card or credit card
- a poll card for the poll
- a driving licence (including a provisional licence) which is not in the form of a photo card.
- a birth certificate
- a marriage or civil partnership certificate
- an adoption certificate
- a firearms certificate granted under the Firearms Act 1968
- the record of a decision on bail made in respect of the voter in accordance with section 5(1) of the Bail Act 1976
- a bank or building society cheque book
- a mortgage statement dated within 3 months of the date of the poll
- a bank or building society statement dated within 3 months of the date of the poll
- a credit card statement dated within 3 months of the date of the poll
- a utility bill dated within 3 months of the date of the poll
- a council tax demand letter or statement dated within 12 months of the date of the poll
- a Form P45 or Form P60 dated within 12 months of the date of the poll

Or, a certificate of identity

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APPENDIX 2
Votes Cast at Local Council Elections, 3 May 2018

Ward	Vacancies	BP Marked			Block Votes			Split Votes				Rejected	
		Station	Postals	Total	No. Cast	No. of BP	% of total	No. Cast	Unused	No. of BP	% of total	No. of BP	No. Votes
Bickley	3	3503	1536	5039	11202	3734	74.10%	3252	636	1296	25.72%	9	27
Biggin Hill	2	2418	709	3127	5018	2509	80.24%	1104	122	613	19.60%	5	10
Bromley Common & Keston	3	3149	1442	4591	10539	3513	76.52%	2635	545	1060	23.09%	18	54
Bromley Town	3	3981	1394	5375	12075	4025	74.88%	3472	509	1327	24.69%	23	69
Chelsfield & Pratts Bottom	3	3515	1183	4698	9966	3322	70.71%	3564	534	1366	29.08%	10	30
Chislehurst	3	3083	1570	4653	10344	3448	74.10%	2935	647	1194	25.66%	11	33
Clock House	3	4327	1132	5459	12267	4089	74.90%	3486	588	1358	24.88%	12	36
Copers Cope	3	4089	1548	5637	12348	4116	73.02%	3933	597	1510	26.79%	11	33
Cray Valley East	3	2390	1248	3638	7557	2519	69.24%	2706	630	1112	30.57%	7	21
Cray Valley West	3	2463	1043	3506	5478	1826	52.08%	4213	800	1671	47.66%	9	27
Crystal Palace	2	2460	705	3165	4202	2101	66.38%	1773	329	1051	33.21%	13	26
Darwin	1	1192	475	1667	1649	1649	98.92%	0	0	0	0.00%	18	18
Farnborough & Crofton	3	3574	1528	5102	11514	3838	75.23%	3264	516	1260	24.70%	4	12
Hayes & Coney Hall	3	3780	1356	5136	11085	3695	71.94%	3698	601	1433	27.90%	8	24
Kelsey and Eden Park	3	3754	1445	5199	11580	3860	74.25%	3297	702	1333	25.64%	6	18
Mottingham & Chislehurst North	2	1897	544	2441	3740	1870	76.61%	883	245	564	23.11%	7	14
Orpington	3	3291	1326	4617	10578	3526	76.37%	2612	607	1073	23.24%	18	54
Penge and Cator	3	3954	1008	4962	10347	3449	69.51%	3841	659	1500	30.23%	13	39
Petts Wood & Knoll	3	3662	1293	4955	11301	3767	76.02%	3035	502	1179	23.79%	9	27
Plaistow & Sundridge	3	3571	1090	4661	9501	3167	67.95%	3883	581	1488	31.92%	6	0
Shortlands	2	2418	874	3292	5254	2627	79.80%	1101	195	648	19.68%	17	34
West Wickham	3	3702	1392	5094	11172	3724	73.11%	3464	637	1367	26.84%	3	9
TOTAL	60	70173	25841	96014	198717	70374	73.30%	62151	11182	25403	26.46%	237	615

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APPENDIX 3

Forms of ID Produced - Borough level

Driving licence	37520	66915
Passport	16475	
Freedom Pass	10706	
Oyster Card	1731	
Biometric Imm Doc	148	
EAA ID Card	295	
NI Electoral ID card	4	
PASS Scheme Card	36	
Certificate of ID	0	
Birth/Adoption Certificate	255	5659
Bail Sheet	54	
Cheque Book	74	
Credit/ Debit Card	1664	
Council Tax Statement	334	
Firearms Licence	16	
Marriage/Civil Partnership Certificate	57	
Poll Card	2367	
Paper Driving Licence	319	
P45/P60	71	
Statement (bank, building society, mortgage, credit card)	229	
Utility Bill	219	
no ID	450	
Wrong/unsuitable ID	119	
Referred to PO	12	
Returned later with ID	415	

**APPENDIX 3
Forms of ID Produced – Ward level**

	DL	PP	FP	FP	FP	OY	BI	EA	EA	NI	PA	CI	BC	BS	CB	CC	CT	FL	MC	PC	PL	P4	ST	UB	no ID	Wrong/unsuitable ID	Referred to PO	Returned later with ID
	37520	16475	10706	1731	148	295	4	36	0	255	54	74	1654	334	16	57	2367	319	71	229	219	450	119	12	415			
Bromley Common & Keston	1729	738	452	74	8	10	0	2	0	2	0	3	81	15	1	2	105	13	4	8	8	33	6	0	27			
Copers Cope	2183	1033	519	92	21	46	1	0	0	6	3	6	99	21	0	5	134	11	2	15	19	20	4	0	21			
Hayes & Coney Hall	2052	855	648	99	3	6	1	0	0	2	2	1	71	8	0	0	92	15	4	9	1	19	1	0	14			
Kelsey & Eden Park	2002	881	575	95	2	8	0	1	0	13	3	5	97	8	1	1	164	18	1	15	9	15	4	0	14			
Shortlands	1302	564	352	51	6	19	0	0	0	14	3	2	44	6	1	1	71	11	3	8	10	15	0	2	12			
West Wickham	2009	790	646	94	2	10	0	1	0	33	5	3	58	11	0	0	110	16	3	15	12	13	5	1	12			
Bickley	1924	822	503	94	2	20	0	1	0	18	0	2	71	20	0	3	105	10	2	8	7	14	4	1	11			
Bromley Town	2178	1070	427	74	14	37	1	3	0	14	2	2	89	22	1	6	131	10	3	16	11	21	17	0	26			
Chislehurst	1678	719	478	81	6	8	0	1	0	18	2	4	48	16	3	5	69	15	2	7	2	21	10	0	24			
Cray Valley West	1305	546	351	74	7	4	0	2	0	9	5	4	66	11	1	0	101	21	3	13	12	25	1	1	20			
Mottingham & Chislehurst North	1060	432	250	30	3	12	1	1	0	9	4	1	61	10	1	1	84	12	4	6	9	26	2	0	20			
Plaistow & Sundridge	1909	889	483	79	9	11	0	6	0	9	3	6	104	23	0	8	133	10	5	12	17	28	3	4	24			
Biggin Hill	1357	454	443	62	1	0	0	1	0	8	0	1	50	3	0	0	69	10	4	13	10	19	2	0	14			
Chelsfield & Pratts Bottom	1893	733	618	112	5	4	0	1	0	3	2	7	88	7	1	5	123	20	1	10	4	27	2	0	22			
Cray Valley East	1266	508	420	59	5	9	0	4	0	20	5	2	49	13	2	4	84	16	5	6	11	13	10	0	17			
Darwin	656	243	221	21	0	0	0	1	0	2	0	1	21	6	0	0	38	8	0	4	5	10	5	0	12			
Farnborough & Crofton	1833	729	786	87	1	3	0	0	0	9	2	2	77	9	1	1	93	12	0	9	8	26	7	0	23			
Orpington	1681	710	625	109	10	9	0	0	0	14	1	3	83	17	0	2	127	20	2	8	6	29	11	0	32			
Petts Wood & Knoll	1890	733	752	124	1	7	0	0	0	2	0	10	83	14	0	1	100	18	4	8	4	9	4	1	8			
Clock House	2351	1125	476	101	13	15	0	0	0	13	7	5	126	33	3	4	170	21	12	17	20	22	13	0	25			
Crystal Palace	1276	755	209	37	19	31	0	6	0	16	1	2	73	23	0	3	92	9	2	5	12	29	3	0	22			
Penge & Cator	1986	1146	432	82	10	26	0	5	0	21	4	2	125	38	0	5	172	23	5	17	22	16	5	2	15			

Bromley May 2018 voter identification pilot evaluation

Summary of key findings

In the Bromley voter identification pilot voters were required to show one form of photographic identification or two forms of non-photographic identification (one of which needed to include the full registered address of the elector) in order to be given a ballot paper. We found that:

- **The majority of voters were able to meet the identification requirements upon arriving at the polling station.** However, some electors did not have the required ID available when they came to vote on 3 May. The majority later returned and were able to cast a vote.
- **There is no evidence that the ID requirement significantly deterred electors from voting.** In our public opinion survey only one respondent told us that they had not voted as a result of the ID requirement. Also, turnout at the 2018 polls was similar to the comparable elections in 2014.
- **We cannot draw firm conclusions about whether the ID requirement had a disproportionate impact on particular groups of people, for example those with a learning or physical disability.** While we have seen no evidence that specific groups struggled with the ID requirement it is challenging to gather evidence in this area as relatively small groups of people could have been affected in different ways.
- **The delivery of this pilot was manageable for the Returning Officer and their staff and there is nothing in their experience of the pilot to suggest that Bromley would face significant issues with the administration of a similar ID requirement in the future.** Additional staffing and training were in place for the pilot. However the Returning Officer has indicated that the extra staff would not necessarily be required to deliver this type of ID requirement at future local elections.
- **Public attitudes to electoral fraud improved from before to after the pilot.** More people said they electoral fraud is not a problem in Bromley in May 2018 than did so in January 2018. However, we cannot definitively link this change to the pilot.

Our findings suggest that the 2018 local elections in Bromley were not significantly affected by the voter ID pilot in either its impact on voters or on the administration of the poll. However, it is important to be cautious when drawing conclusions from this pilot about the impact of any wider application of voter ID.

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Cabinet Office’s Executive Summary

Executive Summary

During local elections in 2018, electoral administrators from eight Local Authorities (LAs), working alongside the Cabinet Office, the Electoral Commission and their Electoral Management Software (EMS) suppliers delivered voter ID and postal vote pilots as part of the Electoral Integrity Project (EIP). Five LAs participated in pilots with the aim to inform future design of the ID requirements and delivery mechanism for implementing the Government’s manifesto commitment for the national roll out of voter ID requirements in polling stations across Great Britain. Three LAs piloted measures to improve the security of the postal and proxy vote process.

Three models of ID were trialled at polling stations - the poll card model in Watford and Swindon, the mixed ID (photographic and non-photographic) model in Gosport and Bromley, and the photographic ID model in Woking. Three other sites, Peterborough, Tower Hamlets and Slough, piloted the postal/proxy vote process.

The models trialled were based on recommendations made by Sir Eric Pickles in his independent review into electoral fraud. We measured the impact of the voter ID requirement through a number of evidence strands: a pre and post election day public opinion survey; a polling station staff survey; data collected at polling stations; cost data collected by LAs; and qualitative interviews with electoral service teams in the participating LAs. We measured the impact of the postal/proxy measures through: a post election day public opinion survey; cost data collected by LAs; and qualitative interviews with electoral services teams. These data sources have also been used by the Electoral Commission in their independent evaluation.

To fully assess the different dimensions of the ID requirement, Cabinet Office evaluated the pilots through four themes: Integrity; Democracy and Equality; Delivery; and Affordability.

Overall, Integrity measures consistently increased in the photographic ID model, and showed varied results across sites in the mixed ID and poll card models. Confidence in how to go about casting a vote and satisfaction with the process of voting significantly increased post election day in the photographic ID model. Levels of confidence significantly increased in one of the two poll card model sites (Watford), but satisfaction remained

INTEGRITY	DEMOCRACY & EQUALITY
<i>We aimed to understand the impact of the ID requirement on public confidence in the security of the electoral system.</i>	<i>We aimed to understand the impact of the requirement on people’s participation in the democratic process.</i>
DELIVERY	AFFORDABILITY
<i>We aimed to understand the best mechanisms for delivery of the policy.</i>	<i>We aimed to understand the additional costs of rolling out the requirement in Great Britain.</i>

unchanged. In contrast, confidence remained unchanged in both mixed ID models, yet satisfaction significantly increased in one of the two mixed ID models (Gosport).

The perception of the occurrence of electoral fraud at a local level has significantly decreased, and perception of electoral fraud at a GB level significantly increased in the photographic ID and mixed ID models (although Gosport remains unchanged on perceptions of fraud at a GB level). In contrast, perceptions of levels of electoral fraud at a local level

significantly increased in one of the two poll card model sites (Swindon), and at a GB level (Watford).

Democracy and Equality measures were consistent across each authority. Based on the public opinion survey there is no indication that the ID requirements impacted the reasons for not voting for any specific demographic group across the participating authorities. The predominant reason cited for not voting, among those reported they did not vote in the May 2018 local elections, in all pilot models was 'too busy/other commitments'.

The most cited communication channel for awareness of the pilot was predominantly the poll card for the poll card model and the mixed ID model sites, with only electors in the photographic ID model citing a leaflet from the local council as being the most referenced communication source. All models found direct local sources to be the most effective communication method.

The most popular ID used was a driving licence in both the photographic and the mixed ID models, with the passport being the second most popular. The poll card was most popular in the poll card model, with a driving licence being used as a second favourite option.

Based on feedback from electoral services teams, most of the pilot requirements were able to be delivered in conjunction with business as usual activities for an election. Piloting authorities highlighted the importance of having enough time to plan for the extra requirements. Most piloting authorities were able to integrate voter ID training into the standard training and guidance given to polling station staff.

Perceptions of election day were largely positive across all models, with polling station staff giving positive feedback on the process, particularly in the poll card sites.

LAs would largely pilot the same approach again, with one of the mixed models (Bromley) citing they would reduce the number of ID options. The poll card model sites reflected that their model would need less of a behaviour change, with one citing that electors already bring their poll card to vote (Watford).

The central role that Cabinet Office and the Electoral Commission play were seen as being integral to further pilots or national roll out. All local authorities stated that a communication campaign would have to be centrally delivered, with one set of requirements nationally.

In order to assess the affordability of each ID pilot model, we have produced estimates for the additional costs of rolling out each model for a national poll. We have standardised the costs to allow comparisons to be drawn, and have omitted costs that were pilot-specific. There is an inherent degree of uncertainty in these estimates, primarily due to the small sample of participating Local Authorities. This is particularly acute for the Poll Card model, which required the use of technology in polling stations which was developed specifically for this pilot.

