



C O U N C I L S U M M O N S

To all Members of Council

You are hereby summoned to attend a

MEETING OF THE COUNCIL

to be held at 2.00 pm on

WEDNESDAY 19 December 2018

in the

COUNCIL CHAMBER - PORT TALBOT CIVIC CENTRE

Prayers will be said by the Mayor's Chaplain prior to the commencement of the meeting.

--- A G E N D A ---

PART A

1. Mayor's Announcements.
2. Declarations of Interest
3. To receive and, if thought fit, confirm the Minutes of the previous meeting of Council: (Pages 3 - 18)

Civic Year 2018/19

17 November, 2018

PART B

4. Valley's Task and Finish Group (Pages 19 - 50)
Report of the Corporate Directors' Group to the Special meeting of Cabinet on 17 December 2018 enclosed.

5. Digital Strategy (Pages 51 - 104)
6. Swansea Bay City Deal: Statement by the Leader of Council
7. Members' Apologies at Meetings Policy (Pages 105 - 108)
Recommendations of the Democratic Services Committee enclosed.
8. Changes to Neath Port Talbot County Borough Council Constitution (Pages 109 - 112)
Report of the Head of Legal Services enclosed.
9. Appointment of Proper Officer (Pages 113 - 116)
10. Gambling Act 2005 Policy (Pages 117 - 236)
Report of the Head of Legal Services enclosed.

PART C

11. To receive the following-and any questions raised by Members, or any matters to be raised by Cabinet Members:-

Record of Executive Decisions of the Cabinet and Cabinet Boards.

PART D

12. To receive any questions from Members, with Notice, under Rule 9.2 of the Council's Procedure Rules.
13. Urgent Items
Any urgent items (whether public or exempt) at the discretion of the Mayor pursuant to Section 100B (4) (b) of the Local Government Act 1972.




Chief Executive

**Civic Centre
Port Talbot**

Thursday, 13 December 2018

COUNCIL

(Civic Centre, Port Talbot)

Members Present:

7 November, 2018

The Mayor: Councillor D.Keogh

The Deputy Mayor: Councillor S.Jones

Councillors: A.R.Aubrey, S.Bamsey, D.Cawsey, H.C.Clarke, C.Clement-Williams, S. ap Dafydd, D.W.Davies, O.S.Davies, R.Davies, C.Edwards, J.Evans, S.E.Freeguard, C.Galsworthy, W.F.Griffiths, J.Hale, M.Harvey, N.T.Hunt, S.K.Hunt, C.James, H.N.James, C.J.Jones, H.Jones, J.Jones, L.Jones, R.G.Jones, S.A.Knoyle, E.V.Latham, A.Llewelyn, A.R.Lockyer, A.McGrath, J.Miller, S.Miller, R.Mizen, J.D.Morgan, S.Paddison, S.M.Penry, D.M.Peters, R.Phillips, M.Protheroe, L.M.Purcell, S.Pursey, S.Rahaman, P.A.Rees, S.Renkes, S.H.Reynolds, A.J.Richards, A.J.Taylor, A.L.Thomas, J.Warman, D.Whitelock, C.Williams, R.W.Wood and A.N.Woolcock

Officers in Attendance: S.Phillips, A.Evans, A.Jarrett, G.Nutt, H.Jones, K.Jones, C.Griffiths, C.Furlow, N.Chapple and A.Manchipp

Representatives of the Translation Service: Present

1. **MAYOR'S ANNOUNCEMENTS.**

It was with great sadness that the Mayor advised Council of the death of the father of Councillor S. Harris.

In addition Members were advised that former Councillor David Evans had also passed away. Mr Evans had been a

Councillor with the former Port Talbot Borough Council until 1996 and Mayor for 1982/83.

As a mark of respect Council stood for a minute's silence.

2. **MINUTES OF THE PREVIOUS MEETING OF COUNCIL**

RESOLVED: That the Minutes of the following meeting of Council be confirmed:-

26 September, 2018

3. **STATEMENT BY THE CABINET MEMBER FOR EDUCATION, SKILLS AND CULTURE RE MINORITY ETHNIC ACHIEVEMENT SERVICE /GYPSY TRAVELLER FUNDING**

Council received a Statement by the Cabinet Member for Education, Skills and Culture on the Welsh Government's funding for the Minority Ethnic Achievement Service/Gypsy Traveller (MEAS/GT).

The Cabinet Member advised that during last years' budget setting process Welsh Government (WG) had excluded support for MEAS/GT as eligible expenditure under the Education Improvement Grant. The Authority had been advised that the grant had been transferred into the RSG. The WLGA had maintained that the sum was unaccounted for in the settlement, resulting in a £12m shortfall in funding for this group of pupils.

Following lobbying a sum of £7.5m had been made available during 2018/19 to 4 urban authorities, with a view to establishing a regional service. This to date had not been achieved. As a result, in May 2018 a further £1.2m was made available to the remaining 18 local authorities, resulting in £85.5k for Neath Port Talbot.

It was assumed that Neath Port Talbot would receive the same level of funding in 2019/20. As a result of the regional services not being progressed at this time, the Authority has no alternative but to reduce service provision in accordance with the grant available.

Approval had been received to reconfigure the service resulting in the provision of the services being at grant threshold only and the staff concerned being placed on the 'at risk' register.

The cessation or reduction of the Traveller Education Service and the MEAS provision will have a detrimental impact on the cohort of pupils, families, staff and communities, which ultimately could place increased pressures on the Authority's Inclusion Service, Social Services, Health and Education Welfare Officers, etc.

The Authority would continue to lobby Welsh Government and it was hoped that the regional service would be established.

4. **ELECTORAL REVIEW**

Council received the Joint Report of the Chief Executive and the Assistant Chief Executive and Chief Digital Officer in relation to the proposed changes to electoral divisions and ward boundaries for submission to the Local Democracy and Boundary Commission for Wales.

Following an introduction by the Leader of Council, Members raised the following issues:

- That valley areas had a high level of deprivation and as a result would require increased representation not less;
- Concern was expressed that the identities of communities particularly in valley areas would be lost and called on Ministers not to disproportionately disadvantage such areas particularly while Local Government Reform was still a possibility;
- the Local Member generally agreed with the amalgamation of Lower Brynamman and Gwaun Cae Gurwen;
- the natural connection between Dyffryn Clydach and Coedffranc North was highlighted;
- that another way of strengthening the numbers in Trebanos should be explored other than joining with Pontardawe;
- there had been an increase in population in both Coedffranc West and Dyffryn Clydach and that the number of Members should therefore not be reduced;
- Dyffryn Clydach was an established community of its own while Bryncoch was part of the Blaenhonddan Community Council area;
- Although Cwmllynfell was recognised in its own right there was more of a connection with Ystalyfera than the Amman Valley;

- Glynneath and Cwmgwrach the proposed changes were not supported by the Local Member;
- Pelenna had its own Community Council whilst the report proposes to split the Ward and merge the areas with the Bryn and Cwmavon and Cimla Wards. It was suggested that the Pelenna Community Council wanted the Ward to be retained as a Ward in its own right, however, if change was necessary the Community Council preference was for the whole of the Ward to be amalgamated with Cimla;
- the Local Member expressed concern that the projected figures for Coed Darcy were incorrect;
- Concern was expressed that the Council was not consulting with community councils/residents – it was pointed out that this was not the Council's consultation exercise but a response from the Council to consultation being carried out by the Local Democracy and Boundary Commission for Wales at an early stage of the review process;
- There was an inconsistency around the views of the Independent Remuneration Panel for Wales, which had recognised the increased workload of councillors in its recent draft Annual Report, and the views expressed by the Local Democracy and Boundary Commission for Wales which was proposing an increase in Councillor : elector ration.

Following the above comments the Leader of Council advised Council that to do nothing was not an option and that the number of residents in the valley areas was declining. Thirteen Councils in Wales had already gone through a similar exercise.

Prior to the vote on the following amendment taking place a recorded vote was requested and supported by one sixth of the Members present:-

'This Council appreciates the work undertaken by Officers to analyse the potential response to the Boundary Commission.

However, we are very concerned that

The boundary reviews are a distraction when the major issues of Local Government Reorganisation and Council budget cuts are unresolved.

The workload of Councillors has increased in the age of austerity

The current proposals will significantly disadvantage our valley areas at a time when Welsh Government and NPT CBC are developing valley strategies.

Some of the proposals would cut across communities or amalgamate wards that are not naturally part of the same settlements.

The Boundary Commission have erred in their assumption that the total number of wards in NPT should be reduced given growth areas.

We note that individual communities and members will also make representations to the commission relevant to their own areas during the consultation.

This Council will inform the Commission and the Minister that the basis of the review is flawed and that any formal consultation should be based on maintaining the current number of Councillors in NPT.

Members voting for the Amendment

Cllrs. S.Bamsey, H.C.Clarke, R.Davies, C.Edwards, J.Evans, W.F.Griffiths, J.Hale, N.T.Hunt, S.K.Hunt, H.Jones, J.Jones, S.A.Knoyle, A.Llewelyn, J.D.Morgan, D.M.Peters, R.Phillips, L.M.Purcell, A.J.Richards and C.Williams.

Members voting against the Amendment

Cllrs. A.R.Aubrey, D.Cawsey, C.Clement-Williams, S. ap Dayfdd, D.W.Davies, O.S.Davies, S.E.Freeguard, C.Galsworthy, M.Harvey, C.James, H.N.James, C.J.Jones, L.C.Jones, R.G.Jones, E.V.Latham, A.R.Lockyer, A.McGrath, J.Miller, S.Miller, R.Mizen, S.Paddison, S.M.Penry, M.Protheroe, S.M.Pursey, S.Rahaman, P.A.Rees, S.Renkes, S.H.Reynolds, A.J.Taylor, A.L.Thomas, J.Warman, D.Whitelock, R.W.Wood and A.N.Woolcock

Members Abstentions

Cllrs. S.Jones and D.Keogh

The motion fell and Members then voted on the substantive motion, as contained in the circulated report, as follows:-

Members voting for the Substantive Motion

Cllrs. A.R.Aubrey, D.Cawsey, C.Clement-Williams, S. ap Dayfdd, D.W.Davies, O.S.Davies, S.E.Freeguard, C.Galsworthy, M.Harvey, C.James, H.N.James, C.J.Jones, L.C.Jones, R.G.Jones, E.V.Latham, A.R.Lockyer, A.McGrath, J.Miller, S.Miller, R.Mizen, S.Paddison, S.M.Penry, M.Protheroe, S.M.Pursey, S.Rahaman, P.A.Rees, S.Renkes, S.H.Reynolds, A.J.Taylor, A.L.Thomas, J.Warman, D.Whitelock and R.W.Wood

Members voting against the Substantive Motion

Cllrs. S.Bamsey, H.C.Clark, R.Davies, C.Edwards, J.Evans, W.F.Griffiths, J.Hale, N.T.Hunt, S.K.Hunt, H.Jones, J.Jones, S.A.Knoyle, A.Llewelyn, J.D.Morgan, D.M.Peters, R.Phillips, L.M.Purcell, A.J.Richards and C.Williams.

Members Abstentions

Cllrs. S.Jones, D.Keogh and A.N.Woolcock

RESOLVED: That the Chief Executive be authorised to immediately submit the preferred option, as contained in the circulated report, to the Local Democracy and Boundary Commission for Wales.

5. **CHANGES TO COMMITTEES TO REFLECT THE POLITICAL BALANCE OF THE COUNCIL**

RESOLVED: 1. That, following changes to the overall political balance of the Council, the allocation of seats on the various Committees, as contained in Appendix 1 attached hereto, be approved;

2. That Council approves the following changes:-

Labour Group

Cllr.J.Warman and Cllr.H.N.James be removed from Cabinet Scrutiny Committee and replaced by Cllr.L.Jones;

Cllr.R.L.Taylor be removed from Education, Skills and Culture Scrutiny Committee and Leisure and Culture Scrutiny Sub Committee and replaced by Cllr.H.N.James on that Sub Committee;

Cllr.A.N.Woolcock be removed from Social Care, Health and Wellbeing Scrutiny Committee;

Cllr.R.Wood be removed from Regeneration and Sustainable Development Scrutiny Committee and the Community Safety and Public Protection Sub Committee and replaced on the Sub Committee by Cllr.D.Cawsey.

Independent Group

Cllr. S.Knoyle be added to the Cabinet Scrutiny Committee;

Cllr.J.Jones be added to the Education, Skills and Culture Scrutiny Committee;

Cllr.S.Knoyle be added to the Social Care, Health and Wellbeing Scrutiny Committee;

Cllr. J.Jones be added to the Regeneration and Sustainable Development Scrutiny Committee.

3. That, as a result of a request made by the Plaid Cymru Group, the following changes be approved:-

Plaid Cymru Group

Replace Cllr.J.Evans with Cllr N.T.Hunt on Cabinet Scrutiny Committee.

Replace Cllr.N.T.Hunt with Cllr.S.Bamsey on Regeneration and Sustainable Development Scrutiny Committee and the Community Safety and Public Protection Sub-Committee.

4. **Outside Bodies**

City Deal Joint Scrutiny Committee –
Cllrs.A.N.Woolcock, S.Freeguard and
A.Llewelyn

Cllr.R.L.Taylor be replaced on the Schools Admissions Forum by Cllr. R.Mizen and as a substitute on the Schools Standards Partnership by Cllr.D.Whitelock.

5. **Co opted Member**

That the Reverend Lynda Newman be confirmed as the Church in Wales co-opted Member on the Education, Skills and Culture Scrutiny Committee for a four year term.

6. **CAPITAL BUDGET MONITORING 2018/19**

Council received the Report of the Head of Finance on Capital Programme Monitoring for 2018/19, which had been considered and commended to Council by Cabinet on 31 October, 2018.

RESOLVED: That the proposed budget for 2018/19 in the sum of £47.721m be approved and the position in relation to expenditure as at 30 September, 2018, be noted.

7. **EXECUTIVE DECISIONS OF CABINET AND CABINET BOARDS 2018/19**

RESOLVED: That the undermentioned Minutes be noted:-

Cabinet	6 September 2018
Cabinet	12 September 2018
Cabinet	3 October 2018
Education, Skills and Leisure	20 September 2018
Education, Skills and Leisure	20 September 2018
Regeneration and Sustainable Development	14 September 2018

Streetscene and Engineering	7 September 2018
Social Care, Health and Wellbeing	13 September 2018
Social Care, Health and Wellbeing	11 October 2018

8. **NOTICE OF MOTION UNDER SECTION 10 OF PART 4 (RULES OF PROCEDURE) THE COUNCIL'S CONSTITUTION, PROPOSED BY CLLR.S.AP DAFYDD AND SECONDED BY CLLR.N.J.HUNT**

Council considered the following Notice of Motion:-

'This Council opposes any plans by the Welsh Government to close any M4 motorway junction within the County Borough of Neath Port Talbot and in particular Junction 41 and would inform the Welsh Government accordingly.

This Council believes that the previous experimental closure of Junction 41 was damaging economically and environmentally to Port Talbot, the surrounding area and the County Borough.

The Council calls upon the Welsh Government to work with the Council to explore methods of reducing our own carbon footprint through such projects as the FLEXIS collaboration.'

Members of Council expressed concern that the Welsh Government's proposals to close Junction 41 of the M4 and to reduce the speed of traffic along the M4 would not only increase pollution levels in Port Talbot but would also cause access problems between Port Talbot and the valleys, including the Rhondda Valley. It was noted that the proposals were as a result of a theoretical piece of work carried out by Client Earth. Members suggested that the closure would also lead to vehicles being forced to use the A48. It was agreed that the proposals would adversely affect residents, those working in Port Talbot, those with businesses in the area and those wishing to shop in the area.

Members suggested that a case for electrification of the rail lines be put forward as this would reduce emissions. In addition the reduction in the support grant from Welsh Government had resulted in a

decrease in bus services. The purchasing of lower emission vehicles (electric) by the Authority was also discussed.

RESOLVED: That the Chief Executive write to Welsh Government outlining the Authority's concerns at its proposals in relation to the M4 motorway.

9. **NOTICE OF MOTION UNDER SECTION 10 OF PART 4 (RULES OF PROCEDURE) THE COUNCIL'S CONSTITUTION, PROPOSED BY CLLR.S.KNOYLE AND SECONDED BY CLLR.S.K.HUNT AS FOLLOWS:-**

Council considered the following Notice of Motion:-

'Neath Port Talbot Council adds its support to the Lucy's Law National Campaign to ban and outlaw third party puppy farming.

This Council will add its name to the growing list of supporting organisations and Local Authorities across Wales and will proactively highlight the campaign to our residents across the County Borough of Neath and Port Talbot.

This Council requests that the Leader of the Council writes to the UK Government, and Welsh Government supporting the call for urgent action on this.'

RESOLVED: That the Council supports the above Notice of Motion and that the Leader of Council writes to the UK Government and Welsh Government supporting the call for urgent action on this.

CHAIRMAN

**SIZE OF COUNCIL COMMITTEES AND APPORTIONMENT OF SEATS TO THE POLITICAL GROUPS -
2018/2019 as at 1 NOVEMBER 2018**

COUNCIL COMMITTEES	TOTAL NO. OF SEATS	Labour	Plaid Cymru	Independe nt Democrats
	64	(41)	(15)	(8)
CABINET SCRUTINY COMMITTEE	16	10	4	2

SOCIAL CARE, HEALTH AND WELLBEING SCRUTINY COMMITTEE	13	8	3	2
EDUCATION, SKILLS AND CULTURE SCRUTINY COMMITTEE	15† (+8)	9	3	3
LEISURE AND CULTURE SCRUTINY SUB-COMMITTEE	9	6	2	1
REGENERATION AND SUSTAINABLE DEVELOPMENT SCRUTINY COMMITTEE	12	7	3	2
COMMUNITY SAFETY AND PUBLIC PROTECTION SCRUTINY SUB-COMMITTEE	9	6	2	1
STREETSCENE AND ENGINEERING SCRUTINY COMMITTEE	12	8	3	1
PLANNING COMMITTEE	12	8	3	1

REGISTRATION AND LICENSING COMMITTEE φ	15	10	3	2
*LICENSING AND GAMBLING ACTS COMMITTEE φ	15	10	3	2
<i>*Licensing and Gambling Acts Sub Committee</i>	3	2	1	0
AUDIT COMMITTEE	12† (+1)	8	3	1
DEMOCRATIC SERVICES COMMITTEE	12	8	3	1
PERSONNEL COMMITTEE	12	8	3	1
SPECIAL APPOINTMENTS COMMITTEE	9	6	2	1
TOTALS	176	114	41	21

* <i>APPEALS PANEL</i>	(5)	3	1	1
* <i>(Appeals Panel Substitutes)</i>	(20)	13	5	2
* <i>(STANDARDS COMMITTEE)</i>	(2)	2	-	-
* <i>(Standards Committee Substitute)</i>	(1)	1	-	-
STAFF COUNCIL	12	Cabinet Members	Opposition Leader or sub	Opposition Leader or sub

- Notes:** (1) † In context of voting co-optees - 4 voting Co-optees (with 4 non voting Co-optees) for the Scrutiny Committee; 1 voting Lay Member for the Audit Committee.
 (2) φ Registration and Licensing / Licensing and Gambling Acts Committees – same Chair/Vice Chair and Committee Membership.
 (3) # Comprises Chair & Vice Chair of the Committee plus one other Member on a rota/availability basis
 (4) * 1989 Act does not apply. Separate substitute arrangements also.

This page is intentionally left blank

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

CABINET (SPECIAL)

17 December 2018

Report of the Corporate Directors Group

CABINET RESPONSE TO COUNCIL TASK & FINISH GROUP ON THE VALLEYS

Matter for Decision

Wards Affected: All (but primarily the Valleys)

Purpose of Report

1. To enable the Cabinet to respond to the Council's Task & Finish Group's recommendations on the Valleys, also taking account of the work being led by the Welsh Government's Valleys Taskforce under the strapline "*Our Valleys Our Future*".

Background

2. The Task & Finish Group submitted its report earlier this year. It is reproduced at Appendix 1 together with an outline response from the Cabinet (complete, but slightly reordered for ease of reference).
3. The starting point is that the social, environmental and economic success of our Valleys remain an integral cross-cutting priority for the Welsh Government, this Council and other stakeholders.
4. However, we must acknowledge that there have been numerous previous attempts to tackle the issue coherently. Whilst some positive and tangible results have been achieved, previous programmes were largely ineffective in the round as we cannot claim to have fundamentally improved the outlook in the Valleys over the last twenty or thirty years.
5. The list of previous initiatives includes a mixture of national, regional and local programmes over the last decade including the following:

- The Neath Port Talbot Western Valleys Strategy (2006);
- Heads of the Valleys Innovation Programme (2011); and
- Valley Area Regeneration Plans (VARPs)/Western Valleys Programme – (2010 onwards).

Plus many other schemes, principally based around a variety of Welsh Government initiatives and European Funding.

6. A range of statistics are unnecessary as they all (Gross Value Added, deprivation, economic inactivity, etc.) tell fundamentally the same story now as a decade ago - and perhaps a decade before that. Moreover, ongoing austerity plus Brexit (and the end of European Funding) mean that the resources to make progress are going to be scarcer than ever.

Analysis

7. Accordingly, this report attempts to identify a package of measures that can make a real difference; but without claiming that we can solve all of the problems in the short term. Such claims would lack credibility. The package is therefore a mixture of measures/projects with a distinctly local flavour coupled to arguments for policy change on a national level to address key issues identified by the Task And Finish Group. Some of the former might have happened anyway; but the value added here is to integrate them in such a way as to make the whole greater than the sum of the parts.
8. In preparing this response, we have also entered into a dialogue with the Bevan Foundation as an external “critical friend”. The Foundation has a long history of expert commentary on the issues; but this is not their report. However, the Foundation has recognised the geography of Neath Port Talbot’s Valleys as particularly challenging, with the major valleys converging on different coastal towns and some communities looking outside the authority’s boundaries for services. They also note that there are several distinct ‘clusters’ e.g. the Afan Valley and the Western Valleys, where the challenges may be different.

9. Council officers agree with their analysis on most issues (see Appendix); but not all. For example, both the Welsh Government and (previously) the Bevan Foundation have laid heavy emphasis on the relocation of public sector jobs and public services to the Valleys. In our opinion, this doesn't work on any significant scale because:

- Public administration jobs are in sharp decline due to austerity – a recent estimate¹ was that some 8,000 such jobs have been lost within an hour's drive of Port Talbot since 2010 and we know this authority has lost a quarter of its staff over a similar period;
- Such jobs will continue to decline longer term because of digitalisation and automation. Increasingly there is no demand/footfall to justify retaining (expensive) office space in some areas; and
- This has been tried before. For example, the Welsh Government opened a new office in Merthyr more than a decade ago; but it is doubtful whether this has created or sustained a large number of jobs in the Valleys for people from those Valleys. More recently, the Department of Work and Pensions committed to a new office in Treforest; but what was less well advertised is that they closed offices in Ebbw Vale, Merthyr and elsewhere as part of this centralisation. We believe that the answer is more in the private sector than public.

Key Themes emerging in discussion with the Bevan Foundation

10. There are five:

Reversing economic decline and improving jobs and skills

11. The proposed response includes the creation of employment opportunities; but we accept the Bevan Foundation's observation that it needs to be at the centre of the strategy and developed further.

12. The long-term future of these communities depends upon a "resilient economic base" which includes both thriving local

¹ For the development of the Port Talbot Enterprise Zone Strategy

businesses within the Valleys and good access to jobs outside of them. The Foundation has highlighted the notion of “inclusive growth” which, for example, translates into ensuring that the benefits of the City Deal benefits are felt in the Valleys as well as in the towns, cities and on the coast as well as benefitting all groups of people (including those in low paid jobs and not currently working).

13. Examples of how we might approach this are included in the outline Cabinet response.

Improving access to jobs created in Swansea/Neath Port Talbot with a step-change to public transport

14. The Task & Finish Group identified this as its number one issue. It is certain that some people living in the Valleys will want to travel to work to access the wider opportunities. The Bevan Foundation has pointed out that detailed mapping of public transport provision against employment opportunities undertaken by the Joseph Rowntree Foundation shows that Neath Port Talbot has one of the highest proportion in Wales of deprived Lower Super Output Areas classed as ‘disconnected’. The Foundation has recommended that ideally there needs to be a region-wide approach. That now seem possible in the short to medium term as Welsh Government policies develop (see Appendix) and as long term proposals for a “Swansea Bay Metro” are also developed. Simultaneously, the City Deal is seeking to extend its role in the area of transport and connectivity.

Supporting People into Work and Improving Skills

15. Assisting people into work is important; but the Foundation has questioned whether UK and Welsh Government programmes are of sufficient scale, reach and impact. We agree – and many of these programmes will need to be reviewed and developed to take account of Brexit, including local authority run intermediate labour market schemes. The Foundation suggest that action to help people into work needs to be linked with a detailed understanding of job and training opportunities in the local labour market, and should follow the “gold standard” of what works i.e. combined pre-employment training, a work placement and a guaranteed job interview. It is very clear that people with few qualifications are much worse off in the

labour market. Not only do they have lower pay; but they are more likely to have insecure work. This analysis has much merit in our view.

Spatial Planning

16. The Foundation has argued that a limited number of locations should be identified as 'growth poles' where services and investment can be concentrated as a counter to the "drag" to towns and cities. We agree – and would identify Glynneath as one strong candidate. However, this in turn raises some major issues around land use and development e.g. the clash between local authority objectives and the all-encompassing nature of Natural Resources Wales' flood risk assessments.

Community Regeneration

17. Many of the proposals for community regeneration identified by the Task & Finish Group support local economic development and might be better regarded as such (as the Foundation has noted). There is additional potential for community regeneration to support the infrastructure of a caring and supportive society, including community organisations of all kinds and well-used community spaces (including parks and playing fields, not just indoor facilities). Small-scale 'community chest' type funding can stimulate local organisations, along with support for good governance. This Council has a good record overall in this area and the Third Sector grant scheme has recently been revamped with these objectives in mind; but the challenges presented by the budget cuts should not be underestimated. In several areas, provision is more likely to contract than expand unless alternative models can be identified. A process will be therefore required for addressing priorities in local areas against the resources allocated in the Budget.

Financial & Workforce Implications/Equality Impact Assessment

18. None/not required at this stage.

RECOMMENDATION

1. That the Cabinet endorse the response at Appendix 1.
2. That Cabinet authorises the Chief Executive to enter into partnership with the Bevan Foundation and confirms this Council's support for their proposed work (see Appendix 3) to build economic development in the valley communities of South Wales and to make a contribution of up to £10,000 to the work.

Reasons for Proposed Decision

To enable the Cabinet to respond to the Task & Finish Group and progress work on a number of issues identified in the response.

Appendix

Task & Finish Group Report + Cabinet Response

Officer Contacts:

Steven Phillips - Chief Executive

Tel: 01639 763305 E-mail: s.phillips@npt.gov.uk

Karen Jones – Assistant Chief Executive & Chief Digital Officer

Tel 01639 763284 Email k.jones3@npt.gov.uk

Cabinet Response to the Recommendations of the Task and Finish Group on the Valleys

1. Transport

Transport is acknowledged as a key strategic issue that needs to be addressed.

However, the Welsh Government funding streams (Concessionary Fares, Bus Service Support Grant, etc) have witnessed sharp reductions since 2012. This has resulted in a significant loss/reduction in services particularly perhaps in the evenings and on weekends:

- Funding to support local bus services in NPT has reduced from £717k in '11-'12 to £312k in '16-'17;
- Concessionary travel in NPT has reduced from 2.2m journeys in '11-'12 to 1.9m in '16-17. An average of 6,000 less journeys made each week; and
- On routes subsidised by the Council the reduction in concessionary card use is even more significant. From 409,553 in '11-'12 to 151,568 in '16-'17. A reduction of 37%.

Taken in the round, the current arrangements are not fit for purpose in terms of providing comprehensive services (and the difference between cost and subsidy represents a growing budget pressure for the Council). However, we understand that the Welsh Government recognise this and are considering reform of the current arrangements including the introduction of regional Joint Passenger Authorities. This should be supported. It should also be noted that AECOM Consultants have been appointed by the City Region to develop a feasibility study on the future of transport in the Region, including rail connectivity. In terms of the local feasibility study into rural transport in the county borough being developed by TAS, this must be set in this context.

In the immediate future, the Council will be bidding into the fund announced by Welsh Government to extend the active travel routes in line with the Integrated Network Map approved by

Members. In terms of youth transport, officers have already been working with NPTC Group to promote the Welsh Government Youth Card.

Future Actions

- a) Ensure applications are made for funding to implement the Integrated Network Map proposals. (DENV)
- b) Formally endorse the Welsh Government's proposal to develop Joint Passenger Transport arrangement. (DENV)
- c) Ensure good take up of the youth card by young people resident in valley communities. (DENV)

2. Access to health and well-being services

Health services are essentially a matter for ABMU Health Board. Some developments are in hand (e.g. a new facility in the Upper Amman Valley) however, there is a UK-wide shortage of GPs prepared to work in valley communities and the ABMU area is no different. Alternative options to meet some health needs are being developed, eg pharmacy-based schemes. The Director of Primary Care for AMBU has indicated her willingness to meet with Members in early 2019 to discuss the current position and to outline the Health Board's approach. The Western Bay Partnership Board is also developing a new strategy on Mental Health Services. More emphasis on Community Transport as a solution to community access to health services should also be factored into the equation. However, previous attempts at this were unsuccessful due to lack of patronage.

On the broader well-being agenda, work to develop an asset based approach (to be reported separately to Members) is being taken forward within the Public Services Board environment, led by the Council. Within this approach, Local Area Co-ordinators are beginning to work in communities to map existing assets and to work with local people to connect them with what already exists. This work is supported by the new on-line community directory, Dewis. The Older Persons Council is also considering how it can play its part in encouraging new and existing approaches to combating loneliness and isolation.

Future Actions

- a) Issue an invitation to the Director of Primary Care, ABMU Health Board, early 2019, to address elected members on future health service provision for residents of valley communities. (ACE/CDO)
- b) Bring forward a report on the development of the Safer, Resilient Communities work in the Briton Ferry, Melin and Amman Valley areas, making clear recommendations for the further development of the asset based approach. (DSSHH)
- c) Ensure elected Members have an opportunity to comment on the draft mental health strategy for the county borough before it is formally signed off by the Regional Partnership Board. (DSSHH)

3. A sustainable voluntary sector

The revised Third Sector grants scheme was endorsed by Cabinet on 31 October 2018 with a view to addressing capacity issues and sustainability within the voluntary sector, particularly those organisations who act as community anchor organisations. Following approval of the new Scheme, the Director of Neath Port Talbot CVS is convening meetings of the network of organisations who currently receive funding from the Council to encourage mutual support and greater collaboration. There is scope to further develop the role of community anchor organisations as part of the wider work on asset-based community development and this has already been agreed as a priority area of work in the Voluntary Sector Liaison Forum

Development of other services (such as youth provision and adult community learning) is largely dependent upon funding. However, the first phase of the Child Care Offer roll out is underway which includes the following wards: Blaengwrach, Bryncoch, Cymmer, Glyncorwg, Gwaun-Cae-Gurwen, Gwynfi, Lower Brynamman, Onllwyn, Pontardawe and Resolven. Eligibility is for children aged 3 or 4 where the household earns on average a weekly minimum equivalent to, or more than, 16 hours at national minimum wage (NMW) or national living wage (NLW) but less than £100,000 per year. There is a clear commitment to work with existing providers as the rollout is completed across the Valley communities (and elsewhere).

The criteria for community benefits funds is being examined through the Voluntary Sector Liaison Committee. It is acknowledged that many funds want to see bids for new projects, leaving gaps in funding for core costs and maintenance activities. On sporting facilities, provision is an integral part of the Council's modernisation programme for schools under the 21st Century Schools Programme, where possible.

Future Actions

- a) Build on the work done through the revision of the Third Sector Grant Scheme to clarify the Council's approach to community anchor organisations/community hubs, with specific reference to the emerging work on asset-based community development. (ACE/CDO)
- b) Continue to roll out the Welsh Government Childcare Offer, working closely with existing child care providers in the valley communities. (DELLL)
- c) Complete the review of community benefits fund criteria, explicitly considering whether fund criteria can be modified to allow bids for maintenance/replacement/core costs. (DELLL)
- d) Bring forward proposals for sports facilities as part of the Strategic School Improvement Programme Band B proposals for Cefn Saeson and Pontardawe. (DELLL)

4. Employment and Employment sites

The Cabinet agrees that there is a demand for additional development of industrial units to support start-ups and to enable existing businesses to develop. Funding is being actively sought to increase the availability of commercial premises. This will also dovetail with the emphasis placed on income generation by the Cabinet. The review of the LDP will also provide an opportunity to consider options further.

The Cabinet also agrees there is potential to grow jobs through tourism development and has reinstated the tourism unit with this objective in mind.

Consideration is being given to how the Council's own expenditure can be used to maximum effect in delivering community benefits within valley communities. This will include exploring how we could practically embrace a procurement policy based upon the Bevan Foundation's "One in a Million" proposal. A working group, chaired by the Head of Legal Services has begun work to review the Council's Procurement Strategy. That work will include dialogue with the local voluntary and business sectors. A further report for Members will be brought forward in 2019.

The feasibility of establishing a local employment/training offer connected with the services that the Council delivers in valley communities will also be explored and will be reported in 2019.

On childcare training, the Council's adult community learning service already provides childcare training at Level one and Level two. Courses running in the Neath Valley will be continued this year. Training is also delivered to the childcare workforce and this is arranged as close to providers as possible to ensure accessibility. The Childcare Sufficiency Group keeps the training provision under review.

Training for adult social care and personal assistants – Local people meeting local need is central to the future delivery of adult social care.

Future Actions

- a) Explore funding opportunities with Welsh Government to develop additional industrial units in valley areas. (DENV)
- b) Continue to encourage Members to engage in the process for reviewing the Local Development Plan. (DENV)
- c) Deliver the Destination Management Plan and create a Destination Marketing Plan to support the work. (DENV)
- d) Ensure the current review of the corporate procurement policy explicitly considers how the Council's expenditure can benefit valley communities, basing the approach on the Bevan Foundation 1 in £1 million model, or similar. (DFCS)
- e) Explore the feasibility of a local employment/training offer for valley residents. (DFCS)

- f) Identify a suitable model for providing advice to organisations who wish to set up as social enterprises. (DENV/ACE/CDO)
- g) We will develop a scheme to identify, attract, train and recruit more local people to work in the local care sector within valley communities, piloting the approach initially in the Amman Valley (DSSHH)

5. Community Regeneration

The Cabinet is promoting a range of projects/programmes to meet these objectives including:

- Securing a share of the £25m of capital investment announced in the Welsh Government for the Neath strategic hubs to link with the priorities of the Ministerial Taskforce for the Valleys focused on attracting investment, and job creation.
- Similarly, a bid has been submitted for the further development Cefn Coed as part of the Valleys Landscape Park (£7m of capital investment announced by Welsh Government).
- Work is progressing with the Friends of Pontardawe Arts Centre and the Arts Council for Wales to secure the future of the venue to include the feasibility of a cinema offer at the site.
- A planning application has been received for the Afan Valley Adventure Park.
- Work to restore East Pit is progressing. There is potential for the site to be used for tourism led regeneration in due course and the support of Celtic Energy will be needed to progress this.
- The Council is working with RCT Council on the possible reopening of the Rhondda Tunnel
- Tourism work is progressing within the framework of the agreed Destination Management Plan 2015-2020 and there

will be a Destination Management Marketing Plan established to strengthen the work further.

- Discussions are taking place through the Voluntary Sector Liaison Committee to explore the potential for community renewable energy schemes.
- In June 2018, the Cabinet Secretary for the Economy announced that Onllwyn/Nant Helen was the preferred site for a major investment in a national rail test track facility. The Council is actively participating in developing the next stage of the business case and the development of a planning application.

Rheola - The council continues to work with NRW, WG and the private sector to resolve complex land issues and pursue a leisure based development at Rheola.

Future Action

- a) Continue to work with Welsh Government and wider partners to develop the range of propositions for developing jobs and services within valley communities as identified above. (CEX and DENV)

In terms of culture and inclusion:

- The Cabinet has already approved a Welsh Language Promotional Policy with the intention that there will be clear links to this action plan.
- Digital Inclusion has been identified as a priority by the NPT Public Services Board. The development of this work can be reported back to Members on a regular basis. Community Anchor Organisations within valley communities are already involved in developing the detail of work to be taken forward.

Future Action

- a) Provide a regular update to the Cabinet Scrutiny Committee on the progress being made in implementing the Welsh Language

Promotional Strategy and the development of work to address digital inclusion, drawing out the benefits being delivered in valley communities. (ACE/CDO)

an

6. Impact Assessment/Monitoring

Report templates already provide for the areas impacted by proposals to be clearly set out. These arrangements will be amended to make clear which areas are valley areas.

Scrutiny committees could also consider identifying valley champions within their membership to assist in examining proposals for change from a valleys perspective and to track the progress of the work identified in this paper. The Cabinet would welcome the scrutiny committees helping to sustain active dialogue on this agenda.

Future Action

- a. Update report templates to make impacts on valley communities clearer in reports. (ACE/CDO)
- b. Identify valley champions in each scrutiny committee. (ACE/CDO)



Dear Leader,

I write to you following our recent meeting regarding the Valleys Task & Finish Group and its Valleys Action Plan.

I am very pleased to inform you that the group has now completed its task of compiling a valleys action plan, which was duly approved at the last meeting on the 1st June.

In addition to the work on the Action Plan we delivered other functions such as initially responding to the Welsh Government Consultation "Our Valleys, Our Future"; overseeing the development of valley-specific reports, written by Councillors to inform future discussions on specific valley needs; and acting as a voice for valley communities at Welsh Government ministerial engagement events.

I hope you will agree with our feelings that we have fully discharged our responsibilities under the Terms of Reference set out for the group at its inception.

I attach the most recent and final version of the Valleys Action Plan as the outcome of our Valleys Task and Finish Group. As you will appreciate, the plan will need to be a working document, updated and amended as objectives are achieved and priorities are met.

If agreeable to yourself I would like to present the action plan to a future meeting of Cabinet.

The Valleys Task and Finish group concludes that its task has been delivered and therefore it is right and proper that it finishes its business under its current terms. However, we feel there is merit in continuing the structure of a Valleys Briefing Group as a consultative body able to meet as and when required. We feel the future scrutiny of the Valleys Action Plan can take place under the current scrutiny process via structures such as the Cabinet Scrutiny Committee and Regeneration and Sustainable Development Scrutiny Committee, and we hope you will agree to that approach going forward.

Thank you once again for demonstrating your commitment to our valleys by establishing the Task and Finish Group, and personally, for giving me the opportunity to chair the meetings and take an active role in shaping how our council will work to support valley communities long into the future.

Yours truly,
Dean

Cllr. Dean Cawsey
Onllwyn
Neath Port Talbot County Borough Council
07817 218 556

Councillor Dean Cawsey
Onllwyn
Neath Port Talbot County Borough Council
07817218556

Cynghorydd Dean Cawsey
Onllwyn
Neath Port Talbot County Borough Council
07817218556

Croesewir gohebiaeth yn y Gymraeg a byddwn yn ymdrin â gohebiaeth Gymraeg a Saesneg i'r un safonau ac amserlenni.
We welcome correspondence in Welsh and will deal with Welsh and English correspondence to the same standards and timescales.

Key Priorities	Issues	Aims	Objectives	Actions	Opportunities/Community Locations
1. Access to Provision and Services as needed across and within Valley Communities	1.1 Communities with very limited or no public transport.	Improve transport services	Provide demand-responsive transport services	<p>Explore opportunities for expansion of community transport options, e.g.:</p> <ul style="list-style-type: none"> Existing routes where uptake of service merits expansion, Development of demand-responsive services (community cars/buses) <p>Ensure all Valley residents have opportunities to access the Hub in Neath.</p>	<p>Extension of Cycle Path in Amman Valley.</p> <p>DANSA (Dulais, Afan, Neath, Swansea Amman Valleys Integrated Community Transport) Feasibility Study</p>
	1.2 Lack of GP and other health social care provision in local communities e.g. accessible out of hours pharmacy, accessible mental health support, dementia support and services to combat isolation/loneliness.	Improve and increase provision of accessible health and social care services	Develop cross-valley services	<p>Feasibility study (possibly with NPTC) around expanding options for public transport linked to provision of school/college transport services.</p> <p>Develop existing Valley mineral lines for passenger transport.</p>	<p>NPTC may consider links?</p> <p>Dulais Valley, Neath and Amman Valley mineral rail lines</p> <p>RDP Feasibility Study</p>
			Improved sufficiency of clinical services	<p>Work with ABMU/PSB partners to develop proposals to improve:</p> <ul style="list-style-type: none"> Join up on mental health services GP access Access to out of hours pharmacy services Access to drop in services e.g. physiotherapy through provision of outreach 	

	Lack of Medical Staff and access to services/pharmacies in Amman Valley (Amman Tawe Partnership)		Improved transport to health	<ul style="list-style-type: none"> Improve cross-border service access where appropriate. 	
	Lack of day services and support for residents of sheltered housing complex.		Improved provision of health/care facilities and services in valley communities.	Development of demand – responsive services (community cars/buses)	Link in with Asset based approach policy Link with Community Services Directory Developments.
	Lack of ability in recruiting Doctors and Nurses to the Dulais Valley Primary Care Centre			Use Local Area Coordinators (LAC) to support mapping of community service provision, identifying existing services and gaps.	
	Requirement for replacement premises for Blaengwrach (Health)		Sustainable Community Anchor Organisations ¹	Identify Community Anchor Organisations (CAO) within valley areas.	Link to review of 3 rd Sector funding scheme
	1.3 Funding cuts resulting in:	Improve support to enable sustainability of voluntary sector organisations.		Consider options for provision of sufficient resource to enable CAOs to be effective in local,	Explore potential of Renewables Community Benefit Funds to support
	<ul style="list-style-type: none"> Decrease in provision likely to pre-empt anti-social behavior 				

¹ A community anchor is: independent and community-led; a multi-purpose facility; there for the long term, not a quick fix; a driving force in community renewal. www.dtawales.org.uk/community-anchors/

	<p>e.g. youth clubs, adult learning, leisure activities.</p> <ul style="list-style-type: none"> Increasing reliance on voluntary and third sector led service provision but lack of capacity/resources to enable provision. Decreased provision of childcare for working parents and those requiring support with additional needs Infrastructure for sport and leisure 	<p>Explore 3G pitches linked to the development of the school estate.</p>	<p>Improved Youth provision in communities</p> <p>Accessible Childcare services</p>	<p>development of services and economic regeneration.</p> <p>Map existing youth provision of all types in valley communities. Work with LAC & CAO to develop services.</p> <p>Undertake an assessment of available childcare services in Valley Communities. Identify opportunities to increase provision, working with CAO and LACs.</p>	<p>Community Anchor Organisations</p> <p>Opportunities to link into 30 hour childcare pilot provision in Valley Communities</p> <p>Link to Childcare Sufficiency Study and rollout of WG childcare offer.</p>
--	--	---	---	---	---

	Locations				
2. Employment opportunities		Provide demand-responsive transport services	Improve transport services	2.1 Communities with very limited or no public transport. 2.2 Existing industrial estates 100% occupation, more start up units, business support and larger units to enable business growth within valley communities	
	Explore opportunities for expansion of community transport options identified under 1.1	Enable provision of new industrial units	Increase in unit availability for manufacturing and service industry provision		
	Identify suitable valleys based sites	Open up new employment opportunities in service sector	Increase in local employment opportunities	2.3 Lack of employment opportunities, funded skills training, trainee and apprenticeship opportunities within valleys communities. Issues relating to:	
	Possible sites: <ul style="list-style-type: none"> • New Road, Tairgwaith (Washery site) • Crynant • Glynneath and Cwmgwrach- • Caravan Park at Lamb and Flag • Cwmgors Industrial Site • Ystalyfera: Glan Rhyd and Gurnos Tourism opportunities and service options need space. E.g. Gym, upcycling workshop mentioned.	Support for development of Social enterprise models provided to promote employment and provide in work training.	Ensure business support is available for not-		
	Consider planning for all types of industrial, leisure and retail use.				
	Identify appropriate opportunities for piloting social enterprise solutions				
	Bicycle repair business opportunity in the Amman Valley Food co-op in the Amman Valley Renewable Energy				
	Consider Social Enterprise Strategy				

	<ul style="list-style-type: none"> • Large scale contracts out for tender work against local firm engagement • Lack of awareness of social enterprise possibilities. • Foundational Economy; Council's own employment/service delivery to promote local and sustainable employment. 	for profit enterprises	<p>Procurement rules include community benefit clauses and promote level playing field for community-based providers/suppliers.</p> <p>Community Anchor Organisations being helped to develop and sustain access to adult education.</p> <p>Increased recruitment of for in community workforce within Social Care</p>	<p>Work with relevant agencies to identify appropriate models of good practice</p> <p>Review existing procurement processes</p> <p>Promote accessible childcare and adult social care training in valley communities</p> <p>Focused recruitment of Personal Assistants to meet local needs in valleys.</p>	<p>Consider progress to appropriate Committee in 12 months?</p> <p>Opportunities to work with CAOs and LACs – good link in with Asset Based Provision strategy.</p>
--	--	------------------------	--	--	---

Key Priorities	Issues	Aims	Objectives	Actions	Opportunities/Community Locations
3. Community Regeneration	<p>3.1 Low community morale within valley communities and perception both by those external and within of marginalization and disadvantage. Services and resources focused on population centres outside valley areas.</p> <p>Ystalyfera; impact on the image of Ystalyfera following the landslide.</p>	<p>Improve social capital² across valley communities</p> <p>Promote a positive and balanced image of area.</p>	Develop community Infrastructure around wellbeing, leisure and tourism	<ul style="list-style-type: none"> • Enable digital inclusion through improved access to IT and training provision • Promote and support leisure and tourism infrastructure development (accommodation, walking/cycling/bridle paths, attractions etc.) • Support training and development towards active tourism community enterprises e.g. cycle hire, cafes, sporting/interest activities etc. • Support growth of Welsh Language use 	<p>Linking with training providers and CAOs</p> <p>Link to the PSB priority</p> <p>Planning re leisure and tourism facilities – opening cycling routes to bridleway</p> <p>Afan Park development opportunities</p> <p>Link to the Valleys Landscape Park</p> <p>Link to Welsh Language Promotion Strategy</p> <p>Explore Pontardawe Arts Centre and Cefn Coed Colliery Museum</p> <p>Explore Ysgol y Glyn site in Lower Brynamman, Banwen.</p> <p>Explore opportunities around the Wales</p>

² <https://www.oecd.org/insights/37966934.pdf> the links, shared values and understandings in society that enable individuals and groups to trust each other and so work together.

					<p>Infrastructure Investment Plan and Valleys Tech Programme</p> <p>Link with proposed new Tourism Unit</p>
			<p>Promote activities and provision in Valley communities</p>	<p>Further Develop promotional videos, online slide shows around Valleys</p>	<p>Links with community resources direct or through CAO to develop materials for use...</p> <p>Link to Asset Based Community Development Work</p>

	<p>3.2 Areas of dereliction</p> <ul style="list-style-type: none"> • disused large buildings (churches/clubs/industrial) • Open cast mining and quarry site renovation • Impact of subsidence on community infrastructure. 	<p>Bring unused sites and buildings into productive use</p>	<p>Facilitate renovation or clearance and reuse of derelict buildings</p> <p>Enable community engagement with renovation projects/activity</p>	<ul style="list-style-type: none"> • Identify vacant buildings and establish ownership – where appropriate use enforcement orders towards improvements. -121 Heol Cae Gurwen -Old School site Waters Street Gwaun Cae Gurwen • Oversee the establishment of a community liaison group working with Celtic Energy on restoration at sites • Identify possible sites and help promote community renewable schemes • Identify vacant sites for self-build projects 	<p>Refurbishment of East Pit site presents opportunities for increased community involvement in future development.</p> <p>Awel Amman Tawe could be used as local expertise.</p> <p>Welsh Government funding possibly available for self-build projects – links to environmentally neutral building projects may be possible. (Old GCG Primary School site on Waters Street, Gwaun Cae Gurwen)</p>
--	---	---	--	--	--

<p>3.3 Lack of accommodation to meet specific needs.</p>	<p>Increase the amount of suitable housing tenure</p>	<p>Sufficiency of appropriate accommodation within communities including:</p> <ul style="list-style-type: none"> • Flexible options for adults requiring supported or residential care • 1 and 2 bedroom properties • Accessible housing • Rent levels in Tairāwhiti properties in Amman Valley 	<p>Work with Social Housing Providers and other agencies to deliver housing solutions.</p> <p>Onllwyn Road (1&2 bed properties)</p> <p>Affordable housing on the Forge Yard Site (Lower Brynamman)</p>	<p>Explore opportunities to update LDP to maximize planning/house building opportunities</p>
--	---	---	--	--

NEATH PORT TALBOT VALLEYS ACTION PLAN

Comments by the Bevan Foundation

1. Introduction

The draft Valleys Action Plan is a welcome commitment to recognise the specific challenges facing the Neath Port Talbot valleys. Basing the plan on the views of people in the area is also a very welcome approach.

In taking forward a plan, we recognise that the geography of Neath Port Talbot's valleys is particularly challenging, with the major valleys converging on different coastal towns and some communities looking outside the authority's boundaries for services. We also note that there are several distinct 'clusters' of problems, e.g. the Afan Valley (Cymmer, Gwynfi and Glynccorwg LSOAs) and western valleys, where the challenges may be different.

We also acknowledge that there have been numerous attempts to address the valleys' problems, most of them not especially successful not least because there is no quick fix.

2. Reversing economic decline and improving jobs and skills

The aim of creating employment opportunities is very welcome, but we'd suggest it should be at the centre of the strategy and developed further. The long-term future of these communities depends on a resilient economic base, which will only be provided through a *combination* of:

- thriving local businesses (of all kinds) within the valleys
- good access to economic opportunities outside the valleys

The idea of 'inclusive growth' might be useful here because it involves ensuring that economic growth achieved through the City Deal benefits all parts of the city region (i.e. it is geographically inclusive) and all groups of people (including people in low paid jobs and who are not currently working).