Report No.
CSD18118

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: GENERAL PURPOSES AND LICENSING COMMITTEE

Date: Wednesday 26 September 2018

Decision Type: Non-Urgent Non-Executive Non-Key

Title: FEEDBACK FROM THE MEMBERS INDUCTION PROGRAMME
2018

Contact Officer: Graham Walton, Democratic Services Manager
Tel: 0208 461 7743 E-mail: graham.walton@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Corporate Services

Ward: N/A

1. Reason for report

- 1.1 This report reviews the Member induction after the 2018 local elections, including the provision of Member IT equipment, and offers Members an opportunity to discuss future training/briefing needs.
-

2. RECOMMENDATION

That the report be noted, and Members comment on future training/briefing needs both for future induction programmes and more generally.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
-

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Excellent Council:
-

Financial

1. Cost of proposal: Estimated Cost: £796
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Democratic Representation
 4. Total current budget for this head: £1,067,960
 5. Source of funding: 2018/19 Revenue Budget
-

Personnel

1. Number of staff (current and additional): Not Applicable
 2. If from existing staff resources, number of staff hours: Not Applicable
-

Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable: This report does not involve an executive decision.
-

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): 60 Members of the Council
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not Applicable

3. COMMENTARY

3.1 This report reviews the Member Induction Programme 2018 and offers an opportunity to make comments for consideration in drawing up future Induction and training programmes. It also covers the provision of IT equipment. Between induction programmes every four years, Member training tends to be on an ad hoc basis, although there are generally finance briefings every six months and in 2016/17 there was a dedicated programme of training and briefing events in response to the Ofsted inspection on children's services. This report offers Members the opportunity to consider whether a more structured approach to Member training should be put in place.

Administration following the Election

3.2 At the election count venue, on being elected, new (and returning) Members were given a "welcome pack" of basic information and required to complete the following forms –

- Statutory Acceptance of Office
- General Information (contact details etc)
- Payroll details
- Declaration of interest (which had to be completed within 28 days)
- Declaration of party group membership.

A professional photographer was employed to take high quality photographs of all Members which were then used on the Council website and for Council identity badges. The Council's Head of IT was present to advise Members on choices of IT equipment.

Induction Training

- 3.3 The Induction Programme focused initially on a general introduction to the Council and core issues such as the Council Constitution, standards and the Code of Conduct and Corporate Priorities. The Programme then moved on cover important subjects such as Commissioning, Children's Services and Planning, eventually covering all services. Although the programme was aimed at new Members, it was intended that it would also be useful for returning Members, and that experienced Members would have the opportunity to make contributions and interact with the new Members. Most of the sessions were presented by senior officers, with input in some cases from the Bromley Clinical Commissioning Group (CCG), Department of Work and Pensions (DWP) and officers from other authorities. One session (on Scrutiny) was provided by an external trainer from the Local Government Information Unit LGiU).
- 3.4 Details of the Induction sessions are set out in [Appendix 1](#), including attendance data for both new and returning Councillors. In 2014, there was a marked decline in attendance towards the end of the programme, but this year most of the sessions were well-attended, with the exception of the presentation from the Voluntary Sector.
- 3.5 A summary of the feedback received from Members after each session is attached at [Appendix 2](#), including particular comments where these were submitted. A simple, standard feedback sheet was used for most sessions based on four questions. This shows that the sessions were well-received, with the majority of comments being either positive (33%) or very positive 64%.
- 3.6 Member's views are requested about the content of the induction programme, and whether there are any potential gaps – any issues that were not covered but that Members would find helpful in future. In particular, Members views are sought on whether the programme was too focussed on Council services, and whether more training was and is needed on personal effectiveness - subjects such as chairing skills, time management, personal resilience, personal

safety, community engagement, reading skills, public speaking, data protection, community engagement and social media.

Member IT

3.7 In 2014, full Council agreed that Member IT entitlements should be changed to the following -

- A Council iPad which could be used for Council email and reading committee papers on the Modern.gov app.
- Access to the Council's systems via Citrix from a Member's own laptop or PC.
- Either a basic Council mobile phone or a £10 per month allowance to cover use of the Member's personal phone for Council business.

3.8 BT, the Council's IT support contractor, carried out research into appropriate solutions for 2018 based on engagement with Members including group sessions, a questionnaire and an offer of 1:1 meetings, as well as consideration of the current position and the IT facilities offered by other authorities. This led to an improved choice of IT equipment offered to Members in 2018 -

- (i) an iPad;
- (ii) a standard lightweight laptop
- (iii) a 2-in-1 laptop with detachable screen.

Citrix access and the choice of a basic mobile phone or a £10 allowance for using a Member's own personal phone equipment remains unchanged.

3.9 Of the eighteen new Members in 2018, three opted for an iPad, one for the standard laptop and fourteen for the 2-in-1 laptop (although two subsequently opted to change to an iPad.) All but one of the new Members were provided with their new equipment by the end of the week following the local election. After this initial focus on newly elected Members, the new equipment has been rolled out to longstanding Members, with similar proportions opting for each type of device.

Non-Applicable Sections:	Impact on Vulnerable Adults and Children/Policy/ Finance/Legal/Human Resources/Procurement
Background Documents: (Access via Contact Officer)	None

Member Induction Programme 2018: Summary

Session	Date	Subject	New Cllrs (18)	Returning Cllrs (42)	Total attendance (60)
1	8 th May	Constitution/Standards	16	18	34
2	10 th May	Children's Services	15	15	30
3	15 th May	Commissioning	7	10	17
4	23 rd May	Planning	16	12	28
5	5 th June	Human Resources & Customer Services	14	15	29
6	12 th June	Environment & Community Services	13	14	27
7	13 th June	Scrutiny	13	12	25
8	20 th June	Finance	12	13	25
9	26 th June	Adult Care, Health & Housing	8	8	16
10	27 th June	Voluntary, Community and Social Enterprise Sector	3	5	8
11	2 nd July	Universal Credit & Welfare Reform	9	11	20
12	16 th July	PREVENT	8	12	20

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Members Induction Programme 2018 - Evaluation summaries

(The following tables summarise feedback sheets from all but two of the twelve induction sessions)

1. Chief Executive's Welcome/Standards/Constitution: 8/5/18				
	Strongly Agree	Agree	Disagree	Additional comments
The training was relevant to my role	15	1	0	
Do you have a better knowledge on the topic following the training?	10	5	1	
The length of training was sufficient	13	3	0	
The session met or exceeded expectations	8	8	0	
Total/percentage	46 (72%)	17 (27%)	1 (1%)	

2. Education, Children and Families: 10/5/18				
	Strongly Agree	Agree	Disagree	Additional comments
The training was relevant to my role	14	3	0	<ul style="list-style-type: none"> • particularly impressed by children's sessions • the young people made a difference • session too early - should be aimed at candidates
Do you have a better knowledge on the topic following the training?	13	5	0	
The length of training was sufficient	12	6	0	
The session met or exceeded expectations	12	6	0	
Total/percentage	47 (70%)	20 (30%)	0 (0%)	

3. Commissioning:15/5/18				
	Strongly Agree	Agree	Disagree	Additional comments
The training was relevant to my role	7	5	0	<ul style="list-style-type: none"> the session was too long following a working example from start to finish might help too much detail/too many slides could be split into more than one session member input from both parties helped the session
Do you have a better knowledge on the topic following the training?	5	7	0	
The length of training was sufficient	1	6	5	
The session met or exceeded expectations	3	6	3	
Total/percentage	16 (33%)	24 (50%)	8 (17%)	

4. Town Planning: 23/5/18				
	Strongly Agree	Agree	Disagree	Additional comments
The training was relevant to my role	12	2	0	<ul style="list-style-type: none"> take questions at the end good balance of policy and operations too many interruptions/questions from longstanding members which seemed to be a debate with officers too much conversation between experienced councillors and presenters on old issues hijacked by issue of "Members' views"
Do you have a better knowledge on the topic following the training?	10	3	1	
The length of training was sufficient	5	8	1	
The session met or exceeded expectations	6	7	1	
Total/percentage	33 (59%)	20 (36%)	3 (5%)	

5. Human Resources and Customer Services				
	Strongly Agree	Agree	Disagree	Additional comments
The training was relevant to my role	9	3	0	
Do you have a better knowledge on the topic following the training?	6	6	0	
The length of training was sufficient	6	6	0	
The session met or exceeded expectations	6	6	0	
Total/percentage	27 (56%)	21 (44%)	0 (0%)	

6. Environment & community Services				
	Strongly Agree	Agree	Disagree	Additional comments
The training was relevant to my role	4	2	0	<ul style="list-style-type: none"> • some content was repeated from other sessions • it was useful to have lots of different officers present • one speaker took too long • Public Protection should have had a separate session
Do you have a better knowledge on the topic following the training?	3	3	0	
The length of training was sufficient	2	3	1	
The session met or exceeded expectations	3	3	0	
Total/percentage	12 (50%)	11 (46%)	1 (4%)	

7. Scrutiny (LGiU): 13/6/18					
	Excellent	Good	Satisfactory	Poor	Additional comments
Overall event: style & approach	7	11	4	0	<ul style="list-style-type: none"> • slides will be valuable • too many slides - sometimes too basic • interactive style worked better • interesting & though provoking - good engagement • practical examples would have been helpful • session was not very effective and poor value for money • session should have been run by councillors on a cross party basis
Overall event: meeting of expectations	6	12	4	0	
Overall event: clarity of content	7	12	3	0	
Session: Overview & Scrutiny - what is it?	7	11	4	0	
Session: key skills & approaches	8	9	3	0	
Event administration	7	10	3	0	
Management & timing	8	9	4	1	
Venue	7	10	1	0	
Total/percentage	57 (34%)	84 (50%)	26 (15%)	1 (1%)	

8. Finance: 20/6/18				
	Strongly Agree	Agree	Disagree	Additional comments
The training was relevant to my role	12	0	0	<ul style="list-style-type: none"> • some slides were not presented • a lot to cover; quite dense • CCG representation was very helpful
Do you have a better knowledge on the topic following the training?	11	1	0	
The length of training was sufficient	9	3	0	
The session met or exceeded expectations	9	3	0	
Total/percentage	41 (85%)	7 (15%)	0 (0%)	

10. Voluntary, Community and Social Enterprise Sector				
	Strongly Agree	Agree	Disagree	Additional comments
The training was relevant to my role	6	1	0	<ul style="list-style-type: none"> • a longer, more detailed presentation is needed • presentation was quite broad and general
Do you have a better knowledge on the topic following the training?	4	3	0	
The length of training was sufficient	2	5	1	
The session met or exceeded expectations	2	5	0	
Total/percentage	17 (61%)	10 (36%)	1 (3%)	

11. Universal Credit/Welfare Reform				
	Strongly Agree	Agree	Disagree	Additional comments
The training was relevant to my role	8	3	0	<ul style="list-style-type: none"> • first two sessions were the best • evening was rather long - a lot of material • DWP were extremely good • Some duplication between presentations • a long session - could have been slicker • good mix of speakers • a genral benefits induction before this would have helped • a key for abbreviations was needed • too much repetition - presentations could have been shorter
Do you have a better knowledge on the topic following the training?	8	3	0	
The length of training was sufficient	5	6	0	
The session met or exceeded expectations	5	5	0	
Total/percentage	27 (60%)	17 (40%)	0 (0%)	

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Report No.
CSD18120

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: GENERAL PURPOSES AND LICENSING COMMITTEE

Date: Wednesday 26 September 2018

Decision Type: Non-Urgent Non-Executive Non-Key

Title: REVIEW OF MEMBERS ALLOWANCES SCHEME

Contact Officer: Graham Walton, Democratic Services Manager
Tel: 0208 461 7743 E-mail: graham.walton@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Corporate Services

Ward: N/A

1. Reason for report

- 1.1 The regulations governing Members' Allowances require that full Council approves a Members' Allowances Scheme each year before 1st April for the following financial year. In Bromley, the Scheme is recommended to the full Council's annual budget meeting by this Committee following consideration at its meeting in January or February. At its meeting on 29th May 2018 this Committee asked for an early report on the Members' Allowances Scheme to allow more scope for discussion and research. This report sets out the current scheme and examines some of the issues that Councillors may wish to review prior to recommending the 2019/20 scheme.
-

2. **RECOMMENDATION**

The Committee is requested to consider the current Members' Allowances Scheme and recommend changes that should be reviewed and included as potential proposals for the Scheme in 2019/20.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
-

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Excellent Council:
-

Financial

1. Cost of proposal: Estimated Cost: £Up to £1.045m for Member Allowances and up to £23.6k for Mayoral Allowances
 2. Ongoing costs: Recurring Cost: £1.069m
 3. Budget head/performance centre: Democratic Representation/Mayor & Civic Hospitality
 4. Total current budget for this head: £1.069m
 5. Source of funding: Existing Revenue Budget for 2018/19
-

Personnel

1. Number of staff (current and additional): Not applicable
 2. If from existing staff resources, number of staff hours: Not applicable
-

Legal

1. Legal Requirement: Statutory Requirement: The Local Authorities (Members' Allowances)(England) Regulations 2003 (SI 2003/1021)
 2. Call-in: Not Applicable: This report does not involve an executive decision.
-

Procurement

1. Summary of Procurement Implications: Not applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All sixty Councillors receive at least the basic allowance.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not applicable

3. COMMENTARY

- 3.1 Every local authority is required to have a basic, flat rate allowance payable to all Members. This basic allowance recognises the time commitment of Councillors, including meetings with Council managers and constituents and attendance at political group meetings. It is also intended to cover incidental costs and general expenses such as the use of Councillors' homes and equipment. Bromley has always paid allowances by monthly instalment, but the allowance can be paid as a lump sum. In addition, allowances can be paid to reflect particular posts (Special Responsibility Allowances) or membership of particular committees that meet frequently to determine applications (referred to as Quasi-Judicial Allowances).
- 3.2 The regulations provide that before the Council makes or amends a scheme it shall have regard to the recommendations made by an independent remuneration panel report, although this requirement does not apply if the only change is the application of an annual indexation increase. London Councils set up an Independent Panel chaired by Sir Rodney Brooke CBE DL which meets every four years and has just reported in January 2018, and this should be taken into account in determining the level of allowances each year. The Panel recommends an amount for the basic allowance for Councillors in London, and suggests amounts in five bands for positions of additional responsibility. A summary of the Panel's recommendations is set out in **Appendix 1**, alongside representative figures for the six London authorities which share boundaries with Bromley. This shows a considerable variety of allowances across South East London
- 3.3 **Appendix 2** shows Bromley's current scheme, with the allowances for 2018/19 at the end in schedule 1. The Mayoral and Deputy Mayoral allowance is not part of the Member's Allowances scheme, but is usually considered alongside it; the Mayoral Allowance is currently £15,698 and the Deputy Mayoral Allowance is £3,575.
- 3.4 Following a detailed review in 2008, Members' Allowances were scrutinised by a specially formed Member working party which reported through to the Council. As a result certain allowances were upgraded to reflect Member duties at the time. The scheme has remained largely unchanged since then, with allowances frozen since 2009, until in 2016 a Member Working Group suggested some minor changes within the existing budget which were implemented for the 2016/17 Scheme, including rounding the allowances up or down as appropriate to the nearest £5. The 2018/19 Scheme is largely unchanged from previous years, with all allowances frozen for a further year. The main elements of the Scheme are considered in the following paragraphs.