We have identified three key ways of achieving inclusive growth:

- **Stimulating economic growth within the valleys**

There is much that can be done to support and encourage businesses to start up and flourish within the valleys including:

- Increasing the procurement of goods and services by **all** public bodies from local suppliers. This involves considering how contracts are packaged, considering supply chain development etc.;
- Provision of small-scale, affordable workspaces for freelancers and self-employed workers (e.g. that at Dove Workshop, Banwen);
- Development and promotion of local 'niche' products (e.g. whinberry jam; miners' lamps etc);
- Support and development for sectors with potential e.g. social care, tourism.

While there are some proposals in the draft action plan, we'd anticipate that achieving measurable impact will need a step change in intervention.

- **Improving access to jobs created in Swansea / Neath / Port Talbot with a step-change to public transport.**

As the action plan recognises there is an issue of access to services but access to work is vital too. It is likely that some people living in the valleys will want to travel to work to access the wider opportunities available in the larger towns. Detailed mapping of public transport provision against employment opportunities undertaken by the Joseph Rowntree Foundation (see Annex) shows that Neath Port Talbot has one of the highest proportion in Wales of deprived Lower Super Output Areas classed as ‘disconnected’.

Community transport and demand-responsive services are useful but are not a substitute for scheduled services for travel to work. There ideally needs to be a region-wide approach (as in the metro idea) which caters for travel-to-work and not just the retirement market.

Ahead of the metro, we wonder if the council could use its local transport powers to subsidise some non-commercial services at times and costs appropriate for workers? It could be run as a pilot in an area with the greatest access problems, perhaps as a statutory quality partnership with an operator?

In addition, could it pilot flexible, efficient and affordable demand-responsive services that are more like a taxi than current demand-responsive services?

- **Supporting people into work**

The plan also recognises that helping people into work is important, but we would question whether DWP and Welsh Government programmes are of sufficient scale, reach and impact. We’ve suggested that action to help people into work needs to be linked with a detailed understanding of job and training opportunities in the local labour market, and should follow the ‘gold standard’ of what works¹ i.e. combined pre-employment training, a work placement and a guaranteed job interview.

We recognise that not everyone is able to compete in the open labour market and we have suggested that public bodies consider introducing ‘intermediate labour market schemes’. These offer people furthest from the labour market secure, paid work together with training, personal development and job search activities, often delivering services for community benefit.

- **Spatial planning**

Elsewhere in the south Wales valleys we have urged that one or two locations be identified as ‘growth poles’ where services and investment can be concentrated and which can counter the focus on the city within the city deal. While we initially saw these as being sub-regional centres (e.g. Merthyr Tydfil) we can see benefits in identifying and supporting a limited number of local growth hubs.

¹ See XXXXXXX

The geography of Neath Port Talbot's valleys makes the choice of a local growth hubs less obvious, but we'd suggest that – not withstanding possible political issues – it could help to improve access to jobs and services.

3. Improving skills of young people and adults

It is strikingly clear that people with few qualifications are very much worse off in the labour market than those with higher level qualifications. Not only do they have lower pay but they are more likely to have insecure work. It is widely forecast that automation, and to a lesser extent Brexit, will reduce both the numbers and quality of semi- and unskilled jobs, so upskilling the existing and future workforce is a key task.

We would suggest that broadening the actions in the action plan beyond the proposals for training in adult social care should be considered, including:

- High quality and universal early years provision;
- Careers advice, guidance and information for all pupils from year 7;
- Effective support and guidance for young people who leave school without 5 GCSEs A-C;
- Bite-sized, flexible adult learning provision in a wide variety of vocational areas;
- Developing clear progression pathways into occupations available in the Swansea City region.

There may also be potential in major regional employers e.g. health care providers, education establishments, housing associations, collaborating in their workforce planning to create training and recruitment opportunities in growth hub areas.

4. Community regeneration

Many of the proposals for community regeneration support local economic development and might be better regarded as such. There is additional potential for community regeneration to support the infrastructure of a caring and supportive society, including thriving community organisations of all kinds and well-used community spaces (including parks and playing fields, not just indoor facilities).

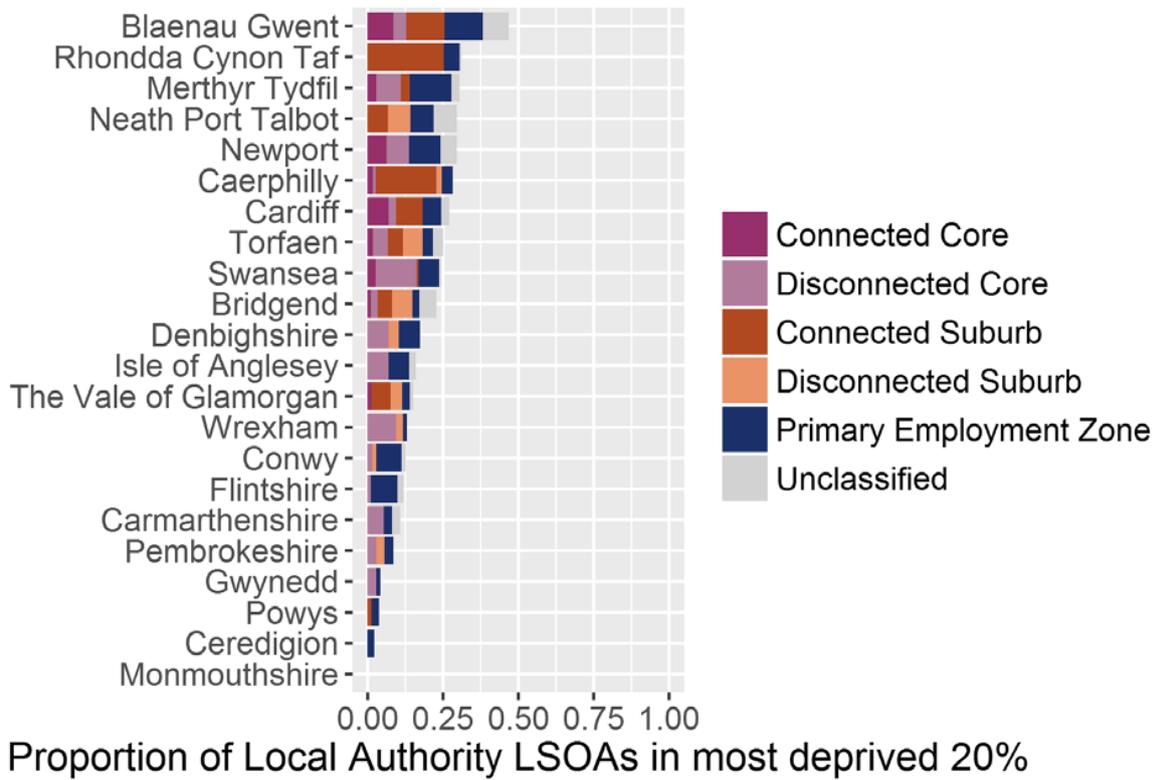
Small-scale 'community chest' type funding can stimulate local organisations, along with support for good governance.

5. Oversight and Monitoring

This is vital and needs to be coupled with scope to adapt and respond to feedback when things are working (or not), capacity to develop and seize new opportunities (perhaps with seedcorn funding) and maintain leadership.

ANNEX CONNECTIVITY OF LSOAs IN WALES

Source: Overcoming deprivation and disconnection in UK cities, by Alasdair Rae, Ruth Hamilton, Rich Crisp and Ryan Powell.



Building Economic Resilience in the south Wales Valleys

Funding Agreement

Background

1. The Bevan Foundation is delivering a project entitled 'Building Economic Resilience in the Valleys'. It runs from 1st January 2019 to 31st May 2021.
2. The aim of the project is to 'support the implementation of a new approach to economic resilience in the valleys', focusing on:
 - a. How procurement can build resilience
 - b. How social businesses can increase resilience
 - c. Using community assets to build resilience
 - d. The scope for new financial instruments to build resilience.
3. The project outputs will include:
 - a. Analysis of current and future prospects for resilience
 - b. A series of practical tools including seminars, workshops, guides and toolkits to increase resilience
 - c. A final report with detailed proposals for further action.
4. A small advisory group of experts and some funders will assist the delivery of the project.

Funding

5. The total cost of delivering the project is £140,260 over 29 months. A contribution of £70,130 has been secured from the Friends Provident Foundation, with additional contributions from a range of local and regional organisations.
6. The signatories to this agreement agree to contribute a total of £..... This sum will be payable in instalments as follows:
 - a. £ on
 - b. £ on
 - c. £ on
7. The contribution is voluntary, made at the request of the Bevan Foundation, and does not involve a supply of services to funders. As such, contributions are outside the scope of VAT and therefore no VAT is included in the contribution.
8. If the total amount of funding secured is different to the estimated costs, the project will be enhanced or scaled-down accordingly. In the unlikely event of insufficient funding being secured to enable the project to go ahead, contributions will be repaid.
9. The Bevan Foundation will only use your contribution for the purposes of the project. In the event of the cost of delivering the project being higher than expected, there is no obligation on funders to provide additional funding. In the event of the costs being lower than expected, the Bevan Foundation will offer either to undertake additional activities related

to the project or to refund contributors pro-rata to their total payments.

10. The Bevan Foundation will provide funders with short progress reports outlining the activities undertaken, outputs and impacts achieved, on a quarterly basis.

Acknowledgements

11. The Bevan Foundation will acknowledge your support in any published documents that refer to the project, including job advertisements, accounts and public annual reports, and in written or spoken public presentations about the project, unless you ask us not to.
12. In our management of all personal information we will meet the requirements of the Data Protection Act 2018. We will tell you immediately if any of our key contacts change.

Compliance

13. The Bevan Foundation will use its best endeavours to deliver the project as planned. The Bevan Foundation will notify you if for any reason it is unable to deliver the project. It will also notify you if there is a significant change of purpose or status of the Bevan Foundation during the project, including ceasing to operate, or in key personnel. In the event of the project ending prematurely your contribution will be refunded pro-rata.
14. The Bevan Foundation will comply with all laws regulating the way it operates, the work it undertakes, the staff it employs and the goods it buys. It will maintain adequate insurance at all times and if asked, will supply copies of confirmation of insurance cover. This includes employee and public liability insurance.

Signed for

Print Position

Signed for the Bevan Foundation

Print Position

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

CABINET

5 December 2018

Report of the Assistant Chief Executive and Chief Digital Officer SMART AND CONNECTED – A REVISED DIGITAL STRATEGY

Matter for Decision

Wards Affected: All

SECTION A

Purpose of Report

1. To report the feedback received on the draft Digital Strategy – Smart and Connected – following a period of public consultation.
2. To present the final version of the Strategy to the Cabinet for approval.

Background

2. The Council's first digital strategy was approved in 2015. The initial strategy – Digital by Choice – focused on developing on-line services, predominantly for transactional services, and encouraging take up of those services.
3. There has been considerable progress which was summarised in the report presented to the Cabinet in August 2018 when authority to consult on a revised Strategy was sought and secured - although there are also important features of the initial strategy that were not delivered as initially envisaged.
4. Since 2015, the rate of technological change has continued to accelerate. The Council must adapt to the way in which technology is shaping the way citizens want to access and experience services, take every opportunity to harness the potential of technology to

transform our environment and our economy whilst also working to reduce the inequalities for those not yet participating in the digital revolution.

5. A revised Strategy has been developed and seeks to extend the scope of the initial digital strategy considerably to focus on three strategic priorities:

Priority 1 - transforming the way we deliver our functions/services and increasing use of the Council's on-line functions/services by residents;

- **Priority 2** - to contribute to the development of favourable conditions for economic growth in the county borough; and
- **Priority 3** – embracing a “digital first” approach to the way we support our workforce.

6. A public consultation process was initiated following the Cabinet meeting in August 2018. This report summarises the consultation responses received and presents a final draft of the Strategy for approval.

Current Context and Case for Change

(a) UK Government

7. There have been a number of parliamentary inquiries examining the impact and implications of the revolution in digital technologies taking place across the world. In ¹2016, responding to an inquiry into the digital skills base of the UK economy, the Government acknowledged the importance and challenges of keeping pace with the rapid changes that are continuing to take place. The Government also signalled the importance of upskilling the population to fill the estimated additional one million jobs that will be created in the digital economy by 2023, whilst also ensuring that all adults can participate and benefit from the outcomes that digital technologies are creating.

¹ House of Commons, Science and Technology Committee: Digital Skills Crisis: Government's Response to the Committee's Second Report of Session 2016-17

(b) Participation across NPT

8. Locally, there is a growing appetite for digital services. ²The Office for National Statistics in their 2017 household survey identified 84% of households in Wales now having access to the Internet – up from 52% in 2006. In Neath Port Talbot 93% of properties have access to Superfast Broadband and at the time of writing, take up exceeded 50%. However, participation in digital services ³varies considerably across the population with people retired and dependent on state pension far less likely to be digitally active than younger adults.
9. Within Neath Port Talbot, digital inclusion rates were found to vary between 83% and 43% in the 2017 ONS survey. A survey undertaken by the Public Services Board in 2017 also highlights the need to build digital capability across the voluntary and community sector locally. However, the importance of the digital economy is beginning to feature prominently in a range of programmes, not least the City Region programme which reflects a clear understanding of the impact of the digital revolution and sets out the region's ambition to create world class digital infrastructure to support economic growth in the region.

(c) Outlook

10. The Council has already begun to transform the way it is responding to these changing social, technological and policy changes. As set out in the earlier section of this report, considerable progress has been made to increase the range of services available on-line and to encourage good levels of participation in those services by residents. The economic outlook creates a further driver for digital transformation on a greater scale and at greater pace with the Council needing to find new ways to bridge the gap between the rising expectations of residents on the one hand, but lower financial settlements to respond to those demands on the other.
11. Over the period since the first Digital by Choice Strategy was approved, there have been further advancements in technology that

² Office for National Statistics - Internet Access Households and Individuals:2017

³ Welsh Government – Digital Inclusion Analysis Package 2011

have been considered in drawing up proposals for the next period. These include:

- The emergence of Cloud-based services at greater scale, offering different options for rapidly deploying emerging technologies and altering the market mix for future ICT delivery;
- The establishment of the Digital Competency Frameworks in education to underpin the delivery of the curriculum and develop stronger digital skills in young people;
- A considerable growth in on-line crime and the emergence of fake news leading to the need for a much greater emphasis on ensuring people can stay safe when on-line and organisations can effectively safeguard their systems and data;
- The development of data analytics, customer insight and behavioural change services creating new and different opportunities to re-shape existing services or create new services that can better respond to people's needs;
- The introduction of the General Data Protection Regulations which has increased the penalties that can be imposed where personal data is not properly handled and strengthened duties on organisations of all sizes and across all sectors to handle personal data responsibly; and
- The development of a range of technologies which create further scope for the automation of work – this includes the increased use of smart devices (Internet of things); more widespread use of drone technologies; application of robotics and artificial intelligence to administrative and professional tasks; voice, face and image recognition technologies; mixed reality technologies and the continued expansion of assistive and wearable technologies.

12. ⁴Gartner, in forecasting technology trends that will be most significant in the next period, offer the following viewpoint:

- The rate of technological developments is outpacing the ability of most enterprises to keep up. It will be crucial to continuously review digital goals, update the existing technology base;

⁴ Top Strategic Predictions for 2018 and beyond: Pace yourself for sanity's sake

- experiment with new capabilities and continuously update skills to meet employee and customer expectations;
 - Data centric approaches need to strike the right balance between tying devices and systems together to exploit big data potential benefits whilst minimising security risks, information verification headaches and citizen trust issues;
 - Voice and visual search options need to be introduced to improve customer experience;
 - The integration of bots, Artificial Intelligence and other technologies could see a significant automation of some aspects of work;
 - Blockchain will become more prominent in digital programmes;
 - Fake news will continue to be problematic; and
 - Data insights and behavioural changes skills are needed to complement ICT skills and realise the full benefits of digital investments.
13. More broadly, the digital strategy will contribute to the Council's objectives to reduce its carbon footprint. Both in the way the ICT service is delivered (for example adopting low energy devices; and recycling redundant equipment) and in the way ICT can enable other services and functions to reduce their carbon footprint (for example, removing the need for physical travel through the use of on-line communications, including video conferencing);
14. It is accepted that investment in digital transformation is a strategic investment where the benefits are long term in nature. The Strategy outlined in this report envisages a further, significant shift in the operating model of the Council, responding to the changing expectations of residents, partners, and wider stakeholders. The anticipated benefits are set out in later sections. Taking all of this into account, it is clear that the refreshed Digital by Choice Strategy must move beyond channel shift and embrace the wider opportunities that now existing to provide a different type of response that is fit for the digital age we live in.

15. Thus, the Strategy addresses:

- How digital technologies will help to transform the delivery of the Council's services and functions;
- How the Council will exploit the potential of digital technologies to shape the county borough and enable economic growth; and
- How we do business internally within the Council.

Summary of Consultation Responses

Consultation Methods

16. A range of methods were used to gather feedback on the direction of travel and associated priorities set out in the draft Strategy:

- Critical friend review by SOCITM (Society of IT Managers);
- Telephone conference with the Chief Digital Officer of Welsh Government;
- One to one meeting with ICT Liaison Officer for NPT schools;
- Face to face meetings with all staff in ICT and Customer Services;
- Discussions with the Corporate Management Team;
- Discussions with Directorate management teams;
- Member seminar;
- Face to face meetings with trade unions and through the Staff Council;
- On-line questionnaire promoted through social media and through the Council's various partnership networks;

- On-line questionnaire promoted to Staff through internal communication channels;
- On-line questionnaire promoted to local businesses through the Council's business networks;
- Individual meetings with PSB organisations; and
- Discussions in the Voluntary Sector Liaison Committee and through the Third Sector Digital Inclusion Steering Group.

Consultation Feedback

17. The main themes arising from consultation responses are summarised below:

(a) Workforce (118 responses)

- Staff said that they were proud to work in ICT/Customer Services and there was pride in the on-line services developed to date and in ICT generally;
- Staff expressed views that there are many other processes and systems that could be automated – they felt that a policy of digital by default should be the standard internally but there is still some resistance to this;
- Staff said that a wider cultural change is needed with the digital agenda being owned corporately and with adequate learning and development and communication in place to achieve the change;
- The need to prioritise ICT work programmes to focus on the things that make the biggest difference was identified – but to do this staff said that we need to upskill people to reduce preventable demand on ICT caused by users not being able to use the technology available to them;
- Data and the analysis of data needs to be given more priority – staff identified fragmented and disparate databases which are not joined together. They felt there

was significant scope to remove duplication whilst also making data accessible and susceptible to analysis;

- ICT staff wanted to have more time to see the “bigger picture” and how they can contribute to this; and
- Ensuring there is enough capacity to undertaken sufficient research and development was also considered important with a number of suggestions put forward that could improve service delivery but also help to reduce cost – apply machine learning to Welsh/English translation.

(b) Trade Unions

- Noted the estimated impacts upon the workforce;
- Understood and endorsed the need to extend work on the extension of the digital programme;
- Wanted and were given assurances around the need to support the workforce through the changes;
- Agreed there was a need for learning and development support;
- Agreed we need to ensure employment policies are digitally relevant; and
- Acknowledged that addressing digital literacy has benefits within and without the Council.

(c) SOCITM

- Direction of travel set out in the Strategy is in line with high performing councils;
- Opportunities to collaborate need to be carefully thought through to identify what to do ourselves and what to do with others;

- Add a fourth principle to support place: availability; equity of access; capability; sustainability;
- Expand the narrative to demonstrate more clearly the transformational potential of some of the proposed actions;
- Emphasise the importance of STEM for girls and starting in early years;
- Include adult education;
- Consider whether to refer to planning powers re new developments – full fibre/public wi-fi; and
- Reference sites given to inform project development once the Strategy has been finally signed off– Aylesbury Vale (data); Preston (supply chain); Data Mill North (open data); Cambridgeshire (digital hubs)

(d) Chief Digital Officer, Welsh Government

- Strategy in line with Welsh Government Policy;
- Agreed there is a need for a local government “bottom up” approach that dovetails with WG programmes;
- Encouraged to feed into task and finish work being led by Lee Waters AM;
- Discussed Welsh Language machine learning developments in WG and how this may help local authorities. Cardiff Council also developing a bilingual chat bot;
- WCCIS – mixed views about this. Felt that there are important lessons to learn from the way this programme has been delivered;
- Opportunities for collaboration around skills and training, leadership development, data science

(e) Elected Members (18 Members)

- Connectivity in communities seen as vital;
- Acceptance that we need to accelerate digital – there will be a reduced demand for face to face and telephone channels;
- The contribution a properly focused digital programme can make to the budget position recognised;
- Tackling digital exclusion seen as important;
- Not just about on-line transactions – use of technologies such as I beacons identified as necessary to development of tourism etc;
- Recognition of the important role played by the third sector;
- Impact on the Council’s workforce recognised – need for us to be clear about what is reasonable in terms of the pace of change;
- Opportunity for advertising and sponsorship on information assets identified;
- Voice and face recognition seen as important trends – particularly for people who are excluded or who may have communication difficulties;
- Need for data to be more joined up was supported; and
- Need to ensure we address the risks as well as the opportunities – being able to access archived materials given as an example.

(f) Residents (100 respondents)

- 9 in 10 want a citizen account and would use it;
- 9 in 10 want services to be on line as they are more convenient;

- People also want services and information to be safe and accessible via mobile phone;
- 9 in 10 have used our on line services and were mostly satisfied – some scope to improve “clunky” elements;
- Some information on the council website is not up to date and there is scope to make people more aware of what is on offer. Apps requested;
- Renewing blue badges, births, deaths, marriage certificates, on-line forms for everything, apps, country park tickets, sales of merchandise, housing benefits and council tax, petition system, broadcasting of meetings, on-line forums, council meeting calendar, smart parking, parking tickets, school meals and trips, sending in evidence to enforcement functions - all listed as services people would like to see on-line;
- Support for making better use of data (some thought we would already be doing this) as long as it is safe and we do not sell people’s data; and
- Importance of off-line services for those who cannot access on-line services mentioned.

(g) Public Services Board

- Variable sign up to the Digital Inclusion Charter;
- Organisations at different stages of their digital journeys;
- Acknowledged need to design digital services being aware of who is/isn’t on-line;
- Job for the PSB to do to promote the importance of digital inclusion; and
- Learn and Share event to showcase current practice and identify areas for collaboration suggested.

(h) Third Sector

- Survey of organisations conducted in 2017 to identify how ready local third sector organisations are to adapt to a digital world;
- ICT infrastructure renewal identified as a priority for many;
- Funding for ICT infrastructure needs to be explored;
- Skills and training within voluntary sector organisations needs to be updated;
- Community Anchor Organisations acting as a safety net for those who need a lot of help to access on-line services but not necessarily funded to do this; and
- Support for a learning event to raise awareness and develop a collaborative approach.

(i) Management Teams/Corporate Management Group

- Agile Working is a key challenge but it must work for the Council;
- Awareness of infrastructure capability needs to be conveyed to all as it becomes available;
- Digital Place is multi-faceted and cross cutting. Not just the City Deal;
- Need to be able to tie savings into each initiative; Use a business case approach;
- Need to consider the wider role of the Education, Leisure and Lifelong Learning Directorate. Not just schools;
- Need to exploit the potential of the employee portal;
- Can we profile our Citizens in the same way Facebook and Google do?;

- Should some of the Themes cross Directorate boundaries?'
- Themes seem a good fit;
- Investment will be key;
- Workforce engagement is as important as workforce training;
- We must prove "Trust" in collecting data from citizens;
- Citizen Account could improve interaction with service users;
- Needs to be an iterative Strategy and one that can respond to change;
- Review existing budgets against planned spend to identify any shortfall;
- Produce a Benefits Case Study regarding the use of the Robot in HR;
- All saw the need to use data better; within service and across the Council;
- Infrastructure not the driver but key to delivery;
- All want more time to consider the draft with their staff before finalising their input to the delivery programme;
- All understood that workstreams and projects would need to be led by the Services but there was concern around capacity;
- Collaboration is still not high on the agenda;
- All are very positive about the strategy but there will need to be some real working examples before some will understand how to apply the thinking in their service areas;

- Infrastructure demonstrations/roadshows should be arranged for Staff; and
 - This is a large Change Programme and will need significant support.
- (j) Business Community (12 responses)
- Most respondents employed less than 50 people;
 - Two thirds of respondents had a website;
 - Two thirds stated their websites brought in new customers;
 - Most of those who did not have a website stated the cost as the main reason for not having one;
 - 80% said that broadband performance was good/very good but occasionally speed was slow and wifi availability was variable;
 - 70% used social media for business purposes;
 - Facebook and Twitter were most frequently used followed by LinkedIn and You Tube;
 - Social media use was mainly targeted at promotion of goods and services;
 - 90% felt they had a good level of competence in Microsoft Office products;
 - 60% identified good performance in working remotely from the office;
 - Half of those responding felt they managed ICT security well;
 - Over half of those responding felt they could manage customer information better;

- 50% felt they managed their websites well rising to 60% who felt they managed their social media presence well;
- Only a third felt they used analytics well;
- Half felt they were able to exploit e-marketing methods;
- 60% were investing in digital training and 30% were investing in search optimisation;
- Digital marketing, ICT security, e-commerce and search engine optimisation were the topics that businesses were most likely to be seeking to develop further; and
- Time and cost were the most significant barriers to overcome for respondents.

Analysis and Conclusions

18. The need for the Council to extend its current digital strategy was endorsed by the feedback received. All stakeholder groups acknowledged the rapid changes taking place in society generally. It is of note that whilst people still quite rightly identified the need for offline services for those who are not participating in the digital economy, there is now a widespread acceptance and appetite for more on-line services and wider adoption of existing and emerging technologies.
19. For the workforce, the move to a digital first/digital by default policy has broad support. Interestingly, the workforce and trade unions were far more concerned that there was investment in effective change management than they were concerned about the ability to deploy the technologies. Corporate leadership, capacity, supported by training and extensive workforce engagement were commented upon by many staff and by managers and trade unions alike. Increasing digital literacy and competency was also seen by the ICT workforce as key to liberating capacity to concentrate on research, development and more rapid deployment of technology with frustration being expressed at the capacity currently used up by poor end user capability/resistance to change.

20. Partners are at various stages of implementing their own digital strategies. It was clear from discussions that organisations are at different stages of maturity in their digital journeys. This opens up opportunities for mutual learning and for collaboration. There is specific work being focused upon by the Public Services Board and the Third Sector to address digital exclusion and real willingness to work together to ensure the communities of Neath Port Talbot can benefit from the changes that are being rolled out.
21. For SMEs – in the private and voluntary sector – there are similar challenges being experienced. There were few identifying problems with connectivity. There is a mixed picture of digital take up but similar challenges of time and money to be overcome. Organisations are beginning to recognise the importance of upskilling too, with digital marketing, search optimisation, social media and customer facing applications all being areas where organisations are seeking support. It should be noted that there was a small response from the business community so further research may be beneficial as part of the delivery programme.
22. In terms of where the direction of travel set out in the Strategy fits with what might be regarded as best practice, the SOCITM external review confirmed the Strategy is in line with what leading councils are now doing and the Chief Digital Officer confirmed that the Strategy would be in alignment with Welsh Government Policy.
23. Finally, members of the public who took the time to respond offered comments that encouraged faster development of more on-line services as well as endorsement for making more effective use of data to meet the needs of the community. This on the understanding that there is a need to keep personal data secure and to ensure data is not exploited for commercial gain. The ability to access off-line services is also seen to still be important for those who are not yet on-line.
24. Therefore, as a result of the consultation responses received, minor changes have been made to the text of the draft Strategy as there was broad endorsement of what is set out therein. The detail of the responses will now inform the construction of the delivery plan, in particular, to ensure the arrangements to support the management of change take full account of the scale of the ambition and the need for clear, corporate leadership backed up by a strong workforce engagement and development programme. The delivery

programme itself will be developed through ongoing collaboration with stakeholders so that there is collective ownership of the delivery programme priorities and the investment/commitment needed to support its implementation. Cases for new investment will be underpinned by business cases.

25. Further advice from SOCITM has been sought to enable the benefits of the programme to be evidenced.

Financial Appraisal

26. The Council is planning to make the following investments to support its digital ambition. The investment programme will need to be regularly reviewed to ensure it is fit for purpose:

Digital Spend Analysis :-

	<u>18/19</u>	<u>19/20</u>	<u>20/21</u>	<u>21/22</u>
	<u>£'s</u>	<u>£'s</u>	<u>£'s</u>	<u>£'s</u>
	<u>000's</u>	<u>000's</u>	<u>000's</u>	<u>000's</u>
ICT GROSS BUDGET (no FFP Savings or Pressures have been built in 20/21 onwards)	4,908	4,837	4,584	4,434
LAAP Expenditure re - ICT Reserve	462	409	583	81
CITY DEAL	1,000	1,000	1,000	1,000
Digital Skills Support Post	50	50	50	50
RDP funded post to cover Digital Inclusion - Grade 7 - 30Hrs	31	31		
TOTAL SPEND	6,451	6,327	6,217	5,565

NOTES

- 1 ICT Reserve will be exhausted by 21/22
- 2 RDP funding is not yet secure post 18/19
- 3 City Deal costs are based on a £25m budget across the region with an NPT allocation of 20% spread evenly across a five year period.
- 4 Digital Skills spend is assumed at £50k per annum but this may be a one off allocation made available during 18/19
- 5 Figures above include all known income but further grant/income opportunities will continue to be sought.

Workforce Impacts

27. The principal areas of impact for the Council's workforce arrangements are as follows:
28. Automation of work – the adoption of this strategy will mean that some jobs/parts of jobs will be automated. Consequently, as each element of the Strategy is implemented it will be vital that the Management of Change in Partnership Policy is fully embraced so that the jobs affected can be clearly identified and the appropriate steps taken to ensure employees and their trade unions are actively engaged throughout the change process.
29. Digital Exclusion – from earlier work, we know that digital literacy varies across the workforce with those on lower incomes or in higher age groups likely to have the lowest level of digital literacy. Implementation of this Strategy should positively impact on digital literacy enabling employees to access the opportunity to be considered for new digital roles but also in taking the benefits of participating in the wider digital economy.
30. Job Content – it is likely that the implementation of this Strategy will change some job roles and create new roles. The Council's Workforce Plan already recognises this and makes provision for creating a Digital Skills Strategy that should enable the Council to build a digitally capable workforce.
31. The consultation process underlined the need for adequate investment in the management of change. Leadership, workforce engagement and communication were identified by many internal stakeholders as key to the delivery of the Strategy.

Equalities Impact Assessment

32. The Integrated Impact Assessment, which includes an equality impact assessment is attached at Appendix 2. The assessment clearly identifies that people are less likely to participate in the digital economy if they are older, on lower incomes or disabled/in poor health. There is no evidence to demonstrate that people with other protected characteristics are particularly affected. The digital inclusion work identified in the Strategy aims to reduce/eliminate digital exclusion and consequently there should be an overall

positive impact on the Council's equality duties from adopting this Strategy.

33. The Council's obligations in relation to the Welsh Language Standards are embedded into the approach. The expectation is that new digital approaches will embrace a bi-lingual approach to the delivery of Council services and open up new opportunities through digital innovation for people to use and learn the Welsh language.

Legal Duties

34. This Strategy helps to discharge the extant duty to secure continuous improvement of the Council's functions and related duties which are set out in the Local Government (Wales) Measure 2009.
35. This Strategy also directly assists to deliver the well-being objectives set by the Council in the Corporate Plan 2018-2022.

Risk Management

36. There are a number of risks that this Strategy seeks to address:
37. Risk that people will be unable to participate in digital services due to digital exclusion – this Strategy makes a commitment to upskilling the Council's own workforce; upskill the resident population through the education and adult education sectors; facilitate the upskilling and capability of the third sector; and challenge other Public Services Board partners to directly address digital inclusion within their own corporate digital programmes;
38. Risk that attempts to hack into/disrupt Council services through cyber-attacks – this Strategy identifies the growing importance of the cyber-threat and makes an explicit commitment to protecting systems and data;
39. Risk that the county borough is not seen as an attractive investment proposition for businesses - this Strategy recognises the importance of the digital revolution that is taking place and clearly positions digital as a core element of the Council's approach to economic development;

40. Risk that the Council does not exploit the potential to change the way residents'/customers' needs are met through digital innovation at lower costs – this Strategy recognises the potential for further significant transformation in the way demand and need is responded to both through the creation of a new data science capability and through the experimentation, development and deployment of a wider range of new and emerging technologies;
41. Risk that key partners do not keep pace with digital developments increasing threat to the sustainability of their organisation – this Strategy recognises that both the third and SME sectors will require support and encouragement to build capacity and capability to operate effectively within a digital world;

Consultation

42. The Cabinet approved a 12 week public consultation exercise in August 2018. The consultation ran until 6th December 2018. Responses received as at 30th November are summarised in this report. Additional responses received up to the 6th December will be reported orally at committee.

Recommendations

43. That, subject to any amendments agreed at the meeting, the Cabinet approves the revised Strategy - Smart and Connected – set out in Appendix 1 of this report and commends the Strategy to Council for adoption.
44. That the Assistant Chief Executive and Chief Digital Officer be authorised to take the steps necessary within approved budget guidelines to develop and implement a delivery programme to realise the objectives set out in the Strategy.

Reason for Proposed Decision

45. To ensure that the Council's Digital Strategy is fit for purpose.

Implementation of the Decision

46. The decision is proposed for implementation after the 3 day call in period.

Appendices

47. Appendix 1 – Smart and Connected – Digital Strategy 2018-2022

48. Appendix 2 – Integrated Impact Assessment

Background Documents

49. Digital By Choice, 2015

50. Smart and Connected – report to Cabinet, August 2018

Officer Reporting:

51. Mrs Karen Jones, Assistant Chief Executive and Chief Digital Officer
Tel: 01639 763284 or e-mail: k.jones3@npt.gov.uk

Neath Port Talbot County Borough Council

Digital Strategy 2018-2022

Smart and Connected

Introduction

A digital revolution is taking place across the world.

We want to make sure that our county borough takes full advantage of the benefits of new technologies.

This strategy sets out the next steps we intend to take to make our county borough smart and connected.

Cllr A.J. Taylor

Deputy Leader of Council

December 2018

Our Digital Ambition

Council Vision and Priorities

The Council's vision is for the county borough to be a place where everyone has an equal chance to get on in life – a place where people want to live, learn and work and bring up their family.

We want our beautiful natural environment, and our rich cultural and industrial heritage to be appreciated and protected for many future generations to enjoy. We also want to pursue new and existing opportunities for economic growth so we can sustain our diverse communities for many years to come.

The Council has set three well-being objectives in its Corporate Plan 2018-2022:

- All of our children and young people have the best start in life, so they can be the best they can be;
- Everyone participates fully in community life – socially and economically;
- The whole of Neath Port Talbot county borough will be a vibrant and healthy place to live, work and enjoy recreational time.

Our Digital Ambition

A better everyday life for everyone in Neath Port Talbot by being smart and connected.

What do we mean by being smart and connected?

Smart – able to connect, share and interact with the wider world

Connected – able to easily connect to the global Internet and to converse across the world reliably, safely and quickly

Why is this important?

- ✓ There will be many new jobs created by the digital economy – we want Neath Port Talbot to benefit from this;
- ✓ Many existing jobs will be affected by the digital revolution. 90% of all jobs will require digital skills of one form or another - we want businesses, communities, and our residents (especially young people) to be able to anticipate this and to ensure they can adapt to the changes taking place;
- ✓ People live busy lives. Many people now expect to access services 24/7 and at a time, location and through a device of their choice – we want to extend the range of services and information we provide on-line to meet the changing expectations of our residents;
- ✓ Some people are not yet on-line – we want to make sure that everyone has the opportunity to get on-line so they can have the same benefits as people who are already on- line;
- ✓ Technology and the growth in data sciences are creating new ways of supporting the way we work, learn and live – we want to take advantage of these innovations to make the county borough an attractive place for businesses to invest and to support people in their everyday lives:

- ✓ Providing services on-line is cheaper than providing services in traditional ways – we want to use technology to reduce the cost of services as this will help us protect services at a time when the money available for public services is shrinking;
- ✓ The rise in technology has also created a rise in new forms of crime – we want to make sure that our council, local people and businesses can protect themselves when on-line;
- ✓ Providing services on-line can help us reduce our carbon footprint, compared with more traditional ways of providing services – we want to ensure we exploit technology to protect our environment; and
- ✓ Collaborating with others effectively is essential in today's world, to ensure services work in a way that reflects how people live their lives, to share knowledge that can benefit our communities, or to be able to take part in the way technology itself is being organised by major IT companies – we want to be able to play a full part in collaborations that benefit our county borough to deliver the priorities that are set out in our corporate plan.

Our Digital Priorities

Priorities

Priority 1 – transforming the way we deliver our functions/services and increasing use of the Council’s on-line functions/services by residents;

Priority 2 – contributing to the development of favourable conditions for economic growth in the county borough; and

Priority 3 – embracing a “digital first” approach to the way we support our workforce.

Principles

People

- ✚ Digital thinking will be embedded across the whole Council – we will adopt an approach which is “digital first” significantly reducing reliance on more traditional processes and ways of working;
- ✚ Digital services will be co-designed with users – our approach will be customer-centric;
- ✚ We will embrace collaboration as a means of giving users better experiences of dealing with us – external collaboration, including cross-sectoral collaboration, will help us become more efficient and productive;
- ✚ We will work to remove the barriers to digital participation for those who are digitally excluded.

Data

- + We will maximise the value of data and analytics to drive service change and innovation;
- + Our approach will be open by default;
- + We will ensure data is secure to gain trust and confidence in our digital programmes, with access to data controlled to ensure data is only accessed and shared appropriately;
- + Data will only be held as long as is relevant.

Technology

- + ICT will continue to be an enabler of service change and innovation not just a curator of the ICT infrastructure;
- + Our infrastructure will be fit for the digital age and future ICT investment decisions will take full account of the rapid changes taking place across the ICT and digital sectors;
- + Testing, learning and iterating will be the way we will approach new developments, ensuring that we can prototype and innovate as a matter of course;
- + We will adopt open data and open source policies to support collaboration and to stimulate innovation.

Place

- + We will work to ensure broadband and wi fi infrastructure is available to an acceptable standard in all parts of the county borough;

- ✚ We will work to address the barriers people and organisations face to participate on-line;
- ✚ We will work with our schools and our partners to ensure that all residents of the county borough can develop the skills and confidence they need to benefit from the digital revolution; and
- ✚ We will test our proposals for change thoroughly to ensure that the benefits we want to deliver are sustainable and directly support the Council's well-being objectives.

Our Digital Programme 2018-2022

This document provides a high level statement of the direction we intend to take in extending our digital strategy. The strategy will be underpinned by a detailed delivery programme, supported by a dedicated change management capability. The delivery programme will be refreshed on an annual basis and updated to ensure it remains aligned with the Council's broader priorities, new opportunities and challenges and take account of the capacity/resources available in the next programme period. Early actions that will feature in the delivery programme are set out under each priority:

Priority 1 – transforming the way we deliver our functions/services and increasing use of the Council's on-line functions/services by residents;

Key Actions:

- ✚ Establish a citizen account to help people use the Council's on-line services and to ensure the Council has a better insight into the way people use Council services;
- ✚ Extend the range of Council services and information available on-line based on a thorough understanding of what matters to residents;
- ✚ Actively encourage residents to use the Council's on-line services and information as their preferred choice – promote "Digital First" in all Council communications;
- ✚ Conduct more detailed research into the appetite amongst local people to use digital technologies to help more people participate in the democratic process;
- ✚ Increase the time available to research, explore and test new technologies that have the potential to help us

achieve our digital ambition. Introduce small scale prototyping and testing to demonstrate how the adoption of new approaches could benefit local citizens; and

- ✚ Invest in a data science function to improve the Council's understanding of residents' needs and preferences and use the data products to inform and stimulate new innovations in service delivery.

Outcomes Expected:

- ✚ Improved understanding of resident/customer demand and needs;
- ✚ More effective service and policy responses to resident/customer demand and need;
- ✚ Improved well-being for local people;
- ✚ Lower unit costs of meeting demand/need;
- ✚ Improved resident satisfaction with the Council;

Priority 2 – contributing to the development of favourable conditions for economic growth in the county borough;

Key Actions:

- ✚ Ensure all young people are equipped with the digital knowledge, skills and confidence to fully participate in a global economy. Promote equal participation in STEM subjects to boys and girls;
- ✚ Ensure adults are able to access the learning and development needed to fully participate in the global economy and to reduce inequality in access to services;

- ✚ Maximise the benefits of the Swansea Bay City Deal, helping to create a fully connected region which is at the forefront of digital innovation;
- ✚ Support businesses at all stages of their development to successfully operate within a digital economy to include the use of digital technologies to transform the processes through which organisations transact with the Council;
- ✚ Support the voluntary and community sector to develop their digital capability, both in terms of the services and support they offer to the community and in sustaining their own organisations;
- ✚ Consider how planning powers can be used to ensure digital infrastructure is available, affordable and accessible to everyone;
- ✚ Secure the commitment of Public Services Board partners to address digital inclusion as part of their wider digital programmes; and
- ✚ Promote an open data and systems approach.

Outcomes Expected:

- ✚ State of the art digital infrastructure and next generation wireless connectivity;
- ✚ Creation of new digital commercial opportunities;
- ✚ Creation of smart manufacturing capabilities;
- ✚ Improved digital skills base;
- ✚ New employment opportunities for local people;

- + Wider economic growth;
- + Reduction in energy costs;
- + Alleviation of fuel poverty;
- + Improved well-being;
- + Greater equality in service access and outcomes;
- + Reduced carbon footprint;
- + Fewer people digitally excluded;

Priority 3 – embracing a “digital first” approach to all internal functions and activities within the Council

Key Actions:

- + Transform internal processes/services through a prioritised programme of digital change to shift work activities onto digital, self-service platforms. Create all new internally-focused services and processes on a digital only platform;
- + Ensure agile working is fully embedded across the Council so that staff can choose how, where and when to work;
- + Establish effective change management support to ensure the delivery of this Strategy benefits from strong, corporate leadership where the workforce is fully supported and engaged in the change;
- + Establish digital leadership and digital literacy as a core requirement for all Council jobs. Create and implement a Digital Skills Strategy;

- + Ensure employment policies enable and support the development of the Council's digital agenda; and
- + Embed the digital strategy into the Council's performance management framework to ensure everyone is accountable for their role in implementing this Strategy.

Outcomes Expected:

- + Lower transaction costs for internal services leading to lower overhead;
- + Improved employee insight and engagement;
- + Improved teamwork and collaboration;
- + Faster and more inclusive provision of services and information to the workforce;
- + Improved work-life balance;
- + Self-determination leading to improved employee well-being;
- + Increased job satisfaction and productivity;
- + Cost savings through reduced travel time and facilities;
- + Enhanced ability to recruit and retain employees;
- + Improved digital skills base;
- + Rapid development and deployment of digital innovation

Planned Investments

The following investments are currently planned across the Council's budgets:

Budget line	18/19 £'000s	19/20 £'000s	20/21 £'000s	21/22 £'000s
ICT Gross Budget	4,908	4,837	4,584	4,434
ICT Planned Reserve Movements	462	409	583	81
City Region contributions	1,000	1,000	1,000	1,000
Digital skills support	50	50	50	50
Digital inclusion support post	31	31		

The case for new investment will be made out through business cases, based on the principle of invest to save.

Programme Delivery and Monitoring

The Deputy Leader will be responsible and accountable for the implementation of this Strategy.

Progress in delivering this Strategy and its associated delivery plan will be reported annually, with the programme for the ensuing period updated in light of progress achieved and any new considerations that impact upon the Strategy.

Scrutiny of the delivery programme will be vested in the Cabinet Scrutiny Committee.

Integrated Impact Assessment (IIA)

This Integrated Impact Assessment considers the duties and requirements of the following legislation in order to inform and ensure effective decision making and compliance:

- Equality Act 2010
- Welsh Language Standards (No.1) Regulations 2015
- Well-being of Future Generations (Wales) Act 2015
- Environment (Wales) Act 2016

Version Control

Version	Author	Job title	Date
Version 1	Karen Jones	Asst Chief Executive and al Officer	July 31th 2018
Version 2	Karen Jones	Asst Chief Executive and Chief Digital Officer	November 27 th 2018

1. Details of the initiative

	Title of the Initiative: Digital Strategy Review
1a	Service Area: Corporate Policy
1b	Directorate: Chief Executive's Office
1c	Summary of the initiative: This is a review of the Council's Digital Strategy to ensure it supports the delivery of the Council's Corporate Plan 2018-2022
1d	Who will be directly affected by this initiative? Residents, customers, workforce, partners, suppliers, elected Members, wider stakeholders

1e	<p>When and how were people consulted?</p> <p>An Integrated Impact Assessment was developed to support the draft version of the Strategy. A 12 week public consultation exercise has been conducted to inform the final version of the Strategy. In developing the draft strategy account was taken of the results of a survey of third sector organisations at local level, surveys of the Council's workforce that explored levels of digital literacy, contributions from Public Services Partner organisations who have been working together to improve digital inclusion, lessons learned from the roll-out of welfare benefit changes, user testing of new on-line services, web survey responses seeking feedback on the Council's new website and associated on-line transactions services as well as lessons learned from national research exercises conducted by the Office for National Statistics and the UK and Welsh governments and recognised authorities in this field.</p>
1f	<p>What were the outcomes of the consultation?</p> <p>The responses to the consultation have been summarised in the covering report recommending a final version of the Strategy for approval. There was broad support for the direction of travel with some useful comments that have been taken on board to improve the presentation and coverage of the document. A great deal of the views expressed by respondents relate to the process of change management – both the capacity to effect change and the need to select areas for priority focus in the delivery programme very carefully.</p>

2. Evidence

What evidence was used in assessing the initiative?

The Digital by Choice Strategy was based on research undertaken to identify best practice in achieving channel shift. This included visits to best practice local authorities, desk top research and a critical friend review conducted by the Society for Information and Technology Managers (SOCITM).

The Smart and Connected Strategy has been based on evaluation of the delivery of the existing Strategy and the research/consultation referred to above. The draft strategy was subjected to an external critical friend review by SOCITM and was consulted upon for a period of 12 week prior to a final Strategy being presented to Cabinet and Council for approval

3. Equalities

a) How does the initiative impact on people who share a protected characteristic?

Protected Characteristic	+	-	+/ -	Why will it have this impact?
Age	+			The strategy recognises that age is a factor that is associated with the take up of digital services. There are a range of actions proposed to respond to those already on line, whilst working with those not participating in the digital economy to remove barriers to participation.
Disability	+			The strategy recognises that disability and ill health is a factor that is associated with the take up of digital services. There are a range of actions proposed to respond to those already on line, whilst working with those not participating in the digital economy to remove barriers to

			participation
Gender reassignment		+/ -	It is unclear whether gender re-assignment directly affected people's participation in the digital economy. No such research evidence has been identified to inform the development of the Strategy. No evidence of positive or negative impact was identified during the consultation phase.
Marriage & civil partnership		+/ -	It is unclear whether marriage and civil partnership directly affects people's participation in the digital economy. No such research evidence was identified during the public consultation.
Pregnancy and maternity		+/ -	It is unclear whether pregnancy and maternity directly affects people's participation in the digital economy. No such research evidence has been identified during the public consultation.
Race		+/ -	It is unclear whether race directly affects people's participation in the digital economy. No such research evidence has been identified to during the public consultation.
Religion or belief		+/ -	It is unclear whether religion or belief directly affects people's participation in the digital economy. No such research evidence has been identified during the public consultation.
Sex	+		There is some evidence that females are slightly less likely to participate in the digital economy, however, age, economic circumstances and disability/ill-health are identified as more significant factors. By addressing digital inclusion this strategy should have a positive impact on people facing barriers to digital participation
Sexual orientation		+/ -	It is unclear whether religion or belief directly affects people's participation in the digital economy. No such research evidence has been identified during the public consultation.

What action will be taken to improve positive or mitigate negative impacts?

The digital inclusion actions proposed in the Strategy will be focused on removing barriers to participation for everyone digitally excluded

The proposals to upskill the workforce and the work identified through education and skills development will provide those who are already participating in the digital economy to further improve their skills

b) How will the initiative assist or inhibit the ability to meet the Public Sector Equality Duty?

Public Sector Equality Duty (PSED)	+	-	+/-	Why will it have this impact?
To eliminate discrimination, harassment and victimisation	+			The Strategy identifies the increase in cyber-crime which can include discrimination, harassment and victimisation and aims to equip people and organisations with the ability to stay safe on-line and protect data and systems
To advance equality of opportunity between different groups	+			The Strategy acknowledges that there are people who face barriers to participation in the digital economy and that people who are older, on lower incomes or who are disabled/in poor health are disproportionately affected by digital exclusion. The Strategy explicitly seeks to reduce/eliminate these inequalities

To foster good relations between different groups			+/-	There is no identified contribution to fostering good relations or any negative impact on community relations that has been identified at this stage in the policy development process
---	--	--	-----	--

What action will be taken to improve positive or mitigate negative impacts?

It is proposed that the digital inclusion work will directly address identified inequalities between groups and address identified risks and threats presented by the growth in cyber-crime

4. Community Cohesion/Social Exclusion/Poverty

	+	-	+/ -	Why will it have this impact?
Community Cohesion	+			In addition to addressing digital exclusion as highlighted above, the proposals seek to help third sector and SME organisations to secure the capability that will enable them to sustain their organisations in a digital economy
Social Exclusion	+			The Strategy identifies that those people who are socially excluded are often the people who are also digitally excluded. The work to address digital inclusion will be connected with the wider work of the council to combat poverty and social exclusion
Poverty	+			The Strategy identifies that those people who are socially excluded are often the people who are also digitally excluded. The work to address digital inclusion will be connected with the wider work of the council to combat poverty and social exclusion
What action will be taken to improve positive or mitigate negative impacts?				
The Strategy includes specific work that will impact positively on community cohesion, social exclusion and poverty as those who are digitally excluded are often those who are marginalised more generally				

	+	-	+/-	Why will it have this effect?
What effect does the initiative have on: - people's opportunities to use the Welsh language	+			The Welsh Language Standards are underpinning aspects that will be fully integrated into the Strategy and its delivery. Digital technologies present opportunities to make available different ways for people to use the Welsh language
- treating the Welsh and English languages equally	+			The Welsh Language Standards are underpinning aspects that will be fully integrated into the Strategy and its delivery. New on-line services will be developed with bi-lingual expectations in mind

What action will be taken to improve positive or mitigate negative impacts?
The Equalities and Community Cohesion Group will provide critical and constructive challenge to the delivery of the Strategy to ensure Welsh Language expectations are being met.