The Basic Allowance

- 3.5 Bromley's basic allowance has remained at £10,870 pa since 2009 (other than a small rounding down from £10,872.) This is the fifth highest in London, reflecting the high value put on the ward councillor role, but is still below the level recommended by the London Councils Independent Panel - £11,045. Across London, the highest Basic Allowance is LB Croydon at £11,239, the average is about £10,060 and the lowest is RB Kingston upon Thames at £7,849.

Special Responsibility Allowances

- 3.6 Bromley's special responsibility allowances are generally lower than in most other boroughs and considerably lower than the recommendations of the London Councils Independent Panel.
- 3.7 Members may wish to consider whether the differentials between these allowances are appropriate, and whether the allowances could be simplified (for example by unifying the allowances currently at £3,575 and £3,570.) The allowance for Executive Members without Portfolio has not been used for several years, but remains in the scheme and potentially available should the Leader decide to make any such appointments.

3.8 There are a number of roles that are not included in the Scheme, but which Members may want to consider. These include the Chairmen of PDS Sub-Committees and some GP&L Sub-Committees, party whips and members of Appeals Sub-Committees (as a quasi-judicial appeal).

Quasi-judicial Allowances

3.9 Quasi-judicial allowances are intended to recognise the additional work on particular applications and cases carried out by Councillors serving on Plans Sub-Committees, Licensing Sub-Committees and Fostering and Adoption Panels. For 2018/19, a change was introduced for the quasi-judicial allowances for Licensing Sub-Committee and the new Fostering and Adoption Panel (which amalgamated the previous Fostering Panel and Adoption Panel.) As the number of Licensing hearings had reduced considerably in recent years it was decided to recognise this by replacing the flat rate allowance with a per-meeting allowance (£50 per meeting). A similar £200 per meeting allowance was introduced for the Fostering and Adoption Panel. It should be noted that Licensing Sub-Committees each comprise of three Members from this Committee, whereas there are three Members on the rota for Fostering and Adoption Panel meetings, but usually only one of them will attend each meeting. The allowances for Plans Sub-Committees were unchanged at £335 for membership one Sub-Committee, and £670 for membership of two. Assuming each Sub-Committee meets six times a year, this is about £56 per meeting.

3.10 These new per-meeting allowances have now been in place for five months (April to August 2018.) During this time, there have been four Licensing hearings, resulting in the payment of twelve £50 allowances - a total of £600. There have been eleven Fostering and Adoption Panel allowances paid, a total of £2,200. The following tables show the effect of the new allowances so far and projected to the end of 2018/19 - it is likely that there will be a very small increase in spending on Fostering and Adoption Panel meetings, but a saving on Licensing Sub-Committee meetings. If the projections are correct there would be an overall saving of £3,275.

Fostering and Adoption Panel

2017/18	2017/18	2018/19	2018/19	2018/19	2018/19	2018/19
Number of meetings	Fixed £670 Allowances Paid (5)	No. of meetings - first 5 months	Allowances Paid - first 5 months	Anticipated number of meetings for 12 months	Anticipated allowances for 12 months	Anticipated costs/savings over 12 months
17	£3,350	8	£2,200	18	£3,600	-£250

(An annual limit of £3,575 per member (representing up to 18 attendances) was set for Fostering and Adoption Panel.

Licensing Sub-Committee

2017/18	2017/18	2018/19	2018/19	2018/19	2018/19	2018/19
Number of meetings	Fixed £335 Allowances Paid (15)	No. of meetings - first 5 months	Allowances Paid - first 5 months	Anticipated number of meetings for 12 months	Anticipated allowances for 12 months	Anticipated costs/savings over 12 months
11	£5,025	4	£600	10	£1,500	£3,525

4. FINANCIAL IMPLICATIONS

- 4.1 The revenue budget for 2018/19 includes £1.045m for the Members' Allowances Scheme and £23.6k for Mayoral Service allowances.
- 4.2 For information, during 2017/18, £997k was spent on Member allowances including training, with £22k being spent on Mayoral allowances.

5. LEGAL IMPLICATIONS

- 5.1 The statutory provisions relating to Members' allowances are contained in The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 2003/1021).

Non-Applicable Sections:	Impact on Vulnerable Adults and Children/Policy/Personnel/Procurement
Background Documents: (Access via Contact Officer)	Report to General Purposes and Licensing Committee 6 th February 2018 and Council on 26 th February 2018. Remuneration of Councillors in London Boroughs 2018 - London Councils

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Members Allowances - Comparisons

Example Posts	2018 London Councils Panel Recommendation	LB Bromley Ranking amongst the 7 London Boroughs	LB Bromley	LB Bexley	RB Greenwich	LB Croydon	LB Lambeth	LB Lewisham *	LB Southwark	Average of the Seven London Boroughs
Basic Allowance	£11,045	3rd Highest	£10,870	£9,606	£10,210	£11,463	£10,597	£9,812	£11,270	£10,547
Leader	£57,085 (Band 4)	6th Highest	£30,600	£26,919	£52,458	£44,083	£40,617	£67,909	£53,278	£45,123
Portfolio Holder	£36,917 - £43,460 (Band 3)	5th Highest	£20,400	£13,461	£22,119	£33,705	£28,518	£15,298	£35,734	£24,176
Scrutiny Chairman	£16,207 - £29,797 (Band 2)	6th Highest	£7,905	£8,979	£22,119	£30,335	£10,905	£6,195	£24,065	£15,786
"Quasi-judicial" Allowance	£2,582 - £9,397 (Band 1)		£200 per meeting (Fostering & Adoption Panel) £50 per meeting (Licensing Sub-Committee) £335 Plans Sub-Committee	N/A	N/A	£5,613 (Fostering & Adoption Panel)	£4,514 (Adoption Panel)	N/A	£124 per meeting (Licensing Committee)	N/A

* Directly Elected Mayor

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London Borough of Bromley

Members' Allowances Scheme 2018/19

From 1st April 2018, in exercise of the powers conferred by the Local Authorities (Members Allowances) (England) Regulations 2003 (2003 No. 1021) [as amended by SI 2003 No. 1692], the London Borough of Bromley will operate the following Members' Allowances Scheme.

1. This Scheme is known as the London Borough of Bromley Members' Allowances Scheme and will operate from 1st April 2018 until amended.

2. In this Scheme:

“Councillor” means a member of the London Borough of Bromley who is an elected Member;

“Member” for the purposes of this Scheme shall mean elected Councillors;

“year” means the 12 months ending 31st March.

3. The Council in agreeing this Scheme has considered the recommendations of the Independent Panel commissioned by London Councils on the remuneration of Councillors in London entitled “The Remuneration of Councillors in London 2018” published January 2018.

Basic Allowance

4. A basic annual allowance of £10,870 shall be paid to each Councillor.

Special Responsibility Allowances

5. (1) An annual Special Responsibility Allowance will be paid to those Members who hold special responsibilities. The special responsibilities are specified in Schedule 1 (attached).
- (2) During periods after an election when any position of special responsibility is unfilled, the relevant Special Responsibility Allowance shall be payable to the new holder of the position from the day after the previous holder ceases to be responsible.
- (3) The amount of each Special Responsibility Allowance is specified against that special responsibility in Schedule 1. The conditions set out in paragraphs 5(2), 5(4) and 14 apply.
- (4) Where a Member holds more than one position of special responsibility then only one Special Responsibility Allowance will be paid. Subject to sub-paragraph (5), Members may be paid quasi-judicial allowances in addition to a Special Responsibility Allowance.

- (5) All Members of the Licensing Sub-Committee, Plans Sub-Committees and the Fostering and Adoption Panel shall be paid a quasi-judicial allowance at the rates set out in Schedule 1.

Childcare and Dependent Carers Allowance

6. The Council has agreed that no allowance will be paid for childcare or dependent carers.

Co-optees Allowance

7. The Council has agreed that no allowance will be paid for co-optees.

Travel and Subsistence Allowance

8. The Basic Allowance covers all intra-Borough travel costs and subsistence. All other necessarily incurred travel and subsistence expenses for approved duties as set out in the Regulations (Regulation 8(a) to (h)) will be reimbursed under the same rules and entitlement as applies to staff. Travel by bicycle will also be paid at the same rates as applies to staff. Claims for reimbursement are to be made within one month of when the costs were incurred.

Ability to Decline an Allowance

9. A Member may, by writing to the Director of Corporate Services, decide not to accept any part of his entitlement to an allowance under this Scheme.

Withholding of Allowances

10. The Standards Committee may withhold all or part of any allowances due to a Member who has been suspended or partially suspended from his/her responsibilities or duties as a Member of the Authority. Any travelling or subsistence allowance payable to him/her for responsibilities or duties from which they are suspended or partially suspended may also be withheld.
11. Where the payment of an allowance has already been made in respect of a period in which a Member has been suspended or partially suspended, the Council may require the allowance that relates to that period of suspension to be repaid.

Members of more than one Authority

12. Where a Member is also a member of another authority, that Member may not receive allowances from more than one authority for the same duties.

Part-year Entitlements

13. If during the course of a year:
- (a) there are any changes in the Basic and/or Special Responsibility Allowances,

- (b) a new Member is elected,
- (c) any Member ceases to be a Member,
- (d) any Member accepts or relinquishes a post in respect of which a Special Responsibility Allowance is payable, or
- (e) the Standards Committee resolves to withhold any allowances during the suspension of a Member,

the allowance payable in respect of the relevant periods shall be adjusted pro rata to the number of days.

Payments

14. Payments shall so far as is reasonably practicable normally be made for Basic, Special Responsibility and Quasi-Judicial Allowances in instalments of one-twelfth of the amount specified in this Scheme, unless specified otherwise in Schedule 1.

Inflation Increase

15. The allowances set out in this Scheme may be increased annually by the same percentage increase as the market movement change for management grade officers under the Council's scheme, such increase to take effect from the start of the financial year. This inflation index will apply until further notice unless the Scheme is revised after consideration of any new Independent Panel report. Where the only change to the Scheme in any year is that affected by such an annual adjustment in accordance with this index, the new uprated allowance rates will apply without further consideration by an Independent Panel.

Notification Fee to Information Commissioner

16. The Council shall reimburse, or pay on their behalf, the annual fee payable by all Councillors to the Information Commissioner.

Schedule 1

Allowances for the year ending 31st March 2019

	£
Basic Allowance	10,870.00
Special Responsibility Allowances	
Leader of the Council	30,600.00
Portfolio Holders (x6)	20,400.00
Executive Members without Portfolio	3,575.00
Executive Assistants (x5)	3,575.00
Chairman of Health and Wellbeing Board	8,670.00
Chairman of main PDS Committee	8,670.00
Chairman of Portfolio PDS Committees (x5)	7,140.00
Chairman of Development Control Committee	8,670.00
Vice-Chairman of Development Control Committee	1,970.00
Chairman of Plans Sub-Committees (x4)	2,770.00
Chairman of General Purposes and Licensing Committee	8,670.00
Vice-Chairman of General Purposes and Licensing Committee	1,970.00
Chairman of Audit Sub-Committee	1,970.00
Chairman of Pensions Investment Sub-Committee	1,970.00
Leader of largest Opposition Party	7,140.00
Leader of second largest Opposition Party	3,570.00
Quasi-Judicial Allowances	
Members of one Plans Sub-Committee	335.00
Members of two Plans Sub-Committees	670.00
Members of Licensing Sub-Committee	50.00 (Per meeting*)
Members of Fostering and Adoption Panel	200.00 (Per meeting**)

* Payable monthly

** Payable monthly, up to an annual limit of £3,575

Decision Maker: GENERAL PURPOSES AND LICENSING COMMITTEE

Date: Tuesday 25 September 2018

Decision Type: Non-Urgent Non-Executive Non-Key

Title: DRAFT STATEMENT OF PRINCIPLES FOR GAMBLING
2019- 2022

Contact Officer: Steve Phillips Team Leader Licencing: Public Protection
Tel: 020 8313 4659 [E-mail:
steve.phillips@bromley.gov.uk](mailto:steve.phillips@bromley.gov.uk)

Chief Officer: Executive Director of Environment & Community Services **Ward:**

(All Wards);

1. Reason for report

To present Members with the results of public consultation on the draft gambling policy and recommend the approval of the draft policy for adoption by Council on 9th October 2018

.

2. **RECOMMENDATION(S)**

Members are asked to:

Note and comment on the response to public consultation and recommended the Statement of Gambling Policy under the Gambling Act 2005 for adoption by full Council on 9th October 2018 to have effect from 31 January 2019.

Impact on Vulnerable Adults and Children

1. Summary of Impact: This policy is required under section 349 of the Gambling Act 2005, and the Act promotes safer practice at premises where gambling activities take place. Under the legislation, licensees and their operators have a legal responsibility to 'protect children and other vulnerable persons from being harmed or exploited by gambling'.
-

Corporate Policy

1. Policy Status: Existing Policy: Statement of Gambling Policy 2016-2019
 2. BBB Priority: Children and Young People Excellent Council Quality Environment Safe Bromley Vibrant, Thriving Town Centres:
-

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Public Protection and Safety Portfolio Budget
 4. Total current budget for this head: £2.103m
 5. Source of funding: Existing controllable revenue budgets 2018/19
-

Personnel

1. Number of staff (current and additional): 51 FTE
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: Statutory Requirement: Section 349 Gambling Act 2005 requires the Council to prepare and publish a statement of the principles they propose to apply in exercising their functions under the Act. Each statement of policy lasts for 3 years. The next three year period is from 31 January 2019 to 30 Jan 2022.
 2. Call-in: Not Applicable:
-

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Approximately 150 licensed premises and all residents and businesses living and trading in the vicinity of licensed premises
-

Ward Councillor Views

1. Have Ward Councilors been asked for comments? YES
2. Summary of Ward Councilors comments: No comments have been received in response to consultation on the draft statement of Gambling policy.