6. Biodiversity

How will the initiative assist or inhibit the ability to meet the Biodiversity Duty?

Biodiversity Duty	+	-	+/-	Why will it have this impact?
To maintain and enhance biodiversity	+			This Strategy makes a commitment to adopting approaches/enabling changes that reduce the carbon footprint of the Council will could indirectly impact positively on bio-diversity
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.	+			This Strategy makes a commitment to adopting approaches/enabling changes that reduce the carbon footprint of the Council will could indirectly impact positively on bio-diversity
What action will be taken to improve positive or mitigate negative impacts?				
There is a commitment within the Strategy to reducing the Carbon footprint. No additional actions are considered necessary at this stage of the policy development process				

Page 95

7. Wellbeing of Future Generations

Ways of Working	Has account been taken/ contribution made?		What impact does the initiative have?			Details
	Yes	No	+	-	+/-	
i. Long term – looking at least 10 years (and up to 25 years) ahead	Y		+			<p>The Strategy acknowledges that there is rapid changes taking place across the world. Collaboration, involvement and integration are explicitly addressed in the Strategy. In terms of prevention the digital inclusion objectives are designed to ensure that inequalities linked to technological change are explicitly addressed.</p> <p>The strategy has been designed to directly support the Council's Corporate Plan 2018-2022 and associated well-being objectives</p>
ii. Prevention – preventing problems occurring or getting worse	Y		+			
iii. Collaboration – working with other services internal or external	Y		+			
iv. Involvement – involving people, ensuring they reflect the diversity of the population	Y		+			
v. Integration – making connections to maximise contribution to:	Y		+			
Council's wellbeing objectives;	Y		+			
• To improve the wellbeing of children and young people	Y		+			

<ul style="list-style-type: none"> To improve the well-being of all adults who live in the county borough 	Y		+			<p>It also demonstrates how the Council is supporting the delivery of the Public Services Board Well-Being Plan, one of the priorities being to tackle digital exclusion</p>
<ul style="list-style-type: none"> To develop the local economy and environment so that the well-being of people can be improved 	Y		+			
The seven wellbeing goals;	Y		+			
<ul style="list-style-type: none"> A prosperous Wales 	Y		+			
<ul style="list-style-type: none"> A resilient Wales 	Y		+			
<ul style="list-style-type: none"> A healthier Wales 	Y		+			
<ul style="list-style-type: none"> A more equal Wales 	Y		+			
<ul style="list-style-type: none"> A Wales of cohesive communities 	Y		+			
<ul style="list-style-type: none"> A Wales of vibrant culture and thriving Welsh language 	Y		+			
<ul style="list-style-type: none"> A globally responsible Wales 	Y		+			

Public Services Board priorities;	Y		+			
• Support children in their early years, especially children at risk of adverse childhood experiences.	Y		+			
• Create safe, confident and resilient communities, focussing on vulnerable people	Y		+			
• Encourage ageing well	Y		+			
• Promote well-being through and in the workplace	Y		+			
• Recognise and promote green infrastructure, how green infrastructure can support the economic, social and cultural well-being of the people of Neath Port Talbot	Y		+			
Other public bodies objectives	Y		+			

What actions will be taken to improve positive or mitigate negative effects?

None identified at this stage

9. Monitoring Arrangements

Provide information on the monitoring arrangements to:

Monitor the impact of the initiative on the Wellbeing Objectives, Equalities, Community Cohesion and Welsh Measure achievements and outcomes of the initiative.

The Strategy identifies a set of benefits and planned investments that are linked to the priorities and associated actions. During the consultation it was identified that further advice and support is available from SOCITM to improve this aspect of the work.

10. Assessment Conclusions

Which of the following applies to the initiative?

Conclusion 1	There are no potential problems and all opportunities to maximise contribution to achieving each of the Council's wellbeing objectives and the Welsh Government's well-being goals and promote equality have been taken.	Continue as planned with the initiative	Y <input type="checkbox"/>
Conclusion 2	There are potential problems and/or missed opportunities to maximise contribution to achieving each of the Council's wellbeing objectives and the Welsh Government's well-being goals and promote equality. Negative impacts/conflicts in meeting other wellbeing objectives must be identified and mitigated.	Make adjustments to remove barriers or better promote equality and continue with the initiative	<input type="checkbox"/>
Conclusion 3	There is potential for negative impacts or missed opportunities to maximise contribution to achieving each of the Council's wellbeing objectives and the Welsh Government's well-being goals and promote equality with regard to some groups.	Justification for continuing with the initiative.	<input type="checkbox"/>
Conclusion 4	There is actual or potential unlawful discrimination. It must be stopped and removed or changed.	STOP and redraft the initiative	<input type="checkbox"/>

Explanation of Conclusion

This strategy has been informed by a review of the existing Digital by Choice Strategy, together with research and consultation referenced above, with a view to supporting the delivery of the Council's Corporate Plan 2018-2022.

The 12 week public consultation exercise tested, with different stakeholder groups, the relevance and acceptability of the proposals prior to asking Council to take a final decision on a revised Strategy that would be delivered over the remainder of this political term

11. Actions

What actions are required in relation to obtaining further data/information, to reduce or remove negative impacts or improve positive impacts?

Action	Who will be responsible for seeing it is done?	When will it be done by?	How will we know we have achieved our objective?
Undertake a 12 week public consultation exercise and use the feedback obtained to finalise the Strategy	Assistant Chief Executive and Chief Digital Officer	30.11.2018	Summary report detailing consultation findings together with a covering report and amended strategy highlighting what has changed as a result of the public consultation exercise.
Take up offer of further advice/support from SOCITM to improve the measurement of the benefits of the Strategy	Assistant Chief Executive and Chief Digital Officer	31 st March 2019	Measures are in place and feature in monitoring reports

12. Sign off

	Name	Position	Signature	Date
Completed by				
Signed off by	Karen Jones	Assistant Chief Executive and Chief Digital Officer		November 28 th 2018

This page is intentionally left blank

**COUNCIL
19 December, 2018**

**REPORT OF THE ASSISTANT CHIEF EXECUTIVE AND CHIEF
DIGITAL OFFICER– K.JONES**

MEMBERS' APOLOGIES POLICY

Purpose of Report

To commend to Council a revised Members' Apologies Policy in accordance with the views of the Democratic Services Committee.

Background

In accordance with the Local Government (Wales) Measure 2011 (S.7) the Democratic Services Committee reviewed the current Members' Apologies Policy following the meeting of the Democratic Services Committee held on 1 February, 2018.

Attached, at Appendix 1 is the proposed revised Members' Apologies Policy which has included 8 categories.

Financial Impact

There are no financial impacts associated with this report.

Equality Impact Assessment

There are none.

Workforce Impacts

There are no significant workforce impacts associated with this report.

Legal Powers

Local Government (Wales) Measure 2011 (S.7)

<http://www.legislation.gov.uk/mwa/2011/4/contents>

Risk Management

There are no significant risks associated with this report.

Consultation

There is no requirement under the Constitution for external consultation on this item, however consultation has been carried out with Members.

Recommendation

That Council approve the revised Members' Apologies Policy, as contained in Appendix 1 attached hereto.

Reason for Decision

To update the Members' Apologies Policy.

Appendices

Appendix 1 – Proposed Policy.

List of Background Papers

Local Government (Wales) Measure 2011

Officer Contacts

Karen Jones – Assistant Chief Executive and Chief Digital Officer
e-mail: k.jones3@npt.gov.uk Telephone: 01639 763284

Policy For Submitting Apologies For Council Meetings

Background

Elected Members are expected to attend meetings that they have been assigned as part of their role. However, there will be occasions when they are unable to attend for a variety of reasons.

The Modern.Gov Committee Management System allows the attendance to be recorded and also published on the Council's website.

To ensure that the record is accurate this policy sets out what Members should do to record their absence.

Policy

When a Member is unable to attend a meeting they must submit their apologies prior to the meeting to ensure they are correctly recorded and to ensure that the meeting will be quorate. Any apologies submitted after a meeting has started will not be recorded unless there are exceptional circumstances.

The apologies should be communicated to staff within the Democratic Services Team.

There are 8 types of apology that can be recorded as follows:-

Type	Comments
Apologies	General category - Members are not expected to confirm their reason for absence unless they wish to.
Apologies due to other Council Business	Where clashes between Council and Council approved external meetings occur.
Apologies due to Member's own employment	Where the Member's employment prohibits attendance at that meeting
Apologies due to ill health	Where the Member is unable to attend due to ill health (including hospital appointments)
Apologies due to maternity, paternity, adoptive or parental leave	Where the Member is on maternity, paternity, adoptive or parental leave
Apologies due to caring responsibilities	Where the Member has caring responsibilities that prevent their attendance.
Apologies due to Community and Town Council duties	Where a Member is unable to attend due to Community/Town Council duties
Absence without notification	Where apologies are not received then the Member will be listed as absent and this will show in the attendance record.

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

COUNCIL

19th December 2018

REPORT OF THE HEAD OF LEGAL SERVICES – MR C GRIFFITHS

Matter for Decision

Wards Affected: All

AMENDMENT TO THE CONSTITUTION OF NEATH PORT TALBOT COUNTY BOROUGH COUNCIL REGARDING SCRUTINY RULES AND DESIGNATION OF CHAIR

Purpose of the Report

1. To consider an amendment to the Rules of Procedure in respect of Neath Port Talbot County Borough Council (“the Council”) Scrutiny Meetings and to consider an amendment to the term “Chairman” to “Chair” or “Chairperson” in Council documents

Background

Scrutiny Rules

2. At the Democratic Services Committee meeting of the 1st February 2018, Members received an update from Cllr A.N.Woolcock on the Scrutiny processes undertaken by the Council. Cllr Woolcock also drew the Committee’s attention to The Constitution of Neath Port Talbot County Borough Council (“the Constitution”) which stated that Members could only speak for 5 minutes. This he felt was not conducive to good scrutiny and suggested that consideration be given to amending the Constitution.
3. It was resolved at the meeting that the Monitoring Officer be asked to consider amending the Constitution in line with the Committee’s views in light of this.
4. A report was taken to Democratic Services Committee on the 7th November 2018 on the changes referenced in this report and Members at the

Democratic Services Committee agreed that the matter should be forwarded to full Council for consideration.

5. Paragraph 12.4 of Part 4 of The Constitution of Neath Port Talbot County Borough Council (Rules of Procedure) currently reads as follows:

“12.4 Content and Length of Speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed 5 minutes without the consent of the chairman”.

6. It would be proposed therefore that Paragraph 12.4 of Part 4 of The Constitution of Neath Port Talbot County Borough Council (Rules of Procedure) shall be deleted and replaced with the following

“12.4 Content and Length of Speeches and Questions

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed 5 minutes without the consent of the chairman save for non-executive Council Committees and Sub-Committees (including the Audit, Standards and Scrutiny Committees) where the time allowed for speeches and/or questions shall be at the discretion of the Chairperson (as a guide around 10 minutes per member)”

7. This will allow for more conducive scrutiny and for members to raise more queries should they feel it relevant to do so. The ultimate discretion though as the duration of any speeches or question will then be within the remit of the Chair. A guide of around 10 minutes per member is suggested but this is not a cap in any sense and merely as an indication for members to know what might be considered reasonable. This is in line with approaches adopted in other neighbouring authorities.
8. If Members are content with this amendment, the Head of Legal Services will proceed to amend the Constitution to reflect this.

Use of the term Chairman in The Constitution of Neath Port Talbot County Borough Council

9. Members have raised an issue to date that instead of the use of the word Chairman in the Constitution and in the reports of the Council’s meetings; there would be a preference to use the word Chairperson or Chair.
10. From a purely historic legal perspective the term “Chairman” is legally correct in that Section 21 of the Local Government Act 1972 refers to the fact that a Principal Council must consist of elected members and it must appoint a “Chairman” from those members for the purposes of chairing meetings of the Council. However, there are no provisions in the LGA which state that

authorities must refer to the person who chairs Council meetings as being the “Chairman”.

11. If Members wish therefore an amendment could be made to the Constitution for the Council to determine that the person who is appointed to chair a meeting is to go by the title of “Chairperson”.

12. The Democratic Services Committee that met on the 7th November 2018 were supportive of this change

Financial Impact

13. There are no financial impacts associated with this Report.

Equality Impact Assessment

14. An amendment to the term “Chairman” to “Chairperson” will ensure equality between respective members who chair, dependant on whether male or female.

Workforce Impacts

15. There are no workforce impacts associated with this Report

Legal Impacts

16. Rules in respect of scrutiny were established in the Local Government Act 2000 and further supplemented by the Local Government (Wales) Measure 2011. The Scrutiny Rules set out in the Constitution reflect these legal principles.

17. As indicated above, Section 21 of the Local Government Act 1972 refers to the fact that a Principal Council must consist of elected members and it must appoint a “Chairman” from those members for the purposes of chairing meetings of the Council. However, there are no provisions in the LGA which state that authorities must refer to the person who chairs Council meetings as being the “Chairman”.

Consultation

18. There is no requirement under the Constitution for external consultation on this item.

Recommendations

19. It is recommended that members agree that the Head of Legal Services be granted delegated authority to amend the Constitution in the following areas:
- (a) Paragraph 12.4 of Part 4 of The Constitution of Neath Port Talbot County Borough Council (Rules of Procedure) shall be deleted and replaced with the following

“12.4 Content and Length of Speeches and Questions

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed 5 minutes without the consent of the chairman save for non-executive Council Committees and Sub-Committees (including the Audit, Standards and Scrutiny Committees) where the time allowed for speeches and/or questions shall be at the discretion of the Chairperson (as a guide around 10 minutes per member)”

- (b) The term Chairman shall be replaced with the term “Chair” in The Constitution of Neath Port Talbot County Borough Council and a definition included that the reference to the word Chair shall mean the Chairman in accordance with Section 21 of the Local Government Act 1972/

Reason for Proposed Decision

20. To ensure that more conducive scrutiny arrangements can be put in place and an amendment can be made to denote equality between those who chair meetings.

Appendices

21. None

List of Background Papers

22. The Constitution of Neath Port Talbot County Borough Council

Officer Contact

Mr Craig Griffiths

Head of Legal Services

Telephone 01639 763767

Email: c.griffiths2@npt.gov.uk

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

COUNCIL

19th December 2018

REPORT OF THE HEAD OF LEGAL SERVICES – MR C GRIFFITHS

Matter for Decision

Wards Affected: All

CONFIRM APPOINTMENT OF NEW PRINCIPAL SOLICITOR AS A PROPER OFFICER

Purpose of the Report

1. To confirm the appointment of a Proper Officer for Neath Port Talbot County Borough Council (“the Council”) for the purposes of Section 270 of the Local Government Act 1972.

Background

2. Article 4.01(10) of The Constitution of Neath Port Talbot County Borough Council (“the Constitution”) provides that it is the responsibility of full Council to appoint Proper Officers for the purposes of S270(3) of the Local Government Act 1972 to exercise particular functions of the Council. The role of the Proper Officer is varied, but includes amongst other things, determining documents disclosing exempt information which are not open to inspection by Members, certification of copies of photographic and copies of documents, certificate of byelaws and certifications in general.
3. Mr Michael Edward Shaw was appointed as Principal Solicitor Litigation on the 29th November 2018 and commenced the appointment on the 1st December 2018 therefore there is a need to ensure that the appropriate designation is made in order to implement the requirements in paragraph 2 above. Mr Shaw had previously been in the role of Interim Principal Solicitor and a delegation had been to him to act as Proper Officer for the duration of the interim appointment. In light of his permanent appointment there is a now a need to update this designation.

4. All Principal Solicitors within the Legal Section are Proper Officers for the purposes of S270(3) of the Local Government Act 1972.

Financial Impact

5. There are no financial impacts associated with this Report.

Equality Impact Assessment

6. There are no equality impacts associated with this Report

Workforce Impacts

7. There are no workforce impacts associated with this Report

Legal Impacts

8. S270(3) of the Local Government Act 1972 provides the Council the power to appoint Proper Officers to exercise certain functions. These functions are set out in the Constitution (Annex J) as being the following:
 - a. Determining documents disclosing exempt information which are not open to inspection by Members in accordance Section 100F(2) of the Local Government Act 1972 and Regulations 10 and 11 of the Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings)(Wales) Regulations 2001
 - b. Certification of photographic copies of documents in accordance with Section 229(5) of the Local Government Act 1972;
 - c. Authentication of any notices, orders or other documents in accordance with Section 234(1) and (2) of the Local Government Act 1972 –;
 - d. Certification of byelaws in accordance with Section 238 of the Local Government Act 1972; and
 - e. General Certification of documents in accordance with Section 41 of the Local Government (Miscellaneous Provisions) Act 1976

Consultation

9. There is no requirement under the Constitution for external consultation on this item.

Recommendations

10. It is recommended that Michael Edward Shaw be designated a Proper Officer for the Council and that he be entitled to exercise the powers delegated to the role in The Constitution of Neath Port Talbot County Borough Council.

Reason for Proposed Decision

11. To ensure that suitable arrangements are in place to ensure that the Council can meet the obligations set out in paragraph 2 of this Report.

Appendices

12. None

List of Background Papers

13. The Constitution of Neath Port Talbot County Borough Council

Officer Contact

Mr Craig Griffiths

Head of Legal Services

Telephone 01639 763767

Email: c.griffiths2@npt.gov.uk

This page is intentionally left blank

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Council

19th December 2018

Report of the Head of Legal Services – Craig Griffiths

Matter for Decision

Wards Affected: All

Gambling Act 2005 - Review of Gambling Policy

Purpose of the Report

1. To consider adopting a revised Gambling Policy following the end of the consultation exercise.

Executive Summary

2. The Council, as the Licensing Authority under the provisions of the Gambling Act 2005 is required to review its Gambling Policy every 3 years.
3. At a meeting of Council on the 26th September 2018, members determined to issue the draft revised Gambling Policy for consultation.
4. A consultation exercise was undertaken for 6 weeks between October and November 2018; there were three responses.

Background

5. The Council, as the Licensing Authority under the provisions of the Gambling Act 2005 is required to review its Gambling Policy every 3 years.
6. The current Gambling Policy was adopted at Council on the 25th November 2015.
7. Prior to adopting a revised Gambling Policy the Council must undertake a statutory consultation exercise and then publish the policy at least 4 weeks before it comes into effect. The revised policy must be effective by the 31st January 2019.
8. At a meeting of Council on the 26th September 2018, members determined to issue the draft revised Gambling Policy 2019 for consultation.

Officer Report

9. A consultation exercise was undertaken for 6 weeks between October and November 2018 and included the statutory consultees, various interested parties and the general public.
10. There were three responses received in respect of the consultation:
11. The first response was from a member of the public who completed the online form but made no comments.
12. The second response was from GamCare who used a generic response which was sent to every LA who had consulted with them in relation to their revised Gambling Policy. GamCare's comments were concerned with protecting vulnerable members of the public from the harms of gambling, they referred to operator risk assessments, proximity of schools etc. to gambling premises, staff training and premises layouts. These matters are adequately dealt with in the policy and as a result no amendments are considered necessary.
13. The third response was from the Section of the Assistant Chief Executive and Chief Digital Officer of Neath Port Talbot CBC who provided updates in respect of the well-being boards and additional information in respect of the Council's Corporate Plan and Neath Port Talbot Public Services

Board Well-being Plan. The updates and further information have been included in the final document.

14. A clean copy of the final Gambling Policy 2019 is attached at Appendix 1 to this report and a copy showing the mark-ups is attached at Appendix 2 to this report.
15. In addition to the adoption of the revised Gambling Policy 2019, members are also being asked to consider adopting a "no casino policy". The Gambling Act 2005 states that a Licensing Authority may resolve not to issue casino premises licences. In passing such a resolution the authority may take into account and principle or matter, not just the licensing objectives. A "no casino policy" is already in place, however the resolution only lasts for 3 years and should the Licensing Authority wish to keep the policy, a new resolution now needs to be passed.

Wellbeing Assessment

16. The Well-being of Future Generations Act 2015 ("the 2015 Act") requires the Council to think about the long-term impact of their decisions, to work better with people, communities and each other and to prevent persistent problems such as poverty, health inequalities and climate change.
17. To make sure we are all working towards the same purpose, the 2015 Act puts in place seven well-being goals on the Council. The 2015 Act makes it clear the listed public bodies must work to achieve all of the goals, not just one or two, these being:
 - A prosperous Wales
 - A resilient Wales
 - A healthier Wales
 - A more equal Wales
 - A Wales of cohesive communities
 - A Wales of vibrant culture and Welsh Language
 - A globally responsible Wales

18. The 2015 Act imposes a duty on all public bodies in Wales to carry out “sustainable development”, defined as being, "The process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals." The action that a public body takes in carrying out sustainable development includes setting and publishing well-being objectives, and taking all reasonable steps in exercising its functions to meet those objectives.
19. The 2015 Act sets out five ways of working needed for the Council to achieve the seven well-being goals, these being:
- The importance of balancing short –term needs with the needs to safeguard the ability to also meet long-term needs
 - Considering how the Council’s objectives impact upon each of the wellbeing goals listed above
 - The importance of involving people with an interest in achieving the well-being goals and ensuring that those people reflect the diversity of the area which the Council services
 - Acting in collaboration with other persons and organisations that could help the Council meet its wellbeing objectives
 - Acting to prevent problems occurring or getting worse.
20. In response to the Well-being of Future Generations (Wales) Act 2015 the Council has set three strategic objectives which contribute to the seven national well-being goals that the Welsh Government requires all public bodies in Wales to contribute to, in order to achieve ‘the Wales we want’. The Council’s well-being objectives and the supporting improvement priorities are set out in the Council’s Corporate Plan.
21. The Gambling Policy 2019 sets out how the Licensing Authority will deal with various applications for gaming premises under the Gambling Act 2005.
22. The Gambling industry plays an important economic role in the U.K, with a £14.4bn gross gambling yield and 107,940 people employed in the gambling industry. Gambling is also a form of entertainment and social activity enjoyed by millions of people every year.

23. The Licensing Authority recognises the economic benefits of gambling and the need for people to have access to entertainment facilities of their choosing, which includes access to gambling facilities. It is important however that gambling is conducted in a responsible manner and has appropriate safeguards in place to protect vulnerable members of society.
24. Safeguards in the Gambling Policy 2019 include measures to protect children and vulnerable adults from the harms of gambling. Operators are required to develop risk assessments tailored to the locality in which they are located, paying particular attention to preventing children from accessing gambling facilities, identifying persons at risk from being harmed by gambling and supporting these people through exclusion schemes and referrals to various support networks.

Financial Impact

25. Not applicable

Equality Impact Assessment

26. A Screening Assessment has been undertaken to assist the Council in discharging its Public Sector Equality Duty under the Equality Act 2010. After completing the assessment it has been determined that this policy does not require an Equality Impact Assessment.

Legal Impacts

27. Section 349 Gambling Act 2005 requires the Council to prepare and publish a statement of the principles that it proposes to apply in exercising its function under the Act, before each successive period of three years.

Risk Management

28. Not applicable

Consultation

29. Consultation was undertaken within the context set out in this report.

Recommendation

30. That members approve the revised Gambling Policy set out at appendix 1 of the report.
31. That members re-adopt a "no casino policy".

Reasons for Proposed Decision

32. In order to comply with the legal requirements as set out in the Gambling Act 2005

Implementation of Decision

33. The decision is for immediate implementation.

Appendices

34. Appendix 1 - Revised Gambling Policy 2019 (clean version)
35. Appendix 2 - Revised Gambling Policy 2019 (showing mark-ups)
36. Appendix 3 - Equality Impact Assessment

List of Background Papers

37. Gambling Commission Guidance
38. Gambling Commission Code of Practice
39. Neath Port Talbot CBC Gambling Policy 2016

Officer Contact

40. Craig Griffiths
Head of Legal Services
Tel (01639) 763767
Email c.griffiths2@npt.gov.uk

41. Neil Chapple
Licensing Manager
Tel (01639) 763056
Email n.chapple@npt.gov.uk

This page is intentionally left blank

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

GAMBLING ACT 2005

GAMBLING POLICY 2019

Effective from 31st January 2019

**Licensing Section
Neath Port Talbot County Borough Council
Civic Centre
Port Talbot
SA13 1PJ**

Tel: 01639 763050

Fax: 01639 763059

e-mail licensing@npt.gov.uk

**Further copies may be obtained from the above address, or from
the website www.npt.gov.uk/licensing**

Approved by Council 19th December 2018

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

GAMBLING POLICY

Part A	Page
1.0. Introduction	4
2.0. Consultation	5
3.0. Neath Port Talbot County Borough Council Local Area Profile	6
4.0. Licensing Objectives	7
5.0. Licensing Authority Functions	7
6.0. Responsible Authorities	9
7.0. Interested Parties	9
8.0. Exchange of Information	10
9.0. Enforcement	11
10.0 Fundamental Rights	12
11.0. Integrating Strategies and Avoiding Duplication	13
12.0. Sustainable Development Community Strategy	13
Part B – Premises Licences	
13.0. General Principles	14
14.0. Appropriate Licence Environment	16
15.0. Premises “Ready for Gambling”	17
16.0. Other Considerations	18
17.0. Adult Gaming Centres	23
18.0. (Licensed) Family Entertainment Centres	24
19.0. Casinos	26
20.0. Bingo Premises	26
21.0 Betting Premises	27
22.0 Travelling Fairs	27
23.0. Tracks	28
24.0. Provisional Statements	30
25.0. Reviews	31
Part C – Permits/Temporary Use Notices & Occasional Use Notices	
26.0. Family Entertainment Centre Permit	33
27.0. Alcohol Licensed Premises	34
28.0. Club Gaming and Club Machines Permits	35
29.0. Prize Gaming Permits	36
30.0. Temporary Use Notices	37
31.0. Occasional Use Notices	38
32.0 Small Society Lotteries	38
Part D - Decision Making and Enforcement	
33.0. Administration, Exercise and Delegation of Functions	40

34.0. Appeals Procedure	40
35.0. Complaints Against Licensed Premises	41
36.0. Illegally Sited Gaming Machines	41
Part E – Codes of Practice and Risk Assessments	
37.0. Overview	42
38.0 Types of Code Provision	43
39.0 Risk Assessments	43
i) Betting Tack Premises	46
ii) Significant Changes	46
iii) Variations	47
iv) Regular Review of Risk Assessments	48
v) Local Risks and Control Measures	48
40.0 Further Information	49
APPENDICES	
APPENDIX 1 – Map of Neath Port Talbot	51
APPENDIX 2 – Consultees	52
APPENDIX 3 – Delegated powers	53

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
Gambling Act 2005

Gambling Policy

PART A

1.0. Introduction

- 1.1. The Gambling Act 2005 requires the Council (hereafter referred to as the “Licensing Authority”) to prepare and publish a “Statement of Licensing Policy” known as the Gambling Policy that sets out the principles the Licensing Authority proposes to apply in exercising its licensing functions under the Act.
- 1.2. This Policy takes effect on 31st January 2019. This Licensing Authority will update and publish a new Licensing Policy whenever necessary but in any case within 3 years of the date of this Policy, and will fully consult with partners, trade associations and residents groups as appropriate at that time, any representations received will be considered at that time.
- 1.3. However where updates are required due to changes in national legislation, statutory guidance or contact details the Licensing Authority reserves the right to amend this policy without consultation where it is necessary to ensure the policy reflects national legislation or statutory guidance.
- 1.4. In producing the final Policy Statement the Licensing Authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the Guidance to Licensing Authorities issued by the Gambling Commission, any codes of practice and any responses from those consulted on the Policy Statement.
- 1.5. The Licensing Authority has a legal obligation to comply with all legislation that promotes equality it has a policy in place to promote equality to all. Licensing of persons and premises under the Gambling Act 2005 will actively promote equality of service and enforcement to all members of the community.
- 1.6. The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way that is incompatible with such a right. The Licensing Authority will have regard to the Human Rights Act

when considering any licensing issues, and particularly in respect of the way in which applications are considered and enforcement activities are carried out.

- 1.7. The Licensing Authority acknowledges that it may need to depart from this Policy and from the guidance issued under the Act in individual and exceptional circumstances, and where the case merits such a decision in the interests of the promotion of the licensing objectives. Any such decision will be taken in consultation with the appropriate legal advisors for the Licensing Authority, and the reasons for any such departure will be fully recorded.
- 1.8. It should be noted that this Policy will not override the right of any person to make an application, make representation 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.

2.0. **Consultation**

- 2.1. In accordance with the requirements of the Act, the Licensing Authority has consulted widely before publishing this Policy. A list of consultees is reproduced at Appendix 2. The consultation was carried out between September and November 2015.
- 2.2. The Policy was approved at a meeting of the full Council on 19th December 2018 and was published via our website on the 21st December 2018. Copies have been placed in the public libraries of the area as well as being available in the Civic Centres at Neath and Port Talbot. Should you have any comments as regards this Gambling Policy, or wish to see the full list of comments and the consideration by the authority of those comments then please send them via e-mail or letter to:-

Licensing Manager
Licensing Section
Civic Centre
Port Talbot
SA13 1PJ
licensing@npt.gov.uk

3.0. Neath Port Talbot County Borough Council Local Area Profile

- 3.1. Neath Port Talbot has a geographical area of 442km² and is the eleventh largest council in Wales with a population of 139,880 (the 8th highest population density)
- 3.2. The Council has adopted a Corporate Plan (2018-2022) and the Neath Port Talbot Public Services Board Well-being Plan (2018 – 2023)
- 3.3. The Council's Corporate Plan sets out the Council's well-being objectives which have been set so as to maximise the Council's contribution to the seven national well-being goals whilst also discharging its duty to improve the economic environmental, social and cultural well-being of people in Neath, Port Talbot and Pontardawe and to carry out sustainable development. The Plan also sets priorities for improvement and describes how the Council is changing the way it does things to meet the needs of its communities.
- 3.4. The Neath Port Talbot Public Services Board Well-being Plan sets out the Public Services Board's long term vision for the area as well as priorities for action over the next 5 years. The Plan contains well-being objectives identified by the Public Services Board and describes the practical steps that the Board will take to deliver the objectives.
- 3.5. The Licensing Authority expects that those who operate or wish to operate gambling premises within Neath Port Talbot are familiar with both the Council's Corporate Plan and the Public Services Board Well-being Plan and have regard to the well-being objectives that the Council and the Board are trying to achieve.
- 3.6. Operators will be expected to have given consideration to the appropriate well-being objectives within their risk assessments as outlined in paragraph 39 of this policy, paying particular attention to the protection of children from harm and the high levels of deprivation and personal debt within Neath Port Talbot.

4.0. **Licensing Objectives**

4.1. In exercising most of their functions under the Gambling Act 2005 (the Act), the Licensing Authority must have regard to the licensing objectives as set out in Section 1 of the Act and reproduced below:-

- 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 being conducted in a fair and open way.
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

4.2. It should be noted that the Gambling Commission has stated “The requirements in relation to children is explicitly to protect them from being harmed or exploited by gambling”.

4.3. The Licensing Authority is aware that as per Section 153 of the Act, in making decisions about premises licences and temporary use notices, it should aim to permit the use of premises for gambling in so far as it thinks it:-

- In accordance with any relevant code of practice issued by the Gambling Commission;
- In accordance with any relevant guidance issued by the Gambling Commission;
- Reasonably consistent with the licensing objectives; and
- In accordance with the authority’s statement of licensing policy

5.0. **Licensing Authority Functions**

5.1. Under the Act this Licensing Authority will be responsible for the following:

- Issuing Premises Licences – Where gambling activities are to take place.

- Issue Provisional Statements - For premises which are to be constructed or adapted for gambling activities.
- Regulate Club Gaming Permits and or Club Machine Permits for members clubs and miners' welfare institutes who wish to undertake certain gaming activities.
- Issue Club Machine Permits – for 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 more than two machines are required.
- Registration of lotteries which are 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 7.0. on information exchange).
- Maintain registers of the permits and licences that are issued under these functions.

5.2. The licensing authority in order to deal efficiently with applications for premises licences, permits, temporary and occasional use notices, reviews, etc has prescribed a list of delegated functions. This is shown at appendix 3.

5.3. 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.

5.4. The Licensing Authority recognises that the licensing function is only one means of promoting delivery of the three objectives and should not therefore be seen as a means for solving all problems within the community. The Licensing Authority will therefore continue to work in partnership with neighbouring authorities, South Wales Police, Public Health local businesses, local people and those involved in child protection to promote the licensing

objectives as outlined. In addition, the Licensing Authority recognises its duty under Section 17 of the Crime and Disorder Act 1998, with regard to the prevention of crime and disorder.

6.0. **Responsible Authorities**

6.1. The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

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

In accordance with the Gambling Commission's Guidance for Local Authorities, this authority designates the Western Bay Safeguarding Children Board for this purpose.

6.2. The contact details of all the Responsible Authorities under the Gambling Act 2005 are available on the Licensing Authority's website at: www.npt.gov.uk/licensing.

7.0. **Interested Parties**

7.1. Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act as follows:-
"For the purposes of this Part, a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the Licensing Authority which issues the licence or to which the application is made, the person –

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

7.2. The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under the

Gambling Act 2005 to determine whether a person is an interested party. The principles are:

Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision making, but will consider the examples of considerations provided in the Gambling Commission's Guidance to Licensing Authorities.

It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices

Interested parties can be persons who are democratically elected such as Councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the Councillor/MP represents the ward likely to be affected. Likewise parish/community councils likely to be affected will be considered to be interested parties. Other than these persons, this Authority will require written evidence that a person 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting that representation is sufficient.

If individuals wish to approach Councillors to ask them to represent their views then care should be taken that the Councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the Licensing Section on (01639) 763050 or e-mail licensing@npt.gov.uk

8.0. **Exchange of Information**

- 8.1. Licensing authorities are required to include in their policy statement the principles to be applied by the Authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under Section 350 of the Act with the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.
- 8.2. The principle that this Licensing Authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its

exchange of information which includes the provision that the Data Protection Act 2018 and the General Data Protection Regulations 2016 will not be contravened. The Licensing Authority will also have regard to any guidance issued by the Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

8.3. Should any protocols be established as regards information exchange with other bodies, then they will be made available.

9.0. **Enforcement**

9.1. Licensing Authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

9.2. The Licensing Authority's principles are that:

It will be guided by the Gambling Commission's Guidance to Local Authorities, the Regulators Code and the Licensing Authority's enforcement policy. It will endeavour to be:

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

9.3. The Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

9.4. The Licensing Authority has implemented a risk-based inspection programme based on:-

- The Licensing Objectives
- Relevant Codes of Practice
- Guidance issued by the Gambling Commission in particular Part 36
- The principles set out in this statement of licensing policy
- The Licensing Authority's enforcement policy

9.5. The main enforcement and compliance role for the Licensing Authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which is authorises. The Gambling Concerns about manufacture, supply or repair of gaming machines will not be dealt with by the Licensing Authority, but should be notified to the Gambling Commission.

9.6. The Licensing Authority will take account of the Gambling Commissions guidance document issued in February 2015 (or any subsequent amendments) 'Approach to Test Purchasing' when considering making test purchases at gambling premises. The Licensing Authority will also follow its own policies and procedures regarding the use of underage test purchasers.

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

10.0. **Fundamental Rights**

10.1. Under the terms of the Act any individual/company may apply for a variety of permissions and have their applications considered on their individual merits. Equally, any Interested Party or Responsible Authority has a right to make relevant representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the Act.

10.2. Applicants and those making relevant representations in respect of applications to the Licensing Authority have a right of appeal to the Magistrates Court against the decisions of the Licensing Authority.

11.0. **Integrating Strategies and Avoiding Duplication**

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

12.0. **Sustainable Development Community Strategy**

- 12.1. The Well-being of Future Generations (Wales) Act 2015 requires Welsh local authorities to think about the long-term impact of their decisions, to work better with people, communities and each other, and to prevent persistent problems such as poverty, health inequalities and climate change.
- 12.2. The Neath Port Talbot Public Services Board involving the Local Authority and representatives from a range of partner organisations, are responsible for achievement of locally set well-being objectives which must address the national well-being goals specified in the Well-being of Future Generations (Wales) Act 2015.
- 12.3. Under the Crime and Disorder Act 1998 local authorities must have regard to the likely effect of the exercise of their functions on, and do all they can to prevent crime and disorder in the area. The Licensing Authority will have particular regard to the likely impact of licensing on related crime and disorder in the area, particularly when considering the location, impact, operation and management of all proposed licence/permit applications, renewals and variations of conditions.

Part B – Premises Licences

13.0. General Principles

13.1. Premises licences will be subject to the requirements set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

13.2. The Licensing Authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:-

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

13.3. It is appreciated that moral objections to gambling are not a valid reason to reject applications for premises licences (except as regards any 'no casino resolution' – see section on Casinos below) and also that unmet demand is not a criterion for a Licensing Authority.

13.4. The Licence Conditions and Code of Practice (LCCP) issued by the Gambling Commission commencing in May 2015 places further onus on premises to complete a risk assessment based on code 8, the social responsibility code. The Licensing Authority will have regard to this code when considering applications.

13.5. This Licensing Authority also notes Gambling Commission guidance on ensuring that betting is the primary activity of a licensed premises. Gaming machines may be made available for use in licensed betting premises only at times when there are also sufficient facilities for betting available. Operators will need to demonstrate that betting will continue to be the primary activity of the premises when seeking variations to licenses.

- 13.6. Premises are defined in the Act as including “any place”. Section 152 therefore prevents more than one premises licence applying to “any place”. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being separate premises. This makes provision for large multiple unit premises such as a pleasure park, shopping mall etc to obtain discrete premises licences where appropriate safeguards are in place. However, the Licensing Authority will pay particular attention if there are issues about sub-division of a single building and will ensure that mandatory conditions relating to access between premises are observed.
- 13.7. The Gambling Commission states in its Guidance to Licensing Authorities that “in most cases the expectation is that a single building will be the subject of an application for a licence e.g. 32 High Street. But that does not mean that 32 High Street cannot be the subject of separate premises licences for the basement and ground floor if they are configured acceptably. Whether different parts of a building can be properly regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated for example by ropes or moveable partitions can properly be regarded as different premises”.
- 13.8. The Licensing Authority takes particular note of the Gambling Commission’s Guidance to Local Authorities which states that:
- 13.9. Licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:
- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have

accidental access to or closely observe gambling where they are prohibited from participating.

- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premise or premises with a permit.
- Customers should be able to participate in the activity named on the premises licence.

13.10. The Guidance also gives a list of factors which the Licensing Authority should be aware of, which may include:

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

14.0. **Appropriate Licence Environment**

14.1. The Guidance to Local Authorities and the Licence Conditions and Codes of Practice (LCCP) set out additional matters that the Licensing Authority should take into account when considering licence applications for premises licences.

14.2. Guidance prescribes restrictions on gambling activities on premises, previously known as primary gambling activity. The Licensing Authority will consider any application based on the provisions in these codes and guidance.

14.3. Where gambling facilities are provided at premises as a supplementary activity to the main purpose of the premises; e.g. motorway service areas and shopping malls, the Licensing Authority will expect the gambling area to be clearly defined to ensure that customers are fully aware that they are

making a choice to enter into the gambling premises, and that the premises is adequately supervised at all times.

14.4. The Licensing Authority will consider these and any other relevant factors in making its decision, depending on all the circumstances of the case

15.0. **Premises “Ready for Gambling”**

15.1. The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

15.2. If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have right to occupy them, then an application for a provisional statement should be made instead.

15.3. In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process.

- First, whether the premises ought to be permitted to be used for gambling
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

15.4. Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

15.5. More detailed examples of the circumstances in which such a licence may be granted can be found in the Guidance.

16.0. **Other Considerations**

Location:

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

Planning:

16.2. The Gambling Commissions Guidance to Licensing Authorities states:

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

16.3. This authority will not take into account irrelevant matters as per the above guidance. In addition the authority notes the following excerpt from the Guidance:

When dealing with a premises licence application for finished buildings, the Licensing Authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control and building regulation powers, and not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.

Duplication with other regulatory regimes:

- 16.4. This Licensing Authority seeks 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 planning permission or building regulations approval in its consideration of it. It will however, listen to and consider carefully any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.
- 16.5. When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or building consents. Fire or health & safety risks will not be taken into account, as these matters are dealt with under relevant planning, building and other regulations and must not form part of the consideration for the premises licence.

Licensing objectives:

- 16.6. Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this Licensing Authority has considered the Gambling Commission's Guidance to Local Authorities and some comments are made below.

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

- 16.7. This Licensing Authority is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. It is however envisaged that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime, this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. The Licensing Authority is aware of the need to make a distinction between disorder and nuisance. It will consider factors such as whether police assistance was required, the nature of any incident so as to make that distinction.

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

16.8. The Licensing Authority has noted that the Gambling Commission's advice 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.

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

- 16.9. The Licensing Authority notes the Gambling Commission's guidance 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). The Licensing Authority will therefore consider, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas etc.
- 16.10. This Licensing Authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.
- 16.11. As regards the term "vulnerable persons" it is noted that the Gambling Commission is not seeking to offer a definition, but states that "it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who are gambling beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs". The Licensing Authority will consider this licensing objective on a case by case basis.
- 16.12. The Licence Conditions and Codes of Practice (LCCP) issued in 2015 prescribe how operators must prevent children from using age restricted gaming or gambling activities, particularly where gaming machines are licensed.
- 16.13. In particular operators must ensure that;
- all staff are trained,
 - that all customers are supervised when on gambling premises

- must have procedures for identifying customers who are at risk of gambling related harm.
- 16.14. The Licensing Authority will expect all operators to have policies and procedures in place as required by the LCCP codes on social responsibility to cover all aspects of the code, in particular staff training records and self-exclusion records
- 16.15. Further provisions with regard to self-exclusion and marketing are included in the social responsibility code. The Licensing Authority will take all conditions and codes into account when considering applications or performing enforcement activities.
- 16.16. The Licensing Authority will have regard to the Chief Medical Officer for Wales report to support the licensing objective to protect children and other vulnerable persons from being harmed or exploited by gambling.
- 16.17. The Licensing Authority would expect applicants and licence holders to carry out the necessary checks on all relevant members of staff to ensure their suitability for employment, particularly in respect of premises where children and vulnerable people have access.

Conditions:

- 16.18. Any conditions attached to licences by this Licensing Authority 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.
- 16.19. Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this Licensing Authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. Specific regard will be against the local risk assessment for each premises, when making such decisions. There are specific comments made in this regard

under some of the licence types below. The Licensing Authority will also expect the licence applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively, in conjunction with mandatory conditions specified in the Gambling Act 2005 (Mandatory and Default Conditions)(England and Wales) Regulations 2007.

16.20. The 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 and Codes of Practice.

16.21. The Licensing Authority will also ensure that where category C or above machines are on offer in premises in which children are admitted:

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

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

16.22. The Licensing Authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. This Licensing Authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are

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

16.23. It is noted that there are conditions which the Licensing Authority cannot attach to premises licences which are:

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

Door Supervisors:

16.24. The Gambling Commission advises in its Guidance to Licensing Authorities that if a Licensing Authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons), then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a conditions on the premises licence to this effect.

16.25. Where it is decided that supervision of entrances/machines is appropriate for particular cases it will need to be decided whether these need to be SIA licensed or not. It will not be automatically assumed that they need to be licensed as the statutory requirements for different types of premises vary

17.0. Adult Gaming Centres

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

17.2. Where gambling facilities are provided at premises as a supplementary activity to the main purpose of the premises; e.g. motorway service areas and shopping malls. The Licensing

Authority will expect the gambling area to be clearly defined to ensure that customers are fully aware that they are making a choice to enter into the gambling premises and that the premises is adequately supervised at all times.

17.3. The Licensing Authority may consider measures such as:

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

18.0. **(Licensed) Family Entertainment Centres**

18.1. The Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

18.2. The applicant will be expected to provide evidence that a suitable criminal record check with the Disclosure and Barring Service (DBS) has been conducted on all staff in his/her employment.

18.3. Children and young persons are permitted entry to licensed FECs but are not permitted to play Category C gaming machines. The Licensing Authority expects the applicant to ensure that there will be sufficient measures in place to prevent under 18 year olds having access to the adult only gaming machine areas. The Licensing Authority will expect applicants to meet the licensing objectives and comply with all mandatory conditions and Codes of Practice issued by the Gambling Commission.

18.4. There is a requirement that there must be clear segregation between the types of machine in order that children do not have access to Category C machines. All Category C machines must be located in an area of the premises which is separate from the remainder of the premises by a physical barrier, which will prevent access other than through a designated entrance. The Licensing Authority will seek to ensure that:

- Only adults are admitted to the area where the gaming machines are located;
- Access to the area where the machines are located is supervised;
- The area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
- At the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

18.5. The Licensing Authority may consider measures to meet the licensing objectives 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.
- Measures/training for staff or how to deal with suspected truant school children on the premises.

This list is neither mandatory, nor exhaustive and is merely indicative of example measures.

19.0. **Casinos**

19.1. The Licensing Authority has passed a 'no casino' resolution under Section 166 of the Gambling Act 2005. This resolution came into effect on 31st January 2019.

19.2. Potential licence applicants should note that as a 'no casino' resolution has been passed by this authority, no applications for casino premises will be considered. Any applications received will be returned with a notification that a 'no casinos' resolution is in place.

20.0. **Bingo Premises**

20.1. This Licensing Authority notes that the Gambling Commission's Guidance states;

Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

20.2. The Licensing Authority is aware that a holder of bingo premises licences may make available for use of a number of category B gaming machines, not exceeding 20% of the total number of gaming machines, which are available for use on the premises.

20.3. Children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.

20.4. Where Category C or above machines are available in the bingo premises to which children are admitted, the Licensing Authority will seek to ensure that;

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

- the area where the machines are located is arranged so that it can be observed by staff or the licence holder; and
- at the entrance to, and inside any such area, notices are prominently displayed indicating that access to the area is prohibited to persons under 18.

21.0. **Betting Premises**

21.1. The Licensing Authority will as per 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.

21.2. The Licensing Authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the authority a single named point of contact who should be a senior individual and to whom the authority will contact first should any compliance queries or issues arise.

22.0. **Travelling Fairs**

22.1. It will fall to the Licensing Authority to decide whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

22.2. The Licensing Authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

22.3. It is noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The Licensing Authority will work with its neighbouring authorities to

ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

23.0. **Tracks**

- 23.1. The Licensing Authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. The Licensing Authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
- 23.2. The Licensing Authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.
- 23.3. The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:
- Proof of age schemes
 - CCTV
 - Supervision of entrances/machine areas
 - Physical separation of areas
 - Location of entry
 - Notices/signage
 - Specific opening hours
 - Self-barring schemes
 - Provision of information leaflets/helpline numbers for organisations such as Gam Care.

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

- 23.4. Gaming machines - Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, these machines (other than category D machines) should be located in areas from which children are excluded.
- 23.5. Betting machines – This Licensing Authority will, as per Part 6 of the Gambling Commission’s Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.
- 23.6. Applications and plans -The Gambling Act (s51) requires the applicants to submit plans of the premises with their application, in order to ensure the Licensing Authority has premises are fit for gambling. The plan will also be used for the Licensing Authority to plan future premises inspection activity.
- 23.7. Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations.
- 23.8. Some tracks may be situated on agricultural land where the perimeter is not such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises.
- 23.9. In rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary of the premises does not need to be defined.)
- 23.10. This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in

particular, any betting areas subject to the “five times rule” (commonly known as betting rings) must be indicated on plan.

24.0. **Provisional Statements**

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

24.2. S204 of the Gambling Act provides for a person to make an application to the Licensing Authority for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

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

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

24.5. The holder of a provisional statement may then apply for a premises licence once the premises are constructed altered or acquired.

24.6. The Licensing Authority will be constrained in the matters it can consider when determining the premises licence application. 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.

24.7. 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; or
- where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this Licensing Authority notes that it can discuss any concerns it has with the applicant before making a decision

25.0. **Reviews**

25.1. Requests for a review of a premises licence can be made by interested parties or responsible authorities. However, it is for the Licensing Authority to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is relevant to the matters listed below:-

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

The authority will also give consideration as to whether the request is frivolous, vexatious; will not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

25.2. The purpose of the review will be to determine whether the Licensing Authority should take any action in relation to the licence. If action is justified, the options open to the Licensing Authority are:-

- add, remove or amend a licence condition imposed by the Licensing Authority;
- exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
- suspend the premises licence for a period not exceeding three months; and
- revoke the premises licence.

25.3. In determining what action, if any, should be taken following a review, the Licensing Authority must have regard to the principles set out in Section 153 of the Act, as well as any relevant representations.

25.4. In particular, the Licensing Authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

Part C –
Permits, Temporary Use Notices & Occasional Use Notices

26.0. Family Entertainment Centre Permit

26.1. Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the Licensing Authority for a permit.

26.2. The Licensing Authority will expect applicants 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 policy and procedures will be considered on their merits. They may include training of staff regarding suspected truant school children, how to deal with unsupervised, very young children or children causing problems in and around the premises.

26.3. The Licensing Authority will expect applicants to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and
- that staff are trained to have a full understanding of the maximum stakes and prizes.

26.4. The applicant will be expected to provide evidence that a suitable criminal record check with the Disclosure and Barring Service (DBS) has been conducted on all staff in his/her employment.

26.5. 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 and would, therefore, exclude any premises primarily used for any other purposes, e.g. canteens, fast food takeaways, leisure centres, garages and petrol filling stations, taxi offices.

26.6. It should be noted that the Licensing Authority cannot attach conditions to this type of permit.

27.0. Alcohol Licensed Premises

27.1. There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the Licensing Authority and pay the prescribed fee.

The Licensing Authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Act, e.g. gaming machines have been made available in a way that does not comply with the requirements on the location and operation of the gaming machines;
- the premises are mainly used for gambling; or
- an offence under the Gambling Act has been committed on the premises.

27.2. If a premises wishes to have more than 2 machines, then it needs to apply for a permit, and the Licensing Authority will consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant*”. The Licensing Authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling.

27.3. The applicant will be expected 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.

27.4. Measures which will satisfy the Authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be required. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

27.5. 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.

27.6. It should be noted that the Licensing Authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

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

28.0. **Club Gaming and Club Machine Permits**

28.1. Members Clubs and Miner's Welfare Institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Gaming Machines Permit.