3. COMMENTARY

- 3.1 The Gambling Act 2005 replaced most of the existing law about gambling in Britain save that it does not include, within its scope, the National Lottery.
- 3.2 The Council is the 'Licensing Authority' under the Gambling Act 2005 and must prepare and publish a statement of its licensing policy for periods of three years (Section 349). The policy must be reviewed from time to time and before each three year period.
- 3.3 The current policy was reviewed by Members on 26 September 2015 and adopted by Full Council on 12 November and came into effect on 31 January 2016.
- 3.4 The General Purposes and Licensing Committee prepares and recommends to full Council the adoption of the Councils Statement of Gambling policy which is required by the Gambling Act 2005
- 3.5 At its meeting on 25 July 2018 Members approved a draft Statement of Gambling Policy (2019- 2022) for public consultation
- 3.6 The draft policy has been published on the Council's website and all licence holders have been written to advising them of the draft policy, highlighting the most significant changes and seeking their views. In addition the draft policy has been drawn to the attention of the statutory Responsible Authorities and a wide range of other bodies and organisations as listed on page 5 of the draft policy
- 3.7 A total of two responses have been received
1. Ms Elizabeth Speed General Council for Novomatic UK on Behalf of Talarius Limited. Identifying some inconsistencies and grammatical errors from the Gambling Act 2005. Shown at appendix 1
 2. Ms Janet Marron from Excise Processing Team HM Revenue and customs identifying an incorrect address for their contact as a responsible authority. Shown at appendix 2
- 3.8 In light of the responses to the consultation, a suggested final version of the policy is attached which Members are asked to recommend for adoption by full Council on 19 October 2015, subject to any changes agreed following public consultation. Shown at appendix 3
- 3.9 Local authorities have responsibility for publishing a three-year Statement of Gambling Licensing Policy and next revised policy must be published by 31 January 2019.
- 3.10 The consultation and adoption time table is presented in Table 1:

Table 1

Report to General Purpose 7 Licensing Committee	25 July 2018
Public Consultation	27 July - 16 September 2018
Consideration of policy in response to consultation GP&L	26 September 2018
Adoption of policy by Full Council	8 October 2018
Publication (statutory publication date)	31 January 2019

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

This policy is required under section 349 of the Gambling Act 2005, and the Act promotes safer practice at premises where gambling activities take place. Under the legislation, licensees and their operators have a legal responsibility to 'protect children and other vulnerable persons from being harmed or exploited by gambling'.

5. POLICY IMPLICATIONS

The Council is obliged to adopt and publish a Statement of its Gambling Policy. It is also under a duty to keep the policy under review and to revise it when appropriate. Before adopting a revised policy there needs to be a process of public consultation including specified bodies.

6. LEGAL IMPLICATIONS

The Council, as the Licensing Authority has a requirement under section 349 of the Gambling Act 2005 to prepare and publish a statement of principles for gambling. 7.2 Section 349(1) requires the Licensing Authority to prepare and publish a Statement of Principles before each successive period of three years.

Non-Applicable Sections:	Financial, Personnel, procurement
Background Documents: (Access via Contact Officer)	Gambling Act 2005. Guidance issued by the Gambling Commission 5th Edition. Bromley's Gambling Policy 2016-2019

Appendix 1

From: elizabeth speed [<mailto:espeed@novomatic.co.uk>]

Sent: 08 August 2018 15:53

To: Phillips, Steve

Cc: Tracey Rose

Subject: Gambling Act 2005 - London Borough of Bromley Statement of Principles Consultation

Dear Sirs

Gambling Act 2005 – Statement of Principles Consultation

Thank you for the opportunity to make comments on the above consultation. On behalf of Talarius Limited, I make the following comments in relation to the consultation draft (the "Draft"): -

1. As the Authority will appreciate, in matters of regulation under the Gambling Act 2005 (the "Act") it is subject to the Regulators' Code. That code imposes a number of obligations on the Authority, including one that it should carry out its activities in a way that it supports those it regulates to comply and grow. Additionally, under the Code, when designing and reviewing policies, the Authority must among other things, understand and minimise the negative economic impact of its regulatory activities and regulate and minimise the costs of compliance of those it regulates. Further, the Authority should take an evidence-based approach in determining priority risks and recognise the compliance record of those it regulates. We suggest that the general applicability of the Code is confirmed in the Draft.
2. Para B3: page 12 – We note the first bullet point on the left hand side of the page. While staff training is essential for matters of Social Responsibility, including on customer interaction, the reference to "signs of excessive gambling" is, we suggest, too vague and is a subjective a concept. What might seem "excessive" to one person could be perfectly acceptable to another and asking staff to make judgement calls on the parameters is inappropriate. More pertinent, is training of staff on noting signs of distress, aggression etc. associated with the customer's gambling.
3. Para B3 3: page 14 - As the Authority appreciates, children are legally permitted to take part in limited types of gambling (Category D machines). Plainly in such instances, children should not be prevented from playing those machines nor should advertising be prohibited in relation to them. We suggest that the wording in the paragraph is adjusted.
4. Para B.9: page16 – the 5th bullet point refers to "physical separation of areas" as an appropriate measure for AGCs. As these premises are for adults only, we cannot see how that could be justified and assume it has been included in error.
5. Para B.10: page 16 - with reference to the 7th main paragraph, we support the need to protect children and other vulnerable people from harm or exploitation generally. However, as the Authority appreciates in this section, the licensing objective in question as set out in the Act, is to protect children and other vulnerable persons from being harmed or exploited by gambling. As such, whilst issues of protection from harm generally are important they are not, with respect, a matter for the Statement of Principles under the Act. To proceed otherwise would be to stray into other regulatory regimes. We suggest that this para is amended.
6. Para B.10: page 16 - with reference to the 10th bullet point: no betting machines are permitted in FECs. We suspect this reference might have been included in error.
7. Para B.10: page 16 - with reference to the 12th bullet point, the suggestion that children must be accompanied by adults is contrary to the Act which allows children to play Category D games. It is a legal and licensed activity and the licensee is obligated through law to prevent children accessing machines in any adult only areas. To suggest a condition/measure such as this would be contrary to the Act and the Code.
8. Para B.10 – page 17 – The penultimate paragraph of the section refers to operating licence conditions covering the way in which areas with Category C machines should be delineated. With respect, operating licences contain no such conditions. Rather they are covered in the

Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007. Many of the points in those Regulations are already picked up in the Draft which is duplicatory (for example, some of the measures listed at B.10)

9. Paras B.12 and B.13: page 17 – We note that the list of possible measures and conditions set out for AGCs and FECs are not repeated for Bingo or Betting premises, despite the fact that the bets/stakes/prizes at such premises can be considerably higher than in AGCs and FECs. We suggest that this unjustified inconsistency be remedied.
10. Para B.16: page 19 - We note the reference to premises needing to be “finished” to apply for a premises licence – that is not a requirement. We refer to the 2008 case of R (on the application of Betting Shop Services Limited) –V– Southend on Sea Borough Council, in which it was held that an applicant could apply for a premises licence (without the need for a provisional statement) even though the premises were not fully constructed – the applicant is not restricted to making an application for a provisional statement. It was held by the court that the then current Guidance issued by the Commission was wrong and the Guidance was subsequently amended. We suggest that the position be corrected. The premises do not have to be constructed before an application for a premises licence can be made. In fact, applications for provisional statements have been very rare since the above mentioned case was heard.
11. Appendix B: the named Responsible Authorities do not match the bodies identified by the Act at section 157. For example, HSE and Weights and Measure (trading standard) are not RAs under the Act.

We hope that the above proves useful. If you have any questions, please do not hesitate to contact us.

Yours faithfully,

Elizabeth Speed
Group General Counsel
Novomatic UK

Direct +44 (0) 191 497 8222
Mobile +44 (0) 7808 571 588
espeed@novomatic.co.uk

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Appendix 2

-----Original Message-----

From: NRUBetting&Gaming@hmrc.gsi.gov.uk
[mailto:NRUBetting&Gaming@hmrc.gsi.gov.uk]

Sent: 03 August 2018 09:30

To: Phillips, Steve

Subject: London Borough of Bromley Revised Statement of Gambling Policy
2019/22

Dear Colleague

As one of the responsible authorities quoted in your appendices can I ask you to amend our postal contact address to:-

HM Revenue and Customs
Excise Processing Teams
BX9 1GL
United Kingdom

Our contact telephone number is now 0300 322 7072 Option 7.

Our email address remain the same, NRUBetting&Gaming@hmrc.gsi.gov.uk

Kind Regards

Janet (Marron)
Excise Processing Team
HM Revenue & Customs
BX9 1GL
United Kingdom
0300 322 77072 Option 7

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The Commissioners for HM Revenue and Customs are not liable for any personal views of the sender.

This e-mail may have been intercepted and its information altered.

Appendix 3

London Borough of Bromley

LONDON BOROUGH OF BROMLEY
GAMBLING ACT 2005
DRAFT STATEMENT OF
GAMBLING POLICY
2019 – 2022

**Statement of Principles - Gambling Act 2005
Contents**

Part A - General

- A.1. Summary of the Gambling Act
- A.2. Introduction
- A.3. Declaration
- A.4. Delegation
- A.5. Responsible Authorities
- A.6. Interested parties
- A.7. Exchange of information
- A.8. Information from Operators and Premises
Licence Holders
- A.9. Inspection and Enforcement
- A.10. Licensing Authority functions

Part B - Premises licences

- B.1. General Principles
- B.2. Definition of premises
- B.3. Location of Premises
- B.4. Local Area Profiles
- B.5. Duplication with other regulatory regimes
- B.6. Licensing objectives
- B.7. Conditions
- B.8. Door Supervisors
- B.9. Adult Gaming Centres
- B.10. Licensed Family Entertainment Centres
- B.11. Casinos
- B.12. Bingo
- B.13. Betting premises
 - B.13.1 Betting Machines in Betting Premises
- B.14. Tracks
- B.15. Travelling fairs
- B.16. Provisional Statements
- B.17. Reviews

**Part C - Permits / Temporary and Occasional Use
Notices**

- C.1. Unlicensed Family Entertainment Centre gaming
machine permits

- C.2. (Alcohol) Licensed premises gaming machine permits
 - C.2.1. Automatic Entitlement
 - C.2.2. More than two machines
- C.3. Prize Gaming Permits
- C.4. Club Gaming and Club Machines Permits
- C.5. Temporary Use Notices
- C.6. Occasional Use Notices
- C.7. Small Society Lottery Registrations

Appendices

- Appendix A - Map of London Borough of Bromley
- Appendix B - Responsible Authorities details

PART A - GENERAL

A.1. Summary of the Gambling Act 2005

The Gambling Act 2005 establishes a system of licences and permits for a wide range of gambling activities.

The Gambling Act 2005 (the “Act”) requires this Licensing Authority to draft, consult on and publish a Statement of Licensing Policy in relation to its responsibilities under the Act. Once published, this Policy Statement, called the Statement of Gambling Policy, will be kept under constant review and, in any case, will be re-published after every three years. Before any revision of the Statement of Gambling Policy is published this Authority will carry out a full consultation exercise on the relevant sections.

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

This latest draft revision of the Statement of Gambling Policy is for the period 2019 – 2022. It sets out how the Licensing Authority intends to exercise its functions under the Act, for the next three years, and has been prepared having regard to the Act, secondary regulations, and the Commission’s Guidance to Local Licensing Authorities (5th Edition published September 2015 with parts 17, 18 and 19 updated September 2016).

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

For the purposes of the Gambling Act 2005 the London Borough of Bromley is the

Licensing Authority.

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

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

The licensing authority will make decisions about premises licences, permits and temporary use notices with reference to the following documents and guidance:

- The relevant guidance issued by the Gambling Commission
- The relevant Licence Conditions and Code of Practice issued by the Gambling Commission
- that are reasonably consistent with the licensing objectives and
- in accordance with the authority's statement of licensing policy

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

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

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

[The Gambling Commission issues Licence Conditions and Codes of Practice for gambling operators. Social Responsibility Codes have the force of a licence condition. The Gambling Commission also issue Ordinary Codes, which set out best industry practice. They are not licence conditions, but operators are expected to follow them unless they have alternative arrangements in place which they can demonstrate are equally as effective.](#)

London Borough of Bromley

The Licensing Authority, when carrying out inspections of gambling operators, reserves the right to assess compliance with such matters set out in the Gambling Commission's Licence Conditions and Codes of Practice as it sees fit, and will share intelligence with the Gambling Commission about any issues of non-compliance in this respect.

A.2. Introduction

The London Borough of Bromley is situated on the borders of South East London and Kent. Geographically it is the largest of the London boroughs with an area of approximately 58 Sq. miles. The borough has a population of approximately 300,000.

The central and northern parts of the borough are urban and densely populated with the main residential centres being:

- Penge/Anerley
- Beckenham
- West Wickham
- Bromley
- Chislehurst / Mottingham
- Orpington / Farnborough
- St Paul's Cray / St Mary Cray

The Southern part of the Borough is rural with Biggin Hill as its main residential and commercial centre. See Map of Borough in **Appendix A**

Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles that 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.

The licensing authority is consulting widely upon this statement before finalising and publishing.

A list of those persons consulted is provided below. It should be noted that unsolicited comments may be received from other persons.

List of persons this authority consulted:

- All Councillors
- The Metropolitan Police – Bromley Police Station
- The London Fire Brigade
- Planning Department of the London Borough of Bromley
- Public Health Complaints Team
- The Director for Childrens Services
- All known premises with AWP Machines
- All known operators of licensed Betting Offices
- All known operators of licensed bingo halls
- All known registered Society Lotteries
- All known Residents Associations
- All known faith groups
- Other adjoining Councils

The consultation took place between 26th July 2018 and the 16th Sept 2018 The full list of comments made and the consideration of those comments is available by request from the:

Licensing Team Public
Protection Civic Centre

Stockwell Close
Bromley BR1 3UH

Tel 020 8313 4218 or via the council's website at: www.bromley.gov.uk

The final policy approved by Full Council will be published on the council's website at: www.bromley.gov.uk.

Should you have any comments regarding this policy statement please send them via e-mail or letter to the following contact:

Steve Phillips

Licensing Team
Public Protection
Civic Centre
Stockwell Close
Bromley BR1 3UH
Tel: 020 8313 4216
e-mail: steve.phillips@bromley.gov.uk

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.

A.3. Declaration

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 issued by the Gambling Commission, and any responses from those consulted on the statement.