28.2. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming, and games of chance as set out in regulations.

28.3. A Club Gaming Machine Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D) only. NB Commercial Clubs may not site category B3A gaming machines offering lottery games in their club

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

28.5. The Licensing Authority may only refuse an application on the grounds that:

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

- (b) the applicant's premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police.

28.6. There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). Commercial clubs cannot hold a club premises certificate under the Licensing act 2003 and so cannot use the fast-track procedure. As the Gambling Commission's Guidance to Licensing Authorities states "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced." and "The grounds on which an application under the process may be refused are:

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

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

29.0. **Prize Gaming Permits**

29.1. The Gambling Act 2005 states that a Licensing Authority may prepare a policy that they propose to apply in exercising their functions under this Schedule" which "may, in particular, specify matters that the Licensing Authority propose to consider in determining the suitability of the applicant for a permit.

29.2. The Licensing Authority has prepared a policy, which is that the applicant should set out the types of gaming that he or she is

intending to offer, and that the applicant should be able to demonstrate:-

- that they understand the limits to stakes and prizes that are set out in Regulations;
- that the gaming offered is within the law;
- clear policies that outline the steps to be taken to protect children from harm.

29.3. In making its decision on an application for this permit the Licensing Authority does not need to (but may) have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

29.4. It should be noted that the Gambling Act 2005 sets down conditions that the permit holder must comply with. These conditions are:

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

29.5. The Licensing Authority cannot however attach additional conditions to prize gaming permits.

30.0. **Temporary Use Notice**

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

- 30.2. The Licensing Authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.
- 30.3. The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no. 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities for equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.
- 30.4. There are a number of statutory limits as regards temporary use notices. Gambling Commission Guidance is noted that the meaning of “premises” in part 8 of the Act is discussed in Part 7 of the guidance. As with “premises”, the definition of “a set of premises” will be a question of fact in the particular circumstances of each notice that is given. In the Act “premises” is defined as including “any place”. In considering whether a place falls within the definition of “a set of premises”, licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises.
- 30.5. The Licensing Authority is likely 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.

31.0. **Occasional Use Notices**

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

32.0. **Small Society Lotteries**

- 32.1. The Licensing Authority will adopt a risk based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of the operator:

- Submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
- Submission of incomplete or incorrect returns
- Breaches of the limits for small society lotteries

32.2. Non-commercial gaming is permitted if it takes place at non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

- By, or on behalf of, a charity or for charitable purposes.
- To enable participation in, or support of, sporting, athletic or cultural activities.

Charities and community groups should contact this Licensing Authority on 01639 763050 to see further advice.

Part D – Decision Making, Conditions and Codes of Practice

33.0. Administration, Exercise and Delegation of Functions

- 33.1. The powers and duties of the Licensing Authority under the Act may be carried out by the Licensing Committee, by a Sub-Committee or by one or more officers acting under delegated authority.
- 33.2. It is considered that many of the functions will be largely administrative in nature with no perceived areas of contention. In the interests of efficiency and cost effectiveness these will, for the most part, be carried out by officers.
- 33.3. The schedule of delegation of licensing functions is attached at Appendix 3

34.0. Appeals Procedure

- 34.1. Entitlements to appeal for parties aggrieved by decisions of the Licensing Authority are set out in Sections 206 to 209 of the 2005 Act. Appeals must be made to the Magistrates Court for the area in which the Licensing Authority, which has considered the application, is situated.
- 34.2. An appeal has to be commenced by giving notice of the appeal by the appellant to; The Clerk to the Justices, Swansea Magistrates Court, Grove Place, Swansea, SA1 5DB within a period of 21 days, beginning with the day on which the appellant was notified by the Licensing Authority of the decision to be appealed against.
- 34.3. On determining an appeal, the Court may:
- Dismiss the appeal;
 - Substitute the decision appealed against with any other decision that could have been made by the licensing authority;
 - Remit the case to the Licensing Authority to dispose of the appeal in accordance with the direction of the Court.
 - Make an order about costs.

34.4. In anticipation of such appeals, the Licensing Authority will give comprehensive reasons for its decisions. The Licensing Authority will address the extent to which decisions have been made with regard to any relevant codes of practice and guidance issued by the Gambling Commission, reasonably consistent with the licensing objectives and in accordance with this Policy Statement.

34.5. As soon as the decision of the Magistrates' Court has been notified to all parties, the Licensing Authority will not delay its implementation and necessary action will be taken forthwith unless ordered by a higher court to suspend such action (for example, as a result of an ongoing judicial review). The Act provides for no other appeal against the determination of the Magistrates' Court.

35.0. Complaints against licensed Premises

35.1. The Licensing Authority will investigate complaints against licensed premises in relation to matters relating to the licensing objectives for which it has responsibility. In the first instance, complainants are encouraged to raise the complaint directly with the licence holder or business concerned to seek a local resolution.

35.2. Where an interested party has made either a valid representation about licensed premises or a valid application for a licence to be reviewed, the Licensing Authority may initially arrange a conciliation meeting to address and clarify the issues of concern.

35.3. This process will not override the right of any interested party to ask that the Licensing and Gambling Acts Sub-Committee consider their valid objections, or for any licence holder to decline to participate in a conciliation meeting.

36.0. Illegally sited Gaming Machines

36.1. Gaming machines can only be made available for use where a premises licence, permit or an exemption e.g. travelling fairs, authorises its use. It is not possible to site gaming machines at premises such as off licences, newsagents, takeaways or other retail stores.

- 36.2. When illegally sited gaming machines are discovered, the Licensing Authority will make every effort to seize the gaming machine at the first opportunity to ensure that the gaming machine is removed from circulation.
- 36.3. The Licensing Authority working with the Gambling Commission will investigate offences committed under the Gambling Act 2005 by both the supplier of the machine and the proprietor of the business on which the machine was illegally sited.
- 36.4. The Licensing Authority will usually take formal action against the proprietor of the business where illegal gaming machines have been made available for use on the premises. As part of the proceedings the Licensing Authority will seek to secure a forfeiture order under Section 345 of Act, in order that the machine can then be destroyed.
- 36.5. The Licensing Authority anticipates that similar action will be taken by the Gambling Commission to ensure that formal action is also taken against the supplier of the gaming machine.

Part E – Codes of Practice and Risk Assessments

37.0. Overview

- 37.1. The Gambling Act 2005 requires the Gambling Commission to issue one or more codes of practice about the manner in which facilities for gambling are provided. The codes may be directed at the holders of operating or personal licences, or any other person involved in providing facilities for gambling.
- 37.2. The Act also requires licensing authorities to take into account when exercising their functions, any relevant code of practice issued by the Commission under section 24, in this case:-
- The Commission's Licence conditions and codes of practice (LCCP), which apply to holders of Gambling Commission operating or personal licences;
 - Other codes - these are the Commission's code of practice for equal chance gaming and its code **of** practice for gaming machines in clubs and premises with an alcohol licence

38.0. **Types of Code Provision**

38.1. The LCCP contains two types of code provision, Social Responsibility Code Provisions and Ordinary Code Provisions:

Social Responsibility Code Provisions

38.2. These are provisions describing arrangements which should be made by persons providing facilities for gambling for the purpose of:-

- ensuring that gambling is conducted in a fair and open way;
- protecting children and other vulnerable persons from being harmed or exploited by gambling; and
- making assistance available to persons who are or may be affected by problems related to gambling.

38.3. Compliance with these is a condition of operator licences; therefore any breach of them by a licensed operator may lead the Commission to review the operator's licence with a view to suspension, revocation or the imposition of a financial penalty and would also expose the operator to the risk of prosecution.

Ordinary Code Provisions

38.4. These do not have the status of licence conditions in the case of licensed operators, but set out good practice. Codes of practice are admissible in evidence in criminal or civil proceedings and must be taken into account in any case in which the court or tribunal think them relevant, and by the Commission in the exercise of its functions; any departure from code provisions by an operator may be taken into account by the Commission, for example on a licence review (but could not lead to imposition of a financial penalty).

39.0. **Risk Assessments**

39.1. The LCCP requires all existing licensees that provide gambling at their premises to assess the local risks to the licensing objectives and have policies, procedures and control measures to reduce those risks. Licensees must take into account any relevant matters identified in the licensing authorities (gambling) Statement of Policy when making their risk assessments.

39.2. A local risk assessment should also be undertaken or updated by a licensee, when applying for:-

- A new premises licence;
- When applying for a variation of an existing premises licence;
- To take into account any local significant changes in the local area;
- When there are significant changes within their premises that may affect the existing local risk assessment.

39.3. Operators are required to make the risk assessment available to licensing authorities when an application is submitted and a copy should be kept at the premises or otherwise on request, and this will form part of the Licensing Authority's inspection regime or investigating complaints.

39.4. The Licensing Authority expects the following matters to be considered by operators when making their risk assessment:

39.5. Matters relating to children and young persons, including:

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

39.6. Matters relating to vulnerable adults, including;

- Information held by the licensee regarding self-exclusions and incidences of underage gambling;
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments;

- Arrangement for localised exchange of information regarding self-exclusions and gaming trends;
- Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor's surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate, credit / money lending shops, pawn shops etc.

39.7. Other issues that may be considered could include;

- proximity to churches, mosques, temples or any other place of worship *as these are often used by vulnerable people, for example: providing food banks, debt advice or mental health support;*
- the economic make-up of an area;
- the surrounding night-time economy;
- children's homes and care facilities;
- the area footfall e.g. residential or commercial areas;
- banks and ATMs nearby;
- known anti-social behaviour issues;
- housing facilities;
- job centres;
- hostel and support services for the homeless;
- alcohol and drug support facilities;
- pawn brokers and payday loan businesses;
- other gambling premises;
- mental health facilities;
- community buildings;
- residential care establishments;
- transport and parking facilities e.g. bus stops, taxi ranks, train stations;
- presences of rough sleepers;
- unemployment rates for area;
- types and rates of crime in the area that could impact on the premises
- areas with significant areas of children, e.g. parks and playgrounds.

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

Betting Track Premises

39.9. Betting Track Premises are not required to seek an Operators' Licence with the Gambling Commission and as such are not required to conduct a risk assessment. However, in the interest of the objectives of the Gambling Act 2005, namely i) preventing gambling being a source of crime or disorder, being associated with crime or disorder or being used to support crime; ii) ensuring that gambling is conducted in a fair and open way; iii) protecting children and other vulnerable persons from being harmed or exploited by gambling, this Licensing Authority would expect a Betting Track Premises to conduct a risk assessment for their premises.

Significant changes

39.10. From time to time operators will undertake a refresh of the premises' layout and décor, which is unlikely to prompt a review of the risk assessment for that premises. However, where there is a significant change at the premises that may affect the mitigation of local risks, then an operator must review its risk assessment and if necessary update it, taking into account the change and how it may affect one or more of the licensing objectives.

39.11. It is expected that gambling operators will undertake this risk assessment process as a matter of course for any premises refit, changes to layout or internal control measures. If any changes do require a review of the risk assessments for that premises gambling operators should ensure that they have a system in place to record and action any measures identified in that review.

39.12. The gambling operator will be responsible for identifying when a significant change to the premises has occurred. In order to assist gambling operators the Licensing Authority has provided the following list of examples of what could be classified as a significant change to the premises (some of which may also require a variation to the existing premises licence).

- Any building work or premises refit where gambling facilities are relocated within the premises.
- The premises licence is transferred to a new operator who will operate the premises with its own

procedures and policies which are different to those of the previous licensee.

- Any change to the operator's internal policies which as a result requires additional or changes to existing control measures; and/or staff will require retraining on those policy changes.
- The entrance or entrances to the premises are changed, for example, the door materials are changed from metal with glazing to a full glass door or doors are reallocated from egress to ingress or vice versa.
- New gambling facilities are made available on the premises which were not provided previously, for example, bet in play, handheld gaming devices for customers, Self Service Betting Terminals, or a different category of gaming machine is provided.
- The premises operator makes an application for a licence at that premises to provide an activity under a different regulatory regime, for example, to permit the sale of alcohol.

39.13. As with the examples of significant changes in local circumstances, the list above is not an exhaustive list of significant changes to premises.

39.14. The Licensing Authority will not, as general practice, request a copy of the reviewed risk assessment if a significant change to the licensed premises has occurred, unless the change is one that will necessitate a variation application.

Variations

39.15. Variations to premises licences are only those required to be made under section 187 of the Act and will not include changes of circumstances such as a change of premises' name or a change of licensee's address, etc.

39.16. The Commissions LCCP social responsibility code provision requires that gambling operators must undertake a review of the local risk assessment and update it if necessary when preparing an application to vary the premises licence. Operators submitting a variation application to the Licensing Authority may consider submitting a copy of the reviewed local risk assessment when submitting the application. This will then negate the need for the

Licensing Authority requesting to see a copy of this risk assessment and could potentially reduce the likelihood of a representation being made to the application.

Regular review of risk assessment

39.17. As a matter of best practice the Licensing Authority recommends that operators establish a regular review regime in respect of their local risk assessments. This review programme can be carried out alongside other reviews on Health and Safety risk assessments for the premises. This review programme would ensure that, regardless of whether or not any of the trigger events set out above have occurred, these risk assessments are considered at regular intervals and updated if necessary.

39.18. It will be up to the gambling operator as to the frequency of these reviews but it is recommended that no more than three years should pass before these assessments are reviewed. Operators may wish to synchronise their reviews of the local risk assessments with the publication of the Licensing Authority's Gambling Policy. This would enable gambling operators to consider the Local Area Profile outlined at paragraph 3.0.

Local risks and control measures

39.19. There are two specific parts to the risk assessment process:

- the assessment of the local risks
- the determination of appropriate mitigation to reduce those risks

39.20. The risks that operators must identify relate to the potential impact a gambling premises and its operation may have on the licensing objectives. Gambling operator should identify and list all of the local risks within the assessment that they have identified. The level of such risks can range from being low to very high depending on the potential impact that the gambling operator has assessed it to have on the licensing objectives. The level of any given risk will have a direct impact on the type and extent of the control measures that the gambling operators deems as being necessary to mitigate such risk.

39.21. Operators will already be assessing locations when looking for new sites or when reviewing the performance of their premises. The design of premises is also assessed to ensure that they will

meet the needs of the gambling operation, will provide protection for staff and customers; and will have facilities for recording crime. Operators will also have implemented policies and procedures for the operation of premises in line with statutory and other regulatory requirements placed upon them by the Commission and other agencies.

39.22. Operators will already be familiar with identifying risks in relation to health and safety and food hygiene legislation. Risk assessments are also used for security and crime purposes, for example for money laundering and as part of trade association best practice, such as the Safe Bet Alliance.

39.23. This local risk assessment process, although similar requires a much broader range of considerations when identifying local risk. The requirement of the Commissions LCCP social responsibility code provision is that gambling operators consider the local area in which the premises are situated and the impact that the premises operation may have on the licensing objectives.

40.0. **Further Information**

Further information about the Gambling Act 2005, this Statement of Licensing Policy or the application process can be obtained from:

Licensing Section
Civic Centre
Port Talbot
SA13 1PJ

Telephone: 01639 763050
Email: [licensing @npt.gov.uk](mailto:licensing@npt.gov.uk)

Information is also available from:

The Gambling Commission
Victoria Square House
Birmingham
B2 4BP

Telephone: 0121 230 6666
Website: www.gamblingcommission.gov.uk

The Department for Digital, Culture, Media and Sport
100 Parliament Street
London
SW1A 2BQ

Telephone: 020 7211 6200
Website: www.culture.gov.uk

APPENDIX 2

Consultees – Gambling Policy

South Wales Police
Gambling Commission
ABMU Public Health Wales
British Association of Leisure Parks,
Piers & Attractions Ltd (BALPPA)
British Greyhound Racing Board
Bingo Association
British Beer & Pub Association
Association of British Bookmakers
Casino Operators Association of the UK
Racecourse Association Ltd
British Amusements + Catering Trades Association
British Casino Association
British Holiday & Home Parks Association
Community Councils
Neath Port Talbot Community Safety Partnership
Neath Port Talbot Council for Voluntary Services
Existing Licence / Permit holders (S34's, bingo, betting shops)
Neath Port Talbot CVS
Neath Town Centre Partnership
Neath Town Centre Manager
Business Crime Reduction Partnership
Gamblers Anonymous
Citizen's Advice Bureau
Gamcare
Mid and West Wales Fire and Rescue Services
Western Bay Safeguarding Boards
All Local Authority Directorates in particular:-
Environmental Health Section
Children and Young People Services

APPENDIX 3

SUMMARY OF LICENSING AUTHORITY DELEGATIONS UNDER THE
GAMBLING ACT 2005

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

This page is intentionally left blank

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

GAMBLING ACT 2005

GAMBLING POLICY 2019

Effective from 31st January 2019

**Licensing Section
Neath Port Talbot County Borough Council
Civic Centre
Port Talbot
SA13 1PJ**

Tel: 01639 763050

Fax: 01639 763059

e-mail licensing@npt.gov.uk

**Further copies may be obtained from the above address, or from
the website www.npt.gov.uk/licensing**

Approved by Council 19th December 2018

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

GAMBLING POLICY

Part A	Page
1.0. Introduction	4
2.0. Consultation	5
3.0. Neath Port Talbot County Borough Council Local Area Profile	6
4.0. Licensing Objectives	7
5.0. Licensing Authority Functions	8
6.0. Responsible Authorities	9
7.0. Interested Parties	10
8.0. Exchange of Information	11
9.0. Enforcement	11
10.0 Fundamental Rights	13
11.0. Integrating Strategies and Avoiding Duplication	13
12.0. Sustainable Development Community Strategy	14
Part B – Premises Licences	
13.0. General Principles	15
14.0. Appropriate Licence Environment	17
15.0. Premises “Ready for Gambling”	18
16.0. Other Considerations	19
17.0. Adult Gaming Centres	24
18.0. (Licensed) Family Entertainment Centres	25
19.0. Casinos	27
20.0. Bingo Premises	27
21.0 Betting Premises	28
22.0 Travelling Fairs	28
23.0. Tracks	29
24.0. Provisional Statements	31
25.0. Reviews	32
Part C – Permits/Temporary Use Notices & Occasional Use Notices	
26.0. Family Entertainment Centre Permit	34
27.0. Alcohol Licensed Premises	35
28.0. Club Gaming and Club Machines Permits	36
29.0. Prize Gaming Permits	37
30.0. Temporary Use Notices	38
31.0. Occasional Use Notices	39
32.0 Small Society Lotteries	39
Part D - Decision Making and Enforcement	
33.0. Administration, Exercise and Delegation of Functions	41

34.0. Appeals Procedure	41
35.0. Complaints Against Licensed Premises	42
36.0. Illegally Sited Gaming Machines	42
Part E – Codes of Practice and Risk Assessments	
37.0. Overview	43
38.0 Types of Code Provision	44
39.0 Risk Assessments	44
i) Betting Tack Premises	47
ii) Significant Changes	46
iii) Variations	48
iv) Regular Review of Risk Assessments	49
v) Local Risks and Control Measures	49
40.0 Further Information	50
APPENDICES	
APPENDIX 1 – Map of Neath Port Talbot	52
APPENDIX 2 – Consultees	53
APPENDIX 3 – Delegated powers	54

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
Gambling Act 2005

Gambling Policy

PART A

1.0. Introduction

- 1.1. The Gambling Act 2005 requires the Council (hereafter referred to as the “Licensing Authority”) to prepare and publish a “Statement of Licensing Policy” known as the Gambling Policy that sets out the principles the Licensing Authority proposes to apply in exercising its licensing functions under the Act.
- 1.2. This Policy takes effect on 31st January 2019. This Licensing Authority will update and publish a new Licensing Policy whenever necessary but in any case within 3 years of the date of this Policy, and will fully consult with partners, trade associations and residents groups as appropriate at that time, any representations received will be considered at that time.
- 1.3. However where updates are required due to changes in national legislation, statutory guidance or contact details the Licensing Authority reserves the right to amend this policy without consultation where it is necessary to ensure the policy reflects national legislation or statutory guidance.
- 1.4. In producing the final Policy Statement the Licensing Authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the Guidance to Licensing Authorities issued by the Gambling Commission, any codes of practice and any responses from those consulted on the Policy Statement.
- 1.5. The Licensing Authority has a legal obligation to comply with all legislation that promotes equality it has a policy in place to promote equality to all. Licensing of persons and premises under the Gambling Act 2005 will actively promote equality of service and enforcement to all members of the community.
- 1.6. The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way that is incompatible with such a right. The Licensing Authority will have regard to the Human Rights Act

when considering any licensing issues, and particularly in respect of the way in which applications are considered and enforcement activities are carried out.

- 1.7. The Licensing Authority acknowledges that it may need to depart from this Policy and from the guidance issued under the Act in individual and exceptional circumstances, and where the case merits such a decision in the interests of the promotion of the licensing objectives. Any such decision will be taken in consultation with the appropriate legal advisors for the Licensing Authority, and the reasons for any such departure will be fully recorded.
- 1.8. It should be noted that this Policy will not override the right of any person to make an application, make representation 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.

2.0. **Consultation**

- 2.1. In accordance with the requirements of the Act, the Licensing Authority has consulted widely before publishing this Policy. A list of consultees is reproduced at Appendix 2. The consultation was carried out between September and November 2015.
- 2.2. The Policy was approved at a meeting of the full Council on 19th December 2018 and was published via our website on the 21st December 2018. Copies have been placed in the public libraries of the area as well as being available in the Civic Centres at Neath and Port Talbot. Should you have any comments as regards this Gambling Policy, or wish to see the full list of comments and the consideration by the authority of those comments then please send them via e-mail or letter to:-

Licensing Manager
Licensing Section
Civic Centre
Port Talbot
SA13 1PJ
licensing@npt.gov.uk

3.0. Neath Port Talbot County Borough Council Local Area Profile

- 3.1. Neath Port Talbot has a geographical area of 442km² and is the eleventh largest council in Wales with a population of 139,880 (the 8th highest population density)
- 3.2. The Council has ***adopted a Corporate Plan (2018-2022) and the Neath Port Talbot Public Services Board Well-being Plan (2018 – 2023)***
- 3.3. ***The Council's Corporate Plan sets out the Council's well-being objectives which have been set so as to maximise the Council's contribution to the seven national well-being goals whilst also discharging its duty to improve the economic environmental, social and cultural well-being of people in Neath, Port Talbot and Pontardawe and to carry out sustainable development. The Plan also sets priorities for improvement and describes how the Council is changing the way it does things to meet the needs of its communities.***
- 3.4. ***The Neath Port Talbot Public Services Board Well-being Plan sets out the Public Services Board's long term vision for the area as well as priorities for action over the next 5 years. The Plan contains well-being objectives identified by the Public Services Board and describes the practical steps that the Board will take to deliver the objectives.***
- 3.5. ***The Licensing Authority expects that those who operate or wish to operate gambling premises within Neath Port Talbot are familiar with both the Council's Corporate Plan and the Public Services Board Well-being Plan and have regard to the well-being objectives that the Council and the Board are trying to achieve.***
- 3.6. ***Operators will be expected to have given consideration to the appropriate well-being objectives within their risk assessments as outlined in paragraph 39 of this policy, paying particular attention to the protection of children from harm and the high levels of deprivation and personal debt within Neath Port Talbot.***
- 3.7. ~~single integrated plan (2013—2023) which sets out the Council's vision for Neath Port Talbot and the steps it will take together to protect and improve local services and support communities.~~

3.8. ~~The plan highlights a number of challenges that the Council faces, and of particular relevance to this Policy is the challenge of deprivation.~~

- ~~• 17 areas within Neath Port Talbot are within the top 10% of the most deprived communities in Wales~~
- ~~• 4 Communities First Cluster areas.~~
- ~~• 25% of those of working age (16 – 64) claim employment benefits compared to the Wales average of 14.7%~~
- ~~• The 9th lowest average household income of the 22 Welsh local authorities~~
- ~~• The seventh highest rate of children living in workless households in Wales.~~

3.9. ~~The Licensing Authority expects that gambling operators premises have regard for the high levels of deprivation within Neath Port Talbot and to ensure that appropriate control measures are in place to protect vulnerable groups. A number of key measures that operators are expected to consider as part of their risk assessments are outlined at paragraph 39 of this policy.~~

4.0. **Licensing Objectives**

4.1. In exercising most of their functions under the Gambling Act 2005 (the Act), the Licensing Authority must have regard to the licensing objectives as set out in Section 1 of the Act and reproduced below:-

- 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 being conducted in a fair and open way.
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

4.2. It should be noted that the Gambling Commission has stated “The requirements in relation to children is explicitly to protect them from being harmed or exploited by gambling”.