A.4. Licensing Authority Delegation under the Gambling Act

X depicts the lowest levels to which decisions can be made

Matter to be dealt with	Full Council	Licensing Sub-Committee	Officers
Final approval of the Licensing Authority Policy Statement	X		
Gambling Policy not to permit casinos	X		
Fee setting (Where appropriate)		X If delegated	

		by full council	
Applications for new grant or variation of a premises licences where representations have been received and not withdrawn.		X	
Applications for new grant or variation of a premises licences where no representations have been made, or where any representations made have been withdrawn.			X
Application for the transfer of a premises licence where representations have been received from the Commission or responsible authority.		X	
Application for the transfer of a premises licence where no representations received from the Commission or responsible authority			X
Application for a provisional statement where representations have been received and not withdrawn.		X	
Application for a provisional statement where no representations have been made, or where any representations made have been withdrawn.			X
Review of a premises licence.		X	
Application for club gaming/club machine permits where objections have been received and not withdrawn.		X	
Application for club gaming/club machine permits where no objections have been received or where any objections made have been withdrawn.			X
Cancellation of club gaming/club machine permits and licensed premises gaming machine permits.		X	
Applications for other permits.			X

Consideration of temporary use notice.			X
Decision to give a counter notice to a temporary use notice.		X	

A.5. Responsible Authorities

When an application is received for a premises licence or permit, there will be a requirement to consult with a number of responsible authorities. It will be the responsibility of the applicant to send copies of their applications to the authorities listed below:

- London Borough of Bromley Licensing Authority
- The Gambling Commission
- The Metropolitan Police: Bromley Police Station
- The London Fire Brigade
- Planning Department of the London Borough of Bromley
- Public Health Complaints Team
- London Borough of Bromley Local Safeguarding Children Boards (LBCBs)
- HM Commissioners of Customs and Excise

Under the Children Act 2004, as amended by the Children and Social Work Act 2017, Local Safeguarding Children Boards, set up by local authorities, will be replaced. Under the new legislation, the three safeguarding partners (local authorities, chief officers of police, and clinical commissioning groups) must make arrangements to work together with relevant agencies (as they consider appropriate) to safeguard and protect the welfare of children in the area. At the latest the new safeguarding arrangements must be in place by 29 September 2019. Bromley safeguarding partners have agreed to maintain the existing Bromley Safeguarding Children Board arrangements at this time.

Bromley Safeguarding Children Board meets quarterly but applications relating to Gambling Licences require any comments from the 'responsible authorities' within 28 days. Therefore, it would clearly not be appropriate to designate the BSCB as the 'responsible authority' in this area. The policy of the Licensing Authority is that the 'responsible authority' in relation to the protection of children from harm will be the Council's Children's Social Care Department and, in particular, the BSCB Manager in that Department.

The contact details of all the Responsible Authorities under the Gambling Act 2005 are set out in **Appendix B** of this policy and are also available via the Council's website at: www.bromley.gov.uk

Each responsible authority will consider an application and may make representations to the licensing authority in accordance with the 3 licensing

objectives.

A.6. Interested parties

Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in s158 of the Gambling Act 2005. An Interested Person is someone, who in the opinion of the licensing authority:

- Lives sufficiently close to the premises to be affected by the authorised activities taking place.
- Has a business interest that might be affected.
- Represent a person of the above.

We are required by regulations to state the principles we will apply in exercising our powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

- Each case will be decided upon its merits. We will not apply a rigid rule to our decision-making.
- We 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.
- Interested Parties will include trade associations and trade unions, and residents and tenants associations. This authority will not however generally view these bodies as interested parties unless they have a member who lives sufficiently close to the premises to be likely to be affected by the activities being applied for.
- Interested parties can be persons who are democratically elected such as Councillors and MPs. No specific evidence of being asked to represent an interested person will be required as long as the councillor/MP represents the ward likely to be affected. Other than these however, we will generally require written evidence that a person/body (e.g. 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, email or fax from one of these persons requesting the representation is sufficient.

A.7. Exchange of Information

We are required to ensure that we exchange information in accordance with the Act (without contravening the Data Protection Act 2018 and the General Data Protection Regulations) with the following bodies:

- The Gambling Commission

- The Metropolitan Police
- HM Commissioners of Customs and Excise
- Gambling Appeal Tribunal
- National Lotteries Commission
- Secretary of State

London Borough of Bromley

A.8. Information from Operators and Premises Licence Holders

We require operators/ premises licence holders to supply information to the licensing authority where relevant to the licensing objectives, Licensing Conditions and Code of Practice (LCCP) this will include the following on at least an annual bases

- Premises and local area risk assessment
- How many test purchase activities have been undertaken
- How many incidents of gambling refusals due to
 - Underage
 - **Problem** gambling where staff intervention has occurred
- How many self-excluded gamblers have registered at the premises

Deleted: Excessive

Information required as it occurs (notification via email, letter or phone)

- Incidents of failed age test purchases
- Incidents of crime and disorder (which required police notification or involvement)

A.9. Inspection and Enforcement

Our main aim is to ensure compliance with Premises Licences and other permissions that we authorise..

In accordance with our functions under the Gambling Act 2005 we will endeavour to be:

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

Where inspections are undertaken the licensing authority will endeavour to be consistent with the guidance given by the Gambling Commission and where appropriate will have regard to the inspection templates they have produced. We will endeavour to avoid duplication with other regulatory regimes.

Enforcement

Once licensed, it is essential that premises are maintained and operated so as to ensure the continued promotion of the licensing objectives and compliance with the specific requirements of the 2005 Act. We will support businesses to comply with the law but view offences and breaches of licence conditions seriously.

The Licensing Authority will make arrangements to monitor premises and take appropriate enforcement action to ensure this. The Licensing Authority will work closely with the Police to establish protocols to ensure an efficient deployment of Police and Licensing Officers engaged in enforcing licensing law and inspecting licensed premises, in order to ensure that High-risk premises receive the highest priority.

The enforcement action will be:

- Targeted toward those premises presenting the highest risk
- Proportional, to the nature and seriousness of the risk those premises present
- Consistent, so that we take similar approaches in similar situations
- Transparent, so those who are subject to enforcement action know what to expect
- Accountable, so that we take responsibility for our actions.

The Licensing Authority has instructed its officers to adopt a zero tolerance approach to offences and breaches of licence conditions. In practice this means that licensing officers will investigate significant complaints alleging breaches of the Act or licence conditions and act on all sources of reliable intelligence (including local residents and businesses) with a view to establishing if offences have been committed.

Such matters may include:

- Unauthorised licensable activities or breach of licence conditions
- Allowing disorderly conduct on licensed premises
- Allowing illegal Gambling to occur
- Allowing children to gamble or have access to age restricted premises or locations
- Allowing a person to gamble who is knowingly drunk

Where licensing officers have such evidence they have a range of enforcement options including:

- Offering advice /guidance (verbal or written)
- Informal written warnings
- Formal cautions
- Prosecutions
- Review of Premises Licences
- Closure of premises that are experiencing or are likely to experience crime and disorder or public nuisance.

The Licensing Authority encourages a graduated approach to enforcement as set out in the Environmental Health & Trading Standards generic enforcement policy however in the cases of offences relating to :-

1. The deliberate and persistent provision of unlicensed activities
2. The breach of licensing conditions resulting in substantial risk to the promotion of the licensing objectives
3. Persistent underage gambling or access
4. The use of licensed premises in connection with organised criminal activity
5. Allowing disorderly conduct on licensed premises

A.10. Licensing Authority functions

We are required 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
- Issue 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

It should be noted that the licensing authority will not be involved in licensing remote gambling. This will fall to the Gambling Commission via operating licences.

Part B

PREMISES LICENCES

B.1. General Principles

The licensing authority is responsible for administering applications for premises licences and permits. The premises licences will be subject to the requirements of the Act and its regulations.

The licensing authority may issue specific mandatory and default conditions, but it will also have the discretion to exclude default conditions and attach others, where it believes it to be appropriate.

Decisions about premises will be made:

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

Moral objections or demand for gambling are not a valid reason to reject applications for premises licences.

B.2. Definition of premises

Premises are defined in the Act as "any place".

A premise can only hold one premises licence. A building can hold a number of premises licences if it contains a number of distinct premises within it. The question of whether different parts of the premises are separate will be considered at the time of application however the Gambling Commission does not believe that buildings that have been made temporarily or artificially separate are able to be considered as different premises.

We will ensure that when considering applications for multiple licences in a building that those areas that are used for non-gambling purposes are kept

separate from the gambling areas. In particular we will be aware that entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not 'drift' into a gambling area.

We will also ensure that applications where access to the licensed premises is through other premises are carefully considered. We will be looking at the issues of whether children can gain access; compatibility of the two establishments; and ability to comply with the requirements of the Act. We want to ensure that the combination of the premises within the building will not allow an arrangement that would otherwise be prohibited under the Act.

An applicant for a premises licence may not obtain a full premises licence until the premises is constructed. We will ensure that the premises are sufficiently complete to enable a full inspection to be carried out by us and other responsible authorities where necessary.

B.3. Location of premises

When considering applications 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. 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.

The council is aware that demand issues (e.g. the likely demand or need for gambling facilities in an area) cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. The council will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.

With regards to these objectives it is the council's policy, upon receipt of any relevant representations to look at specific location issues including:

- the possible impact a gambling premises may have on any premises that provide services to children or young people, i.e. a school, or vulnerable adult centres in the area
- the possible impact a gambling premises may have on residential areas where there may be a high concentration of families with children
- the size of the premises and the nature of the activities taking place
- any levels of organised crime in the area.

The council will need to be satisfied that there is sufficient evidence that the particular location of the premises would be harmful to the licensing objectives.

From 6 April 2016, it is a requirement of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP), under section 10, for licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at their premises and have policies, procedures and control measures to mitigate those risks.

In making risk assessments, licensees must take into account relevant matters identified in this policy.

The LCCP goes on to say licensees must review (and update as necessary) their local risk assessments:

- a. to take account of significant changes in local circumstance, including those identified in this policy;
- b. when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
- c. when applying for a variation of a premises licence; and
- d. in any case, undertakes a local risk assessment when applying for a new premises licence.

The council will expect the local risk assessment to consider as a minimum:

- The specifics of any "Local Area Profile" so specified for the area of the premises
- whether the premises is in an area of deprivation
- whether the premises is in an area subject to high levels of crime and/or disorder
- the ethnic profile of residents in the area
- the demographics of the area in relation to vulnerable groups
- the location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather

In any case the local risk assessment should show how vulnerable people, including people with gambling dependencies, are protected.

Other matters that the assessment may include:

- The training of staff in brief intervention when customers show signs of problem gambling, the ability of staff to offer brief intervention and how the manning of premises affects this.
- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
- A detailed scale plan showing the layout of the premises showing sight lines so that staff have an unobstructed view of all persons using the premises
- The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those persons using the premises.
- Arrangements for monitoring and dealing with under age persons and vulnerable persons, which may include dedicated and trained personnel, leaflets, posters, self-exclusion schemes, window displays and advertisements not to entice passers-by etc.
- The provision of signage and documents relating to games rules, gambling care providers and other relevant information is provided in both English and the other prominent first language for that locality.
- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.

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Such information may be used to inform the decision the council makes about whether to grant the licence, to grant the licence with special conditions or to refuse the application.

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

B.4. Local Area Profiles

Each locality has its own character and challenges.

Where there is an issue in a local area which impacts on how an applicant should complete their own risk assessment, the council will publish Local Area Profiles.

These profiles will be approved by the Licensing Committee and will be published Councils Web site.

As at July 2018 No Local Area Profiles have been published.

Where Local Area Profiles are published the applicant should give it careful consideration when making an application.

Applicants may be asked to attend a meeting with licensing officers to discuss the measures suggested in the guidance and how they might be relevant to their application. The Local Area Profiles will be presented to any subsequent Licensing subcommittee when they determine an application that has received representations.

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

B.5. Duplication with other regulatory regimes

We 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 cannot be met by licensees due to planning restrictions, should such a situation arise.

B.6. Licensing objectives

Premises licences granted must be reasonably consistent with the licensing objectives.

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

We acknowledge that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime.

If during the course of considering a premises licence application or at any other time, we have cause to question the suitability of the applicant to hold an operating licence, we will contact the Gambling Commission as soon as possible.

We will pay particular attention to the proposed location of gambling premises in terms of this licensing objective. Where an area has known high levels of organised crime we will consider carefully whether it is a suitable location or whether conditions may be applied such as the provision of door supervisors.

We recognise that in the case of gambling premises, disorder is intended to mean activity that is more serious and disruptive than just nuisance. Factors to consider when determining whether a disturbance is serious enough to constitute disorder would include whether police assistance is required and how threatening the behaviour is to those who could see or hear it.

If the disorder is serious or persistent and the operator could do more to prevent it, then we will contact the Gambling Commission so that it can consider the continuing suitability of the operator to hold an operator's licence.

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

We have noted that the Gambling Commission has stated that it would generally 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.

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

We have noted the Gambling Commission's Guidance for local authorities states that 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). We will therefore consider, as suggested in the Gambling Commission's Guidance, 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.

“Vulnerable persons”

Is considered by the gambling commission to include “people who gamble more than they want to; people who gambling beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.” We will consider this licensing objective on a case-by-case basis.

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

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

Should a more practical definition prove possible in future then this policy statement will be updated with it, by way of a revision.

B.7. Conditions

In the case of premises licences the council is aware of the extensive requirements set out for operators in the Gambling Commissions Licensing Conditions and Code of Practice. In this document the Gambling Commission clearly describe the policies and procedures that operators should put in place regarding:

- Combating problem gambling
- Access to gambling by children and young persons
- Information on how to gambling responsibly and help for problem gamblers
- Customer interaction
- Self-exclusion
- Employment of children and young persons

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.

All applicants should familiarise themselves with the operator licence conditions and codes of practice relating to this objective and determine if these policies and procedures are appropriate in their circumstances. The council will communicate any concerns to the Gambling Commission about any absence of this required information.

Applicants should consider the following proposed measures for protecting and supporting vulnerable persons, for example:

- leaflets offering assistance to problem gamblers should be available on gambling premises in a location that is both prominent and discreet, such as toilets
- training for staff members which focuses on building an employee's ability to maintain a sense of awareness of how much (e.g. how long) customers are gambling, as part of measures to detect persons who may be vulnerable
- trained personnel for the purpose of identifying and providing support to vulnerable persons
- self-exclusion schemes
- operators should demonstrate their understanding of best practice issued by organisations that represent the interests of vulnerable people
- posters with GamCare Helpline and website in prominent locations
- windows, entrances and advertisements to be positioned or designed not to entice passers-by.

It should be noted that some of these measures form part of the mandatory conditions placed on premises licences.

The council may consider any of the above or similar measures as licence conditions should these not be adequately addressed by any mandatory conditions, default conditions or proposed by the applicant.

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

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.

We will also ensure that where category C 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 (over 18) 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.

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

- Any condition on the premises licence that 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, winnings or prizes.

B.8. Door Supervisors

There is no requirement for SIA registered Door Supervisors for casinos or bingo premises. For all other premises where the Gambling Act applies there may be a need for SIA registration and this should be considered on an individual basis. This will be consistent with the Gambling Act Guidance to Local Authorities.

The council will consider whether there is a need for door supervision in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises

becoming a source of crime.

It is noted though that the Gambling Act 2005 has amended the Private Security Industry Act 2001 and that door supervisors at casinos or bingo premises are not required to be licensed by the Security Industry Authority.

Where door supervisors are provided at these premises the operator should ensure that any persons employed in this capacity are fit and proper to carry out such duties. Possible ways to achieve this could be to carry out a criminal record (Disclosure and Baring Service) check on potential staff and for such personnel to have attended industry recognised training

B.9. Adult Gaming Centres

Adult gaming centres are a new category of premises introduced by the Act that are most closely related to what are commonly known as adult only amusement arcades seen in many city centres.

Under the Act a premises holding an adult gaming centre licence will be able to make category B, C and D gaming machines available and no one under 18 will be permitted to enter such premises

We will 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 in place

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

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

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

This Authority will expect operators to fully comply with the Gambling Commission's Licensing Conditions and Codes of Practice (LCCP) and the Social Responsibility Codes in relation to access for children into Gambling

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premises and their policies and procedures designed to prevent underage gambling, and how they monitor the effectiveness of these. The LCCP Social Responsibility Codes, part of the Gambling Commission's LCCP, can be found on the Gambling Commission's website.

B.10. (Licensed) Family Entertainment Centres

We 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.

Licensed family entertainment centres are those premises which usually provide a range of amusements such as computer games, penny pushers and may have a separate section set aside for adult only gaming machines with higher stakes and prizes.

Licensed family entertainment centres will be able to make available unlimited category C and D machines where there is clear segregation in place so children do not access the areas where the category C machines are located

Where category C or above machines are available in premises to which children are admitted then the council will ensure that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance. For this purpose a rope, floor markings or similar provision will not suffice and the council may insist on a permanent barrier of at least 1 meter high
- only adults are admitted to the area where the machines (category C) are located
- access to the area where the machines are located is supervised at all times
- the area where the machines are located is arranged so that it can be observed by staff; and
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

The licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling in these premises.

The licensing authority will expect applicants to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

The licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from **being harmed or exploited by gambling**. Harm in this context is not limited to harm from gambling but includes wider child protection considerations

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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:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- proof of age schemes
- the manning of premises
- enhanced Disclosure and Baring Service checks of the applicant and/or staff
- support to persons with gambling addiction
- policies to address seasonal periods where children may more frequently attempt to gain access to premises and gamble such as pre and post school hours, half terms and summer holidays
- policies to address the problems associated with truant children who may attempt to gain access to premises and gamble

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a reduction in the number of betting machines (betting premises)

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a requirement that children must be accompanied by an adult

Due to the nature of these premises, which are attractive to children, applicants who employ staff to supervise the premises should consult with the Independent Safeguarding Authority to determine if their staff needs to be Disclosure and Baring Service checked.

The licensing authority will refer to the **Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Reg 20107**, to familiarise itself with any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. The council will also make itself aware of the mandatory or default conditions and any Gambling Commission Codes of Practice on these premises licences.

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

B.11. Casinos

This licensing authority has resolved not to issue casino premises licenses under Section 166 of the Gambling Act 2005 (Resolution made at the meeting of the Full Council on the 6th November 2006).

B.12. Bingo premises

This policy applies to applications for a Bingo Premises Licence. Bingo has its ordinary and natural meaning and includes any version of the game irrespective of by what name it is described. A holder of a bingo Premises Licence will be able to offer bingo in all its forms.

Children and young persons are permitted in bingo premises, but may not participate in the bingo. If any Category B or C machines are made available for use, these must be separated from areas where children and young people are allowed.

The Licensing Authority expects that where children are permitted in bingo premises, any Category B or C machines are located in an area which is separated from the rest of the premises by barriers or in a separate room, where it is made clear that entry is permitted only for those aged 18 or over. Appropriate signage should be provided to this effect and the area should be monitored by staff, either through direct supervision or by monitored CCTV.

To avoid a situation where a premises holds a bingo Premises Licence primarily to benefit from the gaming machine allowance, the Licensing Authority will need to be satisfied that bingo is regularly played in any premises for which a Premises Licence is issued and that the premises presentation is clearly that of a bingo premises and readily identifiable as such to any customer using the premises.

In determining applications for bingo premises, the Licensing Authority shall consider the following:

- proof of age schemes
- CCTV
- entry control system
- staff numbers
- staff training
- supervision of entrances/ machine areas
- whether children are permitted on the premises and, if so, how the operator intends to prevent them from playing bingo or being able to access adult only machine areas
- notices/ signage
- opening hours
- the times and frequency of which bingo is offered
- whether bingo is offered by a caller or only electronically
- whether the premises are clearly identifiable as being licensed for the purposes of offering bingo facilities

Deleted: Bingo is not given a statutory definition in the Act although two types of bingo are commonly understood.¶

¶
<#>cash bingo, where the stakes paid make up the cash prizes that are won¶
<#>prize bingo, where various forms of prizes are won, not directly related to the stakes paid.¶

¶
The game and rules of bingo have evolved to the point where, despite the absence of any formal industry standard, the way in which bingo is played is broadly similar throughout Great Britain. Bingo is equal chance gaming. The Commission has published its view of what bingo is and how it differs from other forms of gambling. This can be found in the advice note [What Constitutes Bingo](http://www.gamblingcommission.gov.uk/PDF/What_constitutes-bingo-advice-note.pdf). This advice was developed with the support of key stakeholders from the Bingo industry. (available at http://www.gamblingcommission.gov.uk/PDF/What_constitutes-bingo-advice-note.pdf)¶

¶
In addition this premises licence will authorise the provision of a limited number of gaming machines in line with the provisions of the Act¶

This licensing authority notes that the Gambling Commission's Guidance states: It is important that if children are allowed to enter premises licensed for bingo that¶

they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted licensing authorities should ensure that¶

¶
<#>All such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance.¶

¶
<#>Only adults are admitted to the area where the machines are located.¶

¶
<#>Access to the area where the machines are located is supervised.¶...

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Comment [JB1]: Suggestion only – amend to suit

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Comment [JB2]: This is a suggestion as there are some new forms of bingo around currently and there is also a GC requirement in s.9 of the Licence Conditions and Codes of Practice. However you should run this by your Legal Team to ensure this wording is ...

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- provision of responsible gambling information

Comment [JB3]: Amend if required

This list is not exhaustive, and is merely indicative of example measures the Licensing Authority will expect applicants to offer to meet the licensing objectives.

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Young persons, aged 16 and 17, may be employed in bingo premises provided their duties are not connected with the gaming or gaming machines. The Licensing Authority will not grant licences unless the applicant demonstrates how they intend to meet this licensing objective and identify appropriate measures they will take to protect young employees.

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Where hand held gaming devices are to be used on bingo premises, the Licensing Authority expects applicants to demonstrate how use of these devices will be monitored by staff.

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B.13. Betting premises

This policy applies to applications for off-course betting premises. This is betting that takes place other than at a track, typically in a betting shop.

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The Licensing Authority must be satisfied that the primary use of the premises is to operate as betting premises. The applicant will be expected to demonstrate they are offering sufficient facilities for betting or otherwise should not make gaming machines available on the premises.

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In determining applications for betting premises, the Licensing Authority shall consider the following:

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- proof of age schemes
- CCTV
- entry control system
- staff numbers
- staff training
- counter layout
- supervision of entrances/ machine areas
- machine privacy screens
- notices/ signage
- opening hours
- provision of responsible gambling information

Comment [JB4]: Amend if required

This list is not exhaustive, and is merely indicative of example measures the Licensing Authority will expect applicants to offer to meet the licensing objectives.

Betting machines made available at betting premises that accept bets on live events such as horse racing (SSBT's or self-service betting terminals) are not gaming machines and therefore do not count towards the total number of gaming machines that may be permitted at betting premises. However, where a machine is made available to take bets on 'virtual' races (e.g. results/images generated by a computer to resemble a real race or event), that IS a gaming machine and counts towards the maximum permitted number of gaming machines, and is subject to the relevant statutory limits on stakes and prizes.

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Section 181 of the Gambling Act 2005 permits the Licensing Authority to restrict the number of SSBT’s, their nature and the circumstances in which they may be made available by attaching a relevant condition to a Premises Licence for a betting office. When considering whether to do so, the Licensing Authority will consider, among other things, the ability of employees to monitor the use of the machines by children and young persons or by vulnerable people.

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The Licensing Authority when considering the number, nature and circumstances of self-service betting terminals an operator wants to offer will take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines.

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Comment [JB5]: You can leave this in or delete it. The idea is to ensure people betting on SSBT’s can be monitored and also to ensure a betting licence is not obtained where the shop is comprised only of SSBT’s with no counter betting – this has been done in some areas to make use of the gaming machine entitlement

Where an SSBT includes functionality to be marketed or presented in languages other than English, the Licensing Authority will seek to ensure the operator has considered the ordinary code provision set by the Gambling Commission about making the following information also available in the relevant languages:

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- information on how to gamble responsibly and access the help referred to in the Gambling Commission’s Licence Conditions and Codes of Practice;
- the player’s guide to any game, bet or lottery under the provisions of the Gambling Commission’s Licence Conditions and Codes of Practice;
- the summary of the contractual terms on which gambling is offered, which is a condition of the licence holder’s Operating Licence issued by the Gambling Commission.

Deleted: We 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.¶

B.14. Tracks

B.13.1. Betting machines in betting premises¶

Tracks are sites (including racecourses and dog tracks) where races or other sporting events take place. Betting is a major gambling activity on tracks, both in the form of pool betting (often known as the “totalizer” or “tote”), and also general betting, often known as “fixed-odds” betting. Multiple betting outlets are usually located on tracks such as ‘on-course’ betting operators who come onto the track just on race days to provide betting for the races taking place on that track. There can also be ‘off-course’ betting operators who may operate self-contained

The council is aware that Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence.¶

When considering whether to impose a condition to restrict the number of betting machines in particular premises, the council, amongst other things, will take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines.¶

Where an applicant for a betting premises licence intends to offer higher stake category B gaming machines (categories B2-B4) including any Fixed Odds Betting Terminals (FOBTs), then applicants should consider the control measures related to the protection of vulnerable persons.¶

Where certain measures are not already addressed by the mandatory/default conditions, Gambling Commission Code of Practice or the applicant, the council may consider licence conditions to address such issues.¶

facilities at the tracks which offer customers the chance to bet on other events, not just those taking place on the track.

Examples of tracks include:

- Horse racecourses
- Greyhound tracks
- Point to point meetings
- Football, cricket and rugby grounds
- Athletics stadia
- Golf courses
- Venues hosting darts, bowls or snooker tournaments
- Premises staging boxing matches
- Sections of river hosting fishing competitions
- Motor racing events

The offence of permitting a child or young person to enter gambling premises under section 47 of the Act does not apply to tracks. Therefore the Licensing Authority will consider the impact upon the objective of protection of children and vulnerable persons, the need to ensure that entrances to each type of licensed premises within the sporting venue are distinct, and that children are excluded from gambling areas which they are not permitted to enter.

All tracks will require a primary 'general betting premises licence' that the track operator will hold. It should be noted that track operators do not require an operating licence from the Gambling Commission although they may apply for one. This is because the various other gambling operators offering betting at the track will each hold an operating licence.

Tracks may also be subject to one or more premises licences, provided each licence relates to a specified area of the track. This may be preferable for any self-contained premises providing off-course betting facilities at the track. The council will however assess each individual case on its merits before deciding if this is necessary. Where possible the council will be happy for the track operator to decide if any particular off-course operators should apply for a separate premises licence.

If any off-course operators are permitted to provide betting facilities under the authorisation of the track operator's premises licence, then it will be the responsibility of the premises licence holder to ensure the proper conduct of such betting within the premises boundary.

Gambling Commission guidance also indicates that it would be possible for other types of gambling premises to be located at a track under the authorisation of separate premises licences, e.g. a casino premises licence or adult gaming centre premises licence

Children and young persons will be permitted to enter track areas where facilities

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for betting are provided on days when dog-racing and/or horse racing takes place, although they are still prevented from entering areas where gaming machines and betting machines (other than category D machines) are provided.

The council will consider the impact upon the protection of children licensing objective and the need to ensure that entrances to each type of betting premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

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In determining applications for betting at tracks, consideration will be given to appropriate measures/licensing conditions to address the matters listed below:

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- proof of age schemes such as Challenge 25
- CCTV
- entry control system
- supervision of entrances/ machine areas
- physical separation of areas
- notices/ signage
- opening hours
- provision of responsible gambling information
- provision of policies and procedures in relation to social responsibility measures as set out below
- staffing levels
- staff training and records of staff training
- recording of incidents such as underage challenges, customer interactions for problem gambling, self-exclusions and complaints and disputes relating to gambling
- details of action to be taken where an on course bookmaker has breached their Gambling Commission Operating Licence conditions repeatedly, for example where children have been able to gamble.

This list is not exhaustive, and is merely indicative of example measures the Licensing Authority will expect applicants to offer to meet the licensing objectives.

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B.15. Travelling Fairs

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A fair is defined in section 286 of the Act. A travelling fair must “wholly or principally” provide amusements. These criteria will have to be met before the licensing authority decides whether, category D machines and/or equal chance prize gaming without a permit are made available for use at travelling fairs. We will bear in mind the statutory requirement that the facilities for gambling shall amount to no more than an ancillary amusement. There is a 27-day maximum period that any land can be used by any travelling fair per calendar year.

We will work with neighbouring authorities to ensure that land, which crosses our boundaries, is monitored so that the statutory limits are not exceeded.

B.16. Provisional Statements

In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

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

We have also noted the Gambling Commission's Guidance that "A licensing authority should not take into account irrelevant matters.... One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal."

B.17. Reviews

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, as well as consideration as to whether the request is frivolous, vexatious, or whether it is substantially the same as previous representations or requests for review.

- In accordance with any relevant licensing conditions and 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

Deleted: We have noted the Guidance for the Gambling Commission which states that "It is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence" and that "Requiring the building to be complete ensures that the authority could, if necessary, inspect it fully".¶

- In accordance with the authority's statement of licensing policy

We as the licensing authority can also initiate a review of a licence based on any reason we think appropriate.

PART C Permits, Temporary & Occasional Use Notices

C.1. Unlicensed Family Entertainment Centre gaming machine permits

Where a premise does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).

The term 'unlicensed family entertainment centre' is one defined in the Act and refers to a premises which provides category D gaming machines along with various other amusements such as computer games and penny pushers. The premise is 'unlicensed' in that it does not require a premises licence but does require a permit to be able to provide category D machines. It should not be confused with a 'licensed family entertainment centre' which requires a premises licence because it contains both category C and D gaming machines.

The Gambling Act 2005 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 for local authorities 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."

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.

The licensing authorities require applicants for a permit to demonstrate the following:

- 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.

It should be noted that a licensing authority cannot attach conditions to this type of permit.

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.

In line with the Act, while the council cannot attach conditions to this type of permit, the council can refuse applications if they are not satisfied that the issues raised in this section have been addressed through the application.

Applicants only need to address the issues when making their initial applications and not at renewal time.

C.2. (Alcohol) Licensed premises gaming machine permits

C.2.1 Automatic Entitlement

S.282 of the Act provides an automatic entitlement to alcohol licence holders to make available two gaming machines (of category C or D) for use in alcohol-licensed premises. To take advantage of this entitlement, the person who holds the on-premises alcohol licence must give notice to the licensing authority of their intention to make gaming machines available for use, and must pay the prescribed fee.

If the person ceases to be the holder of the relevant alcohol licence for the premises, the automatic entitlement to the two gaming machines also ceases. Whoever applies for the new premises alcohol licence would also need to apply under s.282(2).

This is not an authorisation procedure. Licensing authorities have no discretion to

consider the notification or to turn it down. The only matter to determine is whether the person applying for the automatic gaming machine entitlement is the holder of the alcohol licence and whether the prescribed fee has been paid. There is no statutory requirement for pubs and other alcohol-licensed premises to display a notice of their automatic entitlement to gaming machines.

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 s.282, for example the gaming machines have been made available in a way that does not comply with requirements on the location and operation of gaming machines
- The premises are mainly used for gaming; or
- An offence under the Gambling Act has been committed on the premises.

C.2.2 More than two machines

If a premise has more than 2 machines, then an application must be made for a permit and the licensing authority must consider the following:

- 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.*”

We consider 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 harmed 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 are appropriately positioned

As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

It is recognised that some 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.

It should be noted that the licensing authority could 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. It should also be noted that the holder of a permit must comply with any Licence Conditions and Code of Practice issued by the Gambling Commission about the location and operation of the machine.

C.3. Prize Gaming Permits –

Prize gaming; S.288 defines gaming as prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. Normally the prizes are determined by the operator before play commences. A prize gaming permit is a permit issued by the licensing authority to authorise the provision of facilities for gaming with prizes on specified premises.

Prize gaming without a prize gaming permit. Some operators have an entitlement to permit prize gaming with certain restrictions they are;

- Casinos
- Bingo operators
- Adult gaming centres
- Licensed family entertainment centres
- Travelling fairs

The licensing authority expects the applicant to set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- and that the gaming offered is within the law.

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.

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);
- Participation in the gaming must not entitle the player to take part in any other gambling.

C.4. Club Gaming and Club Machines Permits

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 B4, C or D),
- Equal chance gaming and games of chance as set out in forthcoming regulations.

A Club Gaming machines permit will:

- Enable the premises to provide gaming machines (3 machines of categories B4, C or D).

Commercial clubs may apply for a 'club machine permit' only.

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. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968.

A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations."

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

These measures may include:

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

The Commission Guidance also notes that licensing authorities may only refuse an application on the grounds that:

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

There is also a 'fast-track' procedure available under the Act for premises that hold a Club Premises Certificate under s.72 of the Licensing Act 2003 (Schedule 12). As the Gambling Commission's Guidance for local authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced." and "The grounds on which an application under the process may be refused are:

- that the club is established primarily for gaming, other than gaming prescribed under schedule 12;

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

There are statutory conditions on club gaming permits that no child uses a category B4 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.

C.5. Temporary Use Notices

The definition of Temporary Use Notices is found within part 9 of the Act. It allows the use of premises for gambling where there is no premises licence but the applicant holds the relevant operator's licence.

Examples of premises that might be suitable for Temporary Use Notices are hotels, conference centres and sporting venues etc.

There are a number of statutory limits as regards temporary use notices.

Gambling Commission Guidance is noted that "The meaning of "premises" in part 8 of the Act is discussed previously. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises...This is a new permission and licensing authorities should be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises."

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

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

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

A temporary use notice must be lodged with the licensing authority not less than three months and one day before the day on which the gambling is due to take place. Detailed information about how to serve a temporary use notice can be found on the Gambling Commission's web site on the following link:

<http://www.gamblingcommission.gov.uk/for-licensing-authorities/GLA/Part-14->

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

C.6. Occasional Use Notices

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

C.7. Small society lottery registrations

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

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

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

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

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

- for charitable purposes,
- for the purpose of enabling participation in, or supporting, sport, athletics or a cultural activity; or

- for any other non-commercial purpose other than that of private gain.

The other types of exempt lotteries are 'incidental non-commercial lotteries', 'private lotteries' and 'customer lotteries'. If you require guidance on the different categories of lotteries please contact the council. Or the Gambling Commission via their website at: <http://www.gamblingcommission.gov.uk>

Appendix A

Map of London Borough of Bromley Boundary



Appendix B

Contact details for “Responsible Authorities”

The Licensing Team	Public Protection North Block, Civic Centre, Stockwell Close, BR1 3UH	licensing@bromley.gov.uk 020 8313 4218
Public Health Complaints Team	Public Protection North Block, Civic Centre, Stockwell Close, BR1 3UH	ehts.customer@bromley.gov.uk 0300 300 8657
Health and Safety Team (unless the premises are visited by HSE, see below)	Public Protection North Block, Civic Centre, Stockwell Close, BR1 3UH	health.safety@bromley.gov.uk 0208 461 7912
Chief Inspector of Weights and Measures	Public Protection North Block, Civic Centre, Stockwell Close, BR1 3UH	trading.standards@bromley.gov.uk 0300 303 8657
Planning Department	Planning Enforcement North Block, Civic Centre, Stockwell Close, BR1 3UH	planninginvestigations@bromley.gov.uk 020 8461 7731

Bromley Safe Guarding Children Board	2nd Floor, Stockwell Building Civic Centre, Stockwell Close, BR1 3UH	BSCB@bromley.gov.uk 020 8461 7816
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Others

Metropolitan Police	Metropolitan Police Service Bromley Borough Police Station, High Street, BR1 1ER	Licensing-PY@met.pnn.police.uk 020 8284 8743
London Fire Brigade	Documents Management 169 Union Street London SE1 0LL	FSR-AdminSupport@london-fire.gov.uk Telephone: 020 8555 1200

**[HM Revenue and Customs
Excise Processing Teams
BX9 1GL](#)**

[0300 322 7072 option 7](tel:03003227072)

NRUBetting&Gaming@hmrc.gsi.gov.uk

Gambling Commission Victoria Square House Victoria Square Birmingham B2 4BP
http://www.gamblingcommission.gov.uk

Deleted: HSE
Only if the premises are visited by the HSE and not the Council

Deleted: HM Revenue and Customs
NRU Port Cullis House 21 India St
Glasgow G2 4P2
¶
<https://www.gov.uk/government/organisations/hm-revenue-customs>

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Report No.
CSD18117

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: GENERAL PURPOSES AND LICENSING COMMITTEE

Date: 26th September 2018

Decision Type: Non-Urgent Non-Executive Non-Key

Title: WORK PROGRAMME

Contact Officer: Graham Walton, Democratic Services Manager
Tel: 0208 461 7743 E-mail: graham.walton@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Corporate Services

Ward: N/A

1. Reason for report

- 1.1 This report summarises the Committee's role and sets out the Committee's proposed dates and work programme for the 2018/19 Council year.
-

2. **RECOMMENDATION**

Members are requested to consider their work programme, and in particular to consider whether the meeting on 27th November can be cancelled.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
-

Corporate Policy

1. Policy Status: Not Applicable:
 2. BBB Priority: Excellent Council:
-

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £350,650
 5. Source of funding: 2018/19 revenue budget
-

Personnel

1. Number of staff (current and additional): 8 (6.79fte)
 2. If from existing staff resources, number of staff hours: Not applicable
-

Legal

1. Legal Requirement: Statutory Requirement: The Committee is responsible for non-executive functions as required by the Local Government Act 2000.
 2. Call-in: Not Applicable: This report does not involve an executive decision.
-

Procurement

1. Summary of Procurement Implications: Not applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Not applicable
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: Not applicable

3. COMMENTARY

- 3.1 Bromley Council operates under a “Leader and Executive” constitutional model, with most decision making functions resting with the Executive. However, there are a number of functions which the Executive is prohibited from dealing with, for which Committees need to be appointed. In Bromley, the majority of these “non-executive” functions are the responsibility of Development Control Committee for town planning and related functions, and this Committee for most other non-executive functions, including licensing.
- 3.2 General Purposes and Licensing Committee fulfils the role of Licensing Committee under the 2003 Licensing Act, but also deals with a range of other non-executive functions that cannot be dealt with by the Executive or do not fall within the terms of reference of Development Control Committee. It therefore has a range of varied and sometimes unrelated responsibilities, including finance matters relating to audit and pensions, human resources, complaints, elections and Member appointments.
- 3.3 Unlike PDS Committees, the General Purposes and Licensing Committee has decision-making powers, many of which are delegated to a number of sub-committees. These sub-committees also have decision-making powers within their own terms of reference, and in most cases their minutes are reported up to the parent committee for information. At the meeting on 25th July 2018 the Chairman suggested that the Committee might like to receive a brief oral update from each of the main Sub-Committee Chairmen - one briefing at each meeting. She promised to consult Members on this proposal.
- 3.4 The Committee has six scheduled meetings in the year, including this one. The meetings for the 2018/19 Council year are set out in appendix 1, with the reports anticipated at each meeting. At present, there are no substantial reports programmed for the meeting on 27th November 2018; if this situation does not change it is recommended that this meeting be cancelled.
- 3.5 At the meeting on 25th July the Committee also considered the appointment of the Constitution Improvement Working Group. In recent years the Working Group had been established under the Leader’s powers as an executive working group.

Non-Applicable Sections:	Impact on vulnerable adults and children/Policy/Financial/Personnel/Legal/Procurement
Background Documents: (Access via Contact Officer)	None

General Purposes and Licensing Committee

Work Programme 2018/19

29th May 2018

Appointments to Outside Bodies
Work Programme

25th July 2018

Audit of Financial Statements 2017/18
New Animal Welfare Regulations
Draft Statement of Gambling Licensing Policy
Local Pension Board Appointment of Board Member
Work Programme
(+ *training session on Licensing*)

26th September 2018

Update from Local Elections 2018
Update from the Members Induction Programme
Members Allowances Review
Gambling Licensing Policy
Animal Welfare Regulations
Work Programme
(+ *training session on HR appeals*)

27th November 2018 (Meeting to be cancelled if there is insufficient business)

Local Government Pension Regulations - Discretions Policy
Work Programme

12th February 2019

Pay Award 2018
Programme of Meetings 2019/20
Pay Policy Statement 2019/20
Members Allowances 2019/20
Executive Assistants Reports 2018/19
Work Programme

19th March 2019

Work Programme

PENSIONS INVESTMENT SUB-COMMITTEE

Minutes of the meeting held at 7.00 pm on 24 July 2018

Present

Councillor Keith Onslow (Chairman)

Councillors Simon Fawthrop, Kira Gabbert, Simon Jeal,
Gary Stevens and Pauline Tunnicliffe

Also Present

John Arthur, Allenbridge
Geoffrey Wright, Member Representative, Local Pension
Board

42 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Cllr Russell Mellor, Cllr David Jefferys, and Cllr Gareth Allatt.

Cllr Kira Gabbert attended as alternate for Cllr Jefferys and Cllr Pauline Tunnicliffe attended as alternate for Cllr Allatt.

43 DECLARATIONS OF INTEREST

Cllr Fawthrop declared an interest as a deferred Member of the Local Government Pension Scheme.

44 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 22ND MAY 2018 EXCLUDING THOSE CONTAINING EXEMPT INFORMATION

The minutes were agreed.

45 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING

There were no questions.

46 PENSION FUND ANNUAL REPORT 2017/18

Report FSD18059

Members received the annual report and accounts of the L B Bromley Pension Fund for year ending 31st March 2018 which the Council is required to publish under the Local Government Pension Scheme Regulations 2013.

The annual report included the following documents requiring the Sub-Committee's approval:

- Governance Policy Statement
- Funding Strategy Statement
- Investment Strategy Statement
- Communications Policy Statement.

The annual report had been audited by the Fund's external auditor, KPMG LLP and included a draft statement from KPMG. The Council would publish the Annual Report on its website by 1st December 2018.

The Bromley Pension Fund had total net assets of £967.0m as at 31st March 2018 (£913.4m as at 31st March 2017). The Fund outperformed its benchmark by 3.6% over the year (+6.1% against a benchmark return of +3.1%). Performance compared to the 61 LGPS funds in the PIRC local authority universe (average return of +4.5%) was excellent, ranking in the 3rd percentile for the year. Rankings over the medium and long term were also excellent – first over three years and over ten years, and second over five years, 20 years and 30 years to March 2018.

Total membership of the fund increased from 16,404 at 31st March 2017 to 16,920 at 31st March 2018 when it comprised 6,198 employees, 5,185 pensioners and 5,537 deferred members. Payments into the Fund from contributions (employee and employer), transfers in, and investment income totalled £41.6m in 2017/18 (£44.9m in 2016/17) and payments from the Fund for pensions, lump sums, transfers out and administration totalled £40.9m (£71.0m in 2016/17). The large reduction in the value of payments made during 2017/18 is mainly the result of the group transfers out of Bromley College and GS Plus during 2016/17.

The accounts had been audited by KPMG and were made available in draft form on the Council's website before the end of May 2018. KPMG anticipated issuing an unqualified audit opinion on the financial statements of the Pension Fund and a draft statement to that effect was included in the Annual Report. *(Democratic Services note: the final opinion, issued after the meeting, was unchanged from the draft included in the Annual Report.)*

In discussion it was highlighted that there were only four investment managers in the second paragraph under "Investment Managers" at page 13 of the Annual Report (of the year to 31st March 2018), and that Schroders had been appointed since then.

RESOLVED that:

(1) the Pension Fund Annual Report 2017/18 be noted and approved;

(2) the Governance Policy Statement, Funding Strategy Statement, Investment Strategy Statement, and Communications Policy Statement, as outlined at paragraph 3.2 of Report FSD18059, be approved; and

(3) arrangements be made to ensure publication by the statutory deadline of 1st December 2018.

47 PENSION FUND - INVESTMENT REPORT

Initial Allenbridge assessment of second quarter performance

John Arthur (Allenbridge) provided a brief commentary on the Fund's second quarter performance prior to the MFS presentation. In relation to Environmental, Social and Corporate Governance (ESG) considerations, the Director also updated Members on Government proposals to amend investment regulations for occupational pension schemes.

From outline figures on second quarter performance, the Fund slightly improved from benchmark but with a high level of volatility there was a greater level of uncertainty in markets. U.S. economic performance was good following tax cuts and subsequent volatility in Q1 passed; generally, the global economy was performing well. There had also been some political tensions in Europe e.g. new Italian Government.

Since the 2008 crash, economies had cut interest rates with extensive bond buying to encourage growth. The recovery had been the slowest on record but the economic picture was now becoming stable. The UK economy was growing stronger and central banks had dropped the level of bond buying with less money being pushed into the system. There was now substantive economic growth and a greater level of volatility. Assets were growing and it would have to a major political event(s) to impact the global economy.

With economies on the latter stages of recovery, markets had raised in Q2. Mr Arthur expected returns to be slightly volatile and medium term there was a reasonable level of returns. Although one of the best performing in England and Wales, it would not be easy for the Fund during the end stage of economic recovery.

ESG considerations on investments for occupational pension schemes

The Government had consulted on proposals to clarify and strengthen trustees' investment duties and mandate for ESG considerations related to investments for occupational pension schemes. An amendment to the Occupational Pension Schemes (Investment) Regulations 2005 would require trustees to state their policies on evaluating risks for an investment long term. This would include risks related to sustainability arising from corporate governance or from environmental or social impact. Trustees would also have to consider and respond to members' ethical and other concerns.

Although the intentions were sound, there was a risk of the principles being politicised. Clarification would be provided on strengthening investment responsibilities and trustees would need to consider ESG in their investments. The regulations would also require ESG related decisions to be non-

detrimental to the Fund financially. In response to the consultation, the Director indicated that any variation to regulations should be based upon strong evidence and not be overly bureaucratic. L B Bromley Fund Managers already take the long term into account in investments, ensuring that ESG related risks are limited as far as possible to diminish factors that might prevent a maximised return. Baillie Gifford had indicated that there was a greater chance of achieving good sustainable performance success with more freedom given to Managers. In regard to an updated Investment Strategy Statement (ISS), the Chairman confirmed that the section in the current ISS, that Members were being requested to confirm when considering the Pension Fund Annual Report 2017/18 (i.e. *“how social, environmental and corporate governance considerations are taken into account in the selection, non-selection, retention and realisation of investments”*), is robust.

Mr Arthur thought the proposed regulations worked well with L B Bromley given that Baillie Gifford and MFS have a holding period for investments of seven to eight years. ESG was long term and the Fund Managers would need to consider such matters; it was important to them given the timescale for investments and best left for their decision when looking at investments. It was better to engage with companies to help them change and Baillie Gifford and MFS both did this.

Under the Government guidance it was possible to make investments unless they are illegal but any investment decision should not risk financial detriment to the Fund. The regulations were intended to provide clarification and a Member indicated that the Fund appeared to be more or less covered by the proposals; additionally, the Fund’s Investment Strategy was always long term.

A further Member indicated that ESG was also about seeking renewable/green bonds and environmentally friendly investments and to look at corporate governance. There were a number of active and passive ESG investments and he suggested that this was basically a move towards looking at other things apart from solely profit including achieving good or better returns with ESG. ESG was now a growing area and he suggested that stocks without these would lose out.

MFS presentation

As at 31st May 2018 assets invested by MFS had a value of £216,150,232 compared to a value of £210,442,797 at 31st May 2017. The presentation also referred to top sector overweights and top underweights with investments as well as sector contractors/detractors to performance in the year. MFS investments had seen a substantial lagging behind index over a five to nine month period.

The rolling relative performance of MFS Global Value Equity Composite (gross of fees) had delivered a long term performance (since the Fund’s inception in July 2003) as shown below:

<u>Rolling Time Period</u>	<u>% of outperforming periods</u>	<u>Average excess return</u>
3 years	99%	3.3%
5 years	100%	3.3%
7 years	100%	3.2%
10 years	100%	3.3%

For the most part MFS had outperformed but more recently markets had been strong and MFS had struggled to maintain performance with a cautious approach taken. In down markets between July 2003 and March 2018, the MFS Global Value Equity Composite (gross of fees) had significantly more outperforming quarters against the MSCI World Index than underperforming quarters; during up markets there were slightly more underperforming quarters. Overall in the period, MFS achieved more outperforming quarters than underperforming quarters.

MFS adopted a consistent long term approach, marrying fundamentals and valuation to identify compelling investment ideas across the world. Their goal was to outperform the MSCI World Index over full market cycles with below average volatility (the MSCI World Value Index is a secondary benchmark). MFS believed that maintaining a long term investment focus provided the opportunity to exploit market inefficiencies along (i) valuation as one of the most important drivers of long term investment performance, and (ii) business durability, driving more persistent returns than the market recognises along with the compounding effect of excess returns and cash flows. On strategy, MFS analysed the long-term durability of businesses rather than try to forecast near-term earnings. They also invested in companies with attractive valuations and low market expectations, high sustainable return prospects, or significant potential for improvement. Their valuation approach was flexible, but rigorous, considering downside risk for each company they invest in, only investing where valuations compensate for it. MFS looked at firms with a competitive edge long term and saw their prime function as not losing money for the Fund.

Most of the MFS Global Value Equity was held for five to ten years as shown below:

<u>Number of years held</u>	<u>Proportion of Portfolio</u>
0 – 1	10.2%
1 - 3	17.8%
3 - 5	7.9%
5 - 10	32.6%
10+	31.2%

As of 31st May 2018, a market overview was also provided by region performance and the performance of specific sectors (MSCI World Sector Performance). Equity market volatility had jumped from historically low levels since February 2018, although the volatility spike appeared to have been

technically driven. Continued synchronized global growth combined with historically low interest rates still supported the equity market. Economic indicators were not yet signaling the end of the business cycle/market cycle that started in 2009. With valuation remaining rich by historical measures, concerns around higher inflation, higher interest rates, peaking economic and earnings momentum, global trade friction, and geopolitical risks might continue to weigh on global equity markets going forward. Although the prospect is not looking so good for the future, the cycle had not ended and MFS expected returns of 4% or over in the next ten years. Reference was also made to a higher level of performance in the U.S.

Performance drivers in stocks and sectors for the year to 31st May 2018 were also highlighted. Although there were stock contributors, commentary to Members indicated that MFS performance had not been so good with poor stock selection over the recent period - there were no “stand-out winners” on MFS investment stocks in past years.

Further presentation summaries included significant transactions for the year to 31st May 2018 covering purchases and sales and investment weightings by sector. A further summary highlighted weights of investment by region and country.

Concerning an under-exposure by MFS in IT, reference was made to Google and Yahoo some years ago when both organisations had the same search market. Now it was mostly Google and leadership can change within companies. On early investment in IT companies such as those concerned with space technologies, reference was made to a list of portfolio holdings appended to the MFS presentation. Leadership changed less quickly with these companies and they were well established. MFS preferred to focus their attention on about 2,000 companies for potential investment, leaving exciting new areas for others. As long as the majority of stocks held by MFS do well, good returns are achieved and the risk is reduced.

Mr. Arthur indicated that MFS come into their own when markets fall and asked if MFS could put into context last year’s performance against the long term performance achieved by MFS. MFS indicated that the previous occasion they had such a period of poor performance was 1989. Nearly every year, the market’s most expensive stocks in the previous year tended not to perform the best subsequently. There were also certain disrupters to investment performance in sectors and MFS tended to avoid investment in companies involved.

Concerning ESG, reference was made to material appended to the presentation outlining the MFS approach to responsible investing. MFS integrated material ESG risks and opportunities into the fundamental research process to maximise long term investment performance. The formal commitment of MFS to ESG research was demonstrated by:

- Founding the MFS Responsible Investment Committee (2009);
- Signing the Principles for Responsible Investment (2010); and

- Hiring a dedicated ESG research analyst (2013).

On integrating ESG risks and opportunities in investment decisions, evaluation was based on: the research of individual MFS analysts and portfolio managers; the work of the dedicated MFS ESG analyst; and the research of third parties. When an ESG issue is identified as material for a particular firm, a member of the MFS investment team may engage with the management team or board of directors of that firm to better understand the risk or opportunity that the ESG factor presents. The MFS research analyst encourages additional dialogue on ESG topics through company-specific analysis, thematic research, and the development of portfolio “dashboards”.

On integration in ownership policies and practices, the MFS proxy voting policies are informed by ESG issues to help protect and enhance long-term shareholder value. The MFS proxy team engages with the MFS portfolio companies on many ESG topics, including executive compensation, board composition, and sustainability reporting. MFS publically disclose a report on their proxy voting and engagement activities annually; this includes details of the proxy team’s voting and engagement activity. The MFS emphasis on ESG reflects the MFS investment process, taking an integrated approach; MFS wanted to invest in businesses providing good returns and growth rates and this included ESG considerations. MFS had recruited an analyst to ensure that important matters on the long term business case of a company are properly considered and it was now part of day to day life.

On MFS performing above benchmark for most years since 2008 and a significant volatility (in returns) from year to year, standard volatility over a year was one level of risk looked at - it was about understanding the companies owned. Some good performance relative to index had been achieved with some not so good, particularly for last year. This could be expected and had not encouraged MFS to change its fundamental approach. MFS were confident of producing returns long term and had significant skill in those areas of most risk by choosing appropriate companies.

48 TRANSFER OF BAILLIE GIFFORD GLOBAL EQUITIES INTO THE LONDON CIV

Report FSD18061

Further to the Government requirement for administering authorities to pool assets into investment pools (to deliver management fee savings and increase capacity/capability for infrastructure investments), Members were asked to consider a transfer of the Fund’s Global Equities portfolio managed by Baillie Gifford into the equivalent portfolio in the London Collective Investment Vehicle (which the L B Bromley Pension Fund joined in October 2016). Assets such as equities and bonds (easier to transfer or sell) were expected to be pooled first.

In view of matters considered as exempt material which the Chairman wished to discuss with the Sub-Committee, Members agreed to consider the item under Part 2 proceedings of the meeting.

49 PENSION FUND RISK REGISTER

Report FSD18060

Comprising high level risks (underpinned by more detailed registers within individual business plans), the Pension Fund Risk Register (appended to Report FSD18060) feeds into the Corporate Risk Register via the Corporate Risk Management Group.

The Fund's agreed Asset Allocation Strategy (reviewed in 2016/17) balances the risks associated with a high allocation to growth assets, particularly equities, with the need to improve the funding level and maintain employer contribution rates at a relatively stable level, whilst also meeting the Fund's cash-flow requirements.

A summary of the main investment risks comprised:

- Concentration/credit – the risk of underperformance or default from a significant allocation to any single investment or type of investment;
- Illiquidity – the risk that the Fund has insufficient liquid assets to meet its cash flow requirements;
- Currency risk – the risk that the currencies of the Fund's assets underperform relative to sterling;
- Interest rate risk – the risk that the values or future cash flows from investments fluctuate as a result of changes in market interest rates; and
- Manager underperformance – the failure by the investment managers to achieve their benchmark rate of investment return.

A Member felt that governance around the CIV is a risk missing from the Register. Although the Fund continues to retain ownership of its investments in the London Collective Investment Vehicle (LCIV), Members supported the view and it was **RESOLVED that:**

(1) the current Pension Fund Risk Register be noted along with existing controls in place to mitigate the risks; and

(2) further commentary be added to the Register to reflect an additional risk of governance related to the London Collective Investment Vehicle.

**50 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE
LOCAL GOVERNMENT (ACCESS TO INFORMATION)
(VARIATION) ORDER 2006 AND FREEDOM OF INFORMATION
ACT 2000**

RESOLVED that the Press and public be excluded during consideration of the items of business referred to below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

**The following summaries
refer to matters
involving exempt information**

**51 CONFIRMATION OF EXEMPT MINUTES OF THE MEETING
HELD ON 22ND MAY 2018**

The exempt minutes were agreed.

The Meeting ended at 10.33 pm

Chairman

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APPEALS SUB-COMMITTEE

Minutes of the meeting held at 2.00 pm on 7 August 2018

Present:

Councillor Tony Owen (Chairman)
Councillors Gareth Allatt and Robert Evans

6 APPOINTMENT OF CHAIRMAN

RESOLVED that Councillor Tony Owen be elected Chairman for the duration of the appeal.

7 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

There were no apologies for absence.

8 DECLARATIONS OF INTEREST

Councillor Gareth Allatt declared that the Appellant was resident in the ward he represented.

9 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND FREEDOM OF INFORMATION ACT 2000

RESOLVED that the Press and public be excluded during consideration of the items of business listed below as it was likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

10 APPEAL AGAINST DISMISSAL - MRS T.H

In accordance with the Council's established procedure for managing employee ill-health, the Sub-Committee determined an appeal from a former member of staff against dismissal from Council employment on grounds of ill-health capability not leading to ill-health retirement.

The Meeting ended at 4.55 pm

The Meeting was reconvened at 3.30 pm on 15th August 2018

The Meeting ended at 5.10 pm

Chairman

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APPEALS SUB-COMMITTEE

Minutes of the meeting held at 12.30 pm on 8 August 2018

Present:

Councillor Judi Ellis (Chairman)
Councillors Councillor Robert Evans and Councillor
Michael Turner

11 APPOINTMENT OF CHAIRMAN

RESOLVED: That Councillor Judi Ellis be elected Chairman for the meeting.

12 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

There were no apologies for absence.

13 DECLARATIONS OF INTEREST

There were no declarations of interest.

14 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND FREEDOM OF INFORMATION ACT 2000

RESOLVED that the Press and public be excluded during consideration of the items of business referred to below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

**The following summaries
refer to matters involving exempt information**

15 THIRD STAGE APPEAL AGAINST A DOMICILIARY ASSESSED CHARGE - MS C.P

Report FSD18064

The Appeals Sub-Committee met to consider a Third Stage Appeal against a Domiciliary Care Assessed Charge.

The Meeting ended at 2.12 pm

Chairman

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of the Local Government Act 1972.

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