4.3. The Licensing Authority is aware that as per Section 153 of the Act, in making decisions about premises licences and temporary use notices, it should aim to permit the use of premises for gambling in so far as it thinks it:-

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

5.0. **Licensing Authority Functions**

5.1. Under the Act this Licensing Authority will be responsible for the following:

- Issuing Premises Licences – Where gambling activities are to take place.
- Issue Provisional Statements - For premises which are to be constructed or adapted for gambling activities.
- Regulate Club Gaming Permits and or Club Machine Permits for members clubs and miners' welfare institutes who wish to undertake certain gaming activities.
- Issue Club Machine Permits – for 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 more than two machines are required.
- Registration of lotteries which are 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 7.0. on information exchange).
 - Maintain registers of the permits and licences that are issued under these functions.
- 5.2. The licensing authority in order to deal efficiently with applications for premises licences, permits, temporary and occasional use notices, reviews, etc has prescribed a list of delegated functions. This is shown at appendix 3.
- 5.3. 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.
- 5.4. The Licensing Authority recognises that the licensing function is only one means of promoting delivery of the three objectives and should not therefore be seen as a means for solving all problems within the community. The Licensing Authority will therefore continue to work in partnership with neighbouring authorities, South Wales Police, Public Health local businesses, local people and those involved in child protection to promote the licensing objectives as outlined. In addition, the Licensing Authority recognises its duty under Section 17 of the Crime and Disorder Act 1998, with regard to the prevention of crime and disorder.

6.0. **Responsible Authorities**

- 6.1. The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:
- The need for the body to be responsible for an area covering the whole of the Licensing Authority's area, and
 - The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

In accordance with the suggestion in the Gambling Commission's Guidance for Local Authorities, this authority designates the ~~Local Safeguarding Children Board for this purpose~~ **Western Bay Safeguarding Children Board** for this purpose.

- 6.2. The contact details of all the Responsible Authorities under the Gambling Act 2005 are available on the Licensing Authority's website at: www.npt.gov.uk/licensing.

7.0. **Interested Parties**

- 7.1. Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act as follows:-
“For the purposes of this Part, a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the Licensing Authority which issues the licence or to which the application is made, the person –
- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
 - b) has business interests that might be affected by the authorised activities, or
 - c) represents persons who satisfy paragraph (a) or (b)”.
- 7.2. The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision making, but will consider the examples of considerations provided in the Gambling Commission's Guidance to Licensing Authorities.

It will also consider the Gambling Commission's Guidance that “has business interests” should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices

Interested parties can be persons who are democratically elected such as Councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the Councillor/MP represents the ward likely to be affected. Likewise parish/community councils likely to be affected will be

considered to be interested parties. Other than these persons, this Authority will require written evidence that a person 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting that representation is sufficient.

If individuals wish to approach Councillors to ask them to represent their views then care should be taken that the Councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the Licensing Section on (01639) 763050 or e-mail licensing@npt.gov.uk

8.0. **Exchange of Information**

- 8.1. Licensing authorities are required to include in their policy statement the principles to be applied by the Authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under Section 350 of the Act with the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.
- 8.2. The principle that this Licensing Authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 2018 and the General Data Protection Regulations 2016 will not be contravened. The Licensing Authority will also have regard to any guidance issued by the Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
- 8.3. Should any protocols be established as regards information exchange with other bodies, then they will be made available.

9.0. **Enforcement**

- 9.1. Licensing Authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under

section 346 of the Act to institute criminal proceedings in respect of the offences specified.

9.2. The Licensing Authority's principles are that:

It will be guided by the Gambling Commission's Guidance to Local Authorities, the Regulators Code and the Licensing Authority's enforcement policy. It will endeavour to be:

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

9.3. The Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

9.4. The Licensing Authority has implemented a risk-based inspection programme based on:-

- The Licensing Objectives
- Relevant Codes of Practice
- Guidance issued by the Gambling Commission in particular Part 36
- The principles set out in this statement of licensing policy
- The Licensing Authority's enforcement policy

9.5. The main enforcement and compliance role for the Licensing Authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which is authorised. The Gambling Concerns about manufacture, supply or repair of gaming machines will not be dealt with by the

Licensing Authority, but should be notified to the Gambling Commission.

9.6. The Licensing Authority will take account of the Gambling Commissions guidance document issued in February 2015 (or any subsequent amendments) 'Approach to Test Purchasing' when considering making test purchases at gambling premises. The Licensing Authority will also follow its own policies and procedures regarding the use of underage test purchasers.

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

10.0. **Fundamental Rights**

10.1. Under the terms of the Act any individual/company may apply for a variety of permissions and have their applications considered on their individual merits. Equally, any Interested Party or Responsible Authority has a right to make relevant representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the Act.

10.2. Applicants and those making relevant representations in respect of applications to the Licensing Authority have a right of appeal to the Magistrates Court against the decisions of the Licensing Authority.

11.0. **Integrating Strategies and Avoiding Duplication**

11.1. By consulting widely prior to this Policy Statement being published, the Licensing Authority will take full account of local policies covering crime prevention, culture, transport, planning and tourism as part of an integrated strategy for the Council, Police and other agencies. Many of these strategies may not be directly related to the promotion of the three licensing objectives, but may indirectly impact upon them.

11.2. When considering any application, the Licensing Authority will avoid duplication with other regulatory regimes so far as possible. Therefore, the Licensing Authority will not attach conditions to a licence unless they are considered necessary,

reasonable and proportionate to the use of premises for gambling consistent with the licensing objectives.

12.0. **Sustainable Development Community Strategy**

- 12.1. ~~The Local Government Act 2000 requires all local authorities to produce a community strategy within the framework of the UK Sustainable Development Strategy —“A better Quality of Life” and relevant regional strategies.~~
- 12.2. The Well-being of Future Generations (Wales) Act 2015 requires Welsh local authorities to think about the long-term impact of their decisions, to work better with people, communities and each other, and to prevent persistent problems such a poverty, health inequalities and climate change.
- 12.3. ***The Neath Port Talbot Public Services Board involving the Local Authority and representatives from a range of partner organisations, are responsible for achievement of locally set well-being objectives which must address the national well-being goals specified in the Well-being of Future Generations (Wales) Act 2015.***
- 12.4. ~~Community strategies provide a focal point for the identification of local issues and aspirations on social inclusion, environmental protection, employment and economic development.~~
- 12.5. ~~Local strategic partnerships, typically involving the police, local authorities, primary care trusts, and representatives from education, business and the voluntary sector organisations, are responsible for the achievement of locally set objectives.~~
- 12.6. Under the Crime and Disorder Act 1998 local authorities must have regard to the likely effect of the exercise of their functions on, and do all they can to prevent crime and disorder in the area. The Licensing Authority will have particular regard to the likely impact of licensing on related crime and disorder in the area, particularly when considering the location, impact, operation and management of all proposed licence/permit applications, renewals and variations of conditions.

Part B – Premises Licences

13.0. General Principles

13.1. Premises licences will be subject to the requirements set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

13.2. The Licensing Authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:-

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

13.3. It is appreciated that moral objections to gambling are not a valid reason to reject applications for premises licences (except as regards any 'no casino resolution' – see section on Casinos below) and also that unmet demand is not a criterion for a Licensing Authority.

13.4. The Licence Conditions and Code of Practice (LCCP) issued by the Gambling Commission commencing in May 2015 places further onus on premises to complete a risk assessment based on code 8, the social responsibility code. The Licensing Authority will have regard to this code when considering applications.

13.5. This Licensing Authority also notes Gambling Commission guidance on ensuring that betting is the primary activity of a licensed premises. Gaming machines may be made available for use in licensed betting premises only at times when there are also sufficient facilities for betting available. Operators will need to demonstrate that betting will continue to be the primary activity of the premises when seeking variations to licenses.

- 13.6. Premises are defined in the Act as including “any place”. Section 152 therefore prevents more than one premises licence applying to “any place”. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being separate premises. This makes provision for large multiple unit premises such as a pleasure park, shopping mall etc to obtain discrete premises licences where appropriate safeguards are in place. However, the Licensing Authority will pay particular attention if there are issues about sub-division of a single building and will ensure that mandatory conditions relating to access between premises are observed.
- 13.7. The Gambling Commission states in its Guidance to Licensing Authorities that “in most cases the expectation is that a single building will be the subject of an application for a licence e.g. 32 High Street. But that does not mean that 32 High Street cannot be the subject of separate premises licences for the basement and ground floor if they are configured acceptably. Whether different parts of a building can be properly regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated for example by ropes or moveable partitions can properly be regarded as different premises”.
- 13.8. The Licensing Authority takes particular note of the Gambling Commission’s Guidance to Local Authorities which states that:
- 13.9. Licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:
- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have

accidental access to or closely observe gambling where they are prohibited from participating.

- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premise or premises with a permit.
- Customers should be able to participate in the activity named on the premises licence.

13.10. The Guidance also gives a list of factors which the Licensing Authority should be aware of, which may include:

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

14.0. **Appropriate Licence Environment**

14.1. The Guidance to Local Authorities and the Licence Conditions and Codes of Practice (LCCP) set out additional matters that the Licensing Authority should take into account when considering licence applications for premises licences.

14.2. Guidance prescribes restrictions on gambling activities on premises, previously known as primary gambling activity. The Licensing Authority will consider any application based on the provisions in these codes and guidance.

14.3. Where gambling facilities are provided at premises as a supplementary activity to the main purpose of the premises; e.g. motorway service areas and shopping malls, the Licensing Authority will expect the gambling area to be clearly defined to ensure that customers are fully aware that they are

making a choice to enter into the gambling premises, and that the premises is adequately supervised at all times.

14.4. The Licensing Authority will consider these and any other relevant factors in making its decision, depending on all the circumstances of the case

15.0. **Premises “Ready for Gambling”**

15.1. The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

15.2. If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have right to occupy them, then an application for a provisional statement should be made instead.

15.3. In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process.

- First, whether the premises ought to be permitted to be used for gambling
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

15.4. Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

15.5. More detailed examples of the circumstances in which such a licence may be granted can be found in the Guidance.

16.0. Other Considerations

Location:

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

Planning:

- 16.2. The Gambling Commissions Guidance to Licensing Authorities states:

~~7.60~~— In determining applications the Licensing Authority has a duty to take into consideration all relevant matters and not to take into consideration any irrelevant matters, i.e. those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal.

- 16.3. This authority will not take into account irrelevant matters as per the above guidance. In addition the authority notes the following excerpt from the Guidance:

~~7.67~~— When dealing with a premises licence application for finished buildings, the Licensing Authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control and building regulation powers, and not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any

action that may be appropriate under the law relating to planning or building.

Duplication with other regulatory regimes:

- 16.4. This Licensing Authority seeks 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 planning permission or building regulations approval in its consideration of it. It will however, listen to and consider carefully any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.
- 16.5. When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or building consents. Fire or health & safety risks will not be taken into account, as these matters are dealt with under relevant planning, building and other regulations and must not form part of the consideration for the premises licence.

Licensing objectives:

- 16.6. Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this Licensing Authority has considered the Gambling Commission's Guidance to Local Authorities and some comments are made below.

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

- 16.7. This Licensing Authority is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. It is however envisaged that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime, this authority will consider carefully whether gambling premises are suitable to be

located there and whether conditions may be suitable such as the provision of door supervisors. The Licensing Authority is aware of the need to make a distinction between disorder and nuisance. It will consider factors such as whether police assistance was required, the nature of any incident so as to make that distinction.

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

- 16.8. The Licensing Authority has noted that the Gambling Commission's advice 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.

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

- 16.9. The Licensing Authority notes the Gambling Commission's guidance 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). The Licensing Authority will therefore consider, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas etc.
- 16.10. This Licensing Authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.
- 16.11. As regards the term "vulnerable persons" it is noted that the Gambling Commission is not seeking to offer a definition, but states that "it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who are gambling beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs". The Licensing Authority will consider this licensing objective on a case by case basis.
- 16.12. The Licence Conditions and Codes of Practice (LCCP) issued in 2015 prescribe how operators must prevent children from using

age restricted gaming or gambling activities, particularly where gaming machines are licensed.

16.13. In particular operators must ensure that;

- all staff are trained,
- that all customers are supervised when on gambling premises
- must have procedures for identifying customers who are at risk of gambling related harm.

16.14. The Licensing Authority will expect all operators to have policies and procedures in place as required by the LCCP codes on social responsibility to cover all aspects of the code, in particular staff training records and self-exclusion records

16.15. Further provisions with regard to self-exclusion and marketing are included in the social responsibility code. The Licensing Authority will take all conditions and codes into account when considering applications or performing enforcement activities.

16.16. The Licensing Authority will have regard to the Chief Medical Officer for Wales report to support the licensing objective to protect children and other vulnerable persons from being harmed or exploited by gambling.

16.17. The Licensing Authority would expect applicants and licence holders to carry out the necessary checks on all relevant members of staff to ensure their suitability for employment, particularly in respect of premises where children and vulnerable people have access.

Conditions:

16.18. Any conditions attached to licences by this Licensing Authority 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.

16.19. Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this Licensing Authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. Specific regard will be against the local risk assessment for each premises, when making such decisions. There are specific comments made in this regard under some of the licence types below. The Licensing Authority will also expect the licence applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively, in conjunction with mandatory conditions specified in the Gambling Act 2005 (Mandatory and Default Conditions)(England and Wales) Regulations 2007.

16.20. The 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 and Codes of Practice.

16.21. The Licensing Authority will also ensure that where category C or above machines are on offer in premises in which children are admitted:

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

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

16.22. The Licensing Authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. This Licensing Authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

16.23. It is noted that there are conditions which the Licensing Authority cannot attach to premises licences which are:

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

Door Supervisors:

16.24. The Gambling Commission advises in its Guidance to Licensing Authorities that if a Licensing Authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons), then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a conditions on the premises licence to this effect.

16.25. Where it is decided that supervision of entrances/machines is appropriate for particular cases it will need to be decided whether these need to be SIA licensed or not. It will not be automatically assumed that they need to be licensed as the statutory requirements for different types of premises vary

17.0. Adult Gaming Centres

17.1. The Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being

exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

17.2. Where gambling facilities are provided at premises as a supplementary activity to the main purpose of the premises; e.g. motorway service areas and shopping malls. The Licensing Authority will expect the gambling area to be clearly defined to ensure that customers are fully aware that they are making a choice to enter into the gambling premises and that the premises is adequately supervised at all times.

17.3. The Licensing Authority may consider measures such as:

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

18.0. **(Licensed) Family Entertainment Centres**

18.1. The Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

18.2. The applicant will be expected to provide evidence that a suitable criminal record check with the Disclosure and Barring Service (DBS) has been conducted on all staff in his/her employment.

18.3. Children and young persons are permitted entry to licensed FECs but are not permitted to play Category C gaming machines.

The Licensing Authority expects the applicant to ensure that there will be sufficient measures in place to prevent under 18 year olds having access to the adult only gaming machine areas. The Licensing Authority will expect applicants to meet the licensing objectives and comply with all mandatory conditions and Codes of Practice issued by the Gambling Commission.

18.4. There is a requirement that there must be clear segregation between the types of machine in order that children do not have access to Category C machines. All Category C machines must be located in an area of the premises which is separate from the remainder of the premises by a physical barrier, which will prevent access other than through a designated entrance. The Licensing Authority will seek to ensure that:

- Only adults are admitted to the area where the gaming machines are located;
- Access to the area where the machines are located is supervised;
- The area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
- At the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

18.5. The Licensing Authority may consider measures to meet the licensing objectives 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.
- Measures/training for staff or how to deal with suspected truant school children on the premises.

This list is neither mandatory, nor exhaustive and is merely indicative of example measures.

19.0. Casinos

19.1. The Licensing Authority has passed a 'no casino' resolution under Section 166 of the Gambling Act 2005. This resolution came into effect on **XXXX 2019**.

19.2. Potential licence applicants should note that as a 'no casino' resolution has been passed by this authority, no applications for casino premises will be considered. Any applications received will be returned with a notification that a 'no casinos' resolution is in place.

20.0. Bingo Premises

20.1. This Licensing Authority notes that the Gambling Commission's Guidance states;

Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

20.2. The Licensing Authority is aware that a holder of bingo premises licences may make available for use of a number of category B gaming machines, not exceeding 20% of the total number of gaming machines, which are available for use on the premises.

20.3. Children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.

20.4. Where Category C or above machines are available in the bingo premises to which children are admitted, the Licensing Authority will seek to ensure that;

- all such machines are located in an area of the premises separate from the remainder of the

- premises by a physical barrier to prevent access other than through a designated entrance;
- only adults are admitted to the area where the machines are located;
 - access to the area where the machines are located is supervised;
 - the area where the machines are located is arranged so that it can be observed by staff or the licence holder; and
 - at the entrance to, and inside any such area, notices are prominently displayed indicating that access to the area is prohibited to persons under 18.

21.0. **Betting Premises**

21.1. The Licensing Authority will as per 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.

21.2. The Licensing Authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the authority a single named point of contact who should be a senior individual and to whom the authority will contact first should any compliance queries or issues arise.

22.0. **Travelling Fairs**

22.1. It will fall to the Licensing Authority to decide whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

22.2. The Licensing Authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

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

23.0. **Tracks**

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

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

23.3. The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:

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

- Provision of information leaflets/helpline numbers for organisations such as Gam Care.

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

- 23.4. Gaming machines - Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, these machines (other than category D machines) should be located in areas from which children are excluded.
- 23.5. Betting machines – This Licensing Authority will, as per Part 6 of the Gambling Commission’s Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.
- 23.6. Applications and plans -The Gambling Act (s51) requires the applicants to submit plans of the premises with their application, in order to ensure the Licensing Authority has premises are fit for gambling. The plan will also be used for the Licensing Authority to plan future premises inspection activity.
- 23.7. Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations.
- 23.8. Some tracks may be situated on agricultural land where the perimeter is not such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises.
- 23.9. In rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary of the premises does not need to be defined.)
- 23.10. This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to

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

24.0. **Provisional Statements**

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

24.2. S204 of the Gambling Act provides for a person to make an application to the Licensing Authority for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

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

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

24.5. The holder of a provisional statement may then apply for a premises licence once the premises are constructed altered or acquired.

24.6. The Licensing Authority will be constrained in the matters it can consider when determining the premises licence application. 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.

24.7. 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; or
- where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this Licensing Authority notes that it can discuss any concerns it has with the applicant before making a decision

25.0. **Reviews**

25.1. Requests for a review of a premises licence can be made by interested parties or responsible authorities. However, it is for the Licensing Authority to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is relevant to the matters listed below:-

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

The authority will also give consideration as to whether the request is frivolous, vexatious; will not cause this authority to wish to alter/revoke/suspend the licence, or whether it is

substantially the same as previous representations or requests for review.

25.2. The purpose of the review will be to determine whether the Licensing Authority should take any action in relation to the licence. If action is justified, the options open to the Licensing Authority are:-

- add, remove or amend a licence condition imposed by the Licensing Authority;
- exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
- suspend the premises licence for a period not exceeding three months; and
- revoke the premises licence.

25.3. In determining what action, if any, should be taken following a review, the Licensing Authority must have regard to the principles set out in Section 153 of the Act, as well as any relevant representations.

25.4. In particular, the Licensing Authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

Part C –
Permits, Temporary Use Notices & Occasional Use Notices

26.0. Family Entertainment Centre Permit

26.1. Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the Licensing Authority for a permit.

26.2. The Licensing Authority will expect applicants 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 policy and procedures will be considered on their merits. They may include training of staff regarding suspected truant school children, how to deal with unsupervised, very young children or children causing problems in and around the premises.

26.3. The Licensing Authority will expect applicants to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and
- that staff are trained to have a full understanding of the maximum stakes and prizes.

26.4. The applicant will be expected to provide evidence that a suitable criminal record check with the Disclosure and Barring Service (DBS) has been conducted on all staff in his/her employment.

26.5. 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 and would, therefore, exclude any premises primarily used for any other purposes, e.g. canteens, fast food takeaways, leisure centres, garages and petrol filling stations, taxi offices.

26.6. It should be noted that the Licensing Authority cannot attach conditions to this type of permit.

27.0. Alcohol Licensed Premises

27.1. There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the Licensing Authority and pay the prescribed fee.

The Licensing Authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Act, e.g. gaming machines have been made available in a way that does not comply with the requirements on the location and operation of the gaming machines;
- the premises are mainly used for gambling; or
- an offence under the Gambling Act has been committed on the premises.

27.2. If a premises wishes to have more than 2 machines, then it needs to apply for a permit, and the Licensing Authority will consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant*”. The Licensing Authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling.

27.3. The applicant will be expected 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.

27.4. Measures which will satisfy the Authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be required. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

27.5. 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.

27.6. It should be noted that the Licensing Authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

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

28.0. **Club Gaming and Club Machine Permits**

28.1. Members Clubs and Miner's Welfare Institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Gaming Machines Permit.

28.2. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming, and games of chance as set out in regulations.

28.3. A Club Gaming Machine Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D) only. NB Commercial Clubs may not site category B3A gaming machines offering lottery games in their club

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

28.5. The Licensing Authority may only refuse an application on the grounds that:

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

- (b) the applicant's premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police.

28.6. There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). Commercial clubs cannot hold a club premises certificate under the Licensing act 2003 and so cannot use the fast-track procedure. As the Gambling Commission's Guidance to Licensing Authorities states "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced." and "The grounds on which an application under the process may be refused are:

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

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

29.0. **Prize Gaming Permits**

29.1. The Gambling Act 2005 states that a Licensing Authority may prepare a policy that they propose to apply in exercising their functions under this Schedule" which "may, in particular, specify matters that the Licensing Authority propose to consider in determining the suitability of the applicant for a permit.

29.2. The Licensing Authority has prepared a policy, which is that the applicant should set out the types of gaming that he or she is

intending to offer, and that the applicant should be able to demonstrate:-

- that they understand the limits to stakes and prizes that are set out in Regulations;
- that the gaming offered is within the law;
- clear policies that outline the steps to be taken to protect children from harm.

29.3. In making its decision on an application for this permit the Licensing Authority does not need to (but may) have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

29.4. It should be noted that the Gambling Act 2005 sets down conditions that the permit holder must comply with. These conditions are:

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

29.5. The Licensing Authority cannot however attach additional conditions to prize gaming permits.

30.0. **Temporary Use Notice**

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

- 30.2. The Licensing Authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.
- 30.3. The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no. 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities for equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.
- 30.4. There are a number of statutory limits as regards temporary use notices. Gambling Commission Guidance is noted that the meaning of “premises” in part 8 of the Act is discussed in Part 7 of the guidance. As with “premises”, the definition of “a set of premises” will be a question of fact in the particular circumstances of each notice that is given. In the Act “premises” is defined as including “any place”. In considering whether a place falls within the definition of “a set of premises”, licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises.
- 30.5. The Licensing Authority is likely 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.

31.0. **Occasional Use Notices**

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

32.0. **Small Society Lotteries**

- 32.1. The Licensing Authority will adopt a risk based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of the operator:

- Submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
- Submission of incomplete or incorrect returns
- Breaches of the limits for small society lotteries

32.2. Non-commercial gaming is permitted if it takes place at non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

- By, or on behalf of, a charity or for charitable purposes.
- To enable participation in, or support of, sporting, athletic or cultural activities.

Charities and community groups should contact this Licensing Authority on 01639 763050 to see further advice.

Part D – Decision Making, Conditions and Codes of Practice

33.0. Administration, Exercise and Delegation of Functions

- 33.1. The powers and duties of the Licensing Authority under the Act may be carried out by the Licensing Committee, by a Sub-Committee or by one or more officers acting under delegated authority.
- 33.2. It is considered that many of the functions will be largely administrative in nature with no perceived areas of contention. In the interests of efficiency and cost effectiveness these will, for the most part, be carried out by officers.
- 33.3. The schedule of delegation of licensing functions is attached at Appendix 3

34.0. Appeals Procedure

- 34.1. Entitlements to appeal for parties aggrieved by decisions of the Licensing Authority are set out in Sections 206 to 209 of the 2005 Act. Appeals must be made to the Magistrates Court for the area in which the Licensing Authority, which has considered the application, is situated.
- 34.2. An appeal has to be commenced by giving notice of the appeal by the appellant to; The Clerk to the Justices, Swansea Magistrates Court, Grove Place, Swansea, SA1 5DB within a period of 21 days, beginning with the day on which the appellant was notified by the Licensing Authority of the decision to be appealed against.
- 34.3. On determining an appeal, the Court may:
- Dismiss the appeal;
 - Substitute the decision appealed against with any other decision that could have been made by the licensing authority;
 - Remit the case to the Licensing Authority to dispose of the appeal in accordance with the direction of the Court.
 - Make an order about costs.

34.4. In anticipation of such appeals, the Licensing Authority will give comprehensive reasons for its decisions. The Licensing Authority will address the extent to which decisions have been made with regard to any relevant codes of practice and guidance issued by the Gambling Commission, reasonably consistent with the licensing objectives and in accordance with this Policy Statement.

34.5. As soon as the decision of the Magistrates' Court has been notified to all parties, the Licensing Authority will not delay its implementation and necessary action will be taken forthwith unless ordered by a higher court to suspend such action (for example, as a result of an ongoing judicial review). The Act provides for no other appeal against the determination of the Magistrates' Court.

35.0. Complaints against licensed Premises

35.1. The Licensing Authority will investigate complaints against licensed premises in relation to matters relating to the licensing objectives for which it has responsibility. In the first instance, complainants are encouraged to raise the complaint directly with the licence holder or business concerned to seek a local resolution.

35.2. Where an interested party has made either a valid representation about licensed premises or a valid application for a licence to be reviewed, the Licensing Authority may initially arrange a conciliation meeting to address and clarify the issues of concern.

35.3. This process will not override the right of any interested party to ask that the Licensing and Gambling Acts Sub-Committee consider their valid objections, or for any licence holder to decline to participate in a conciliation meeting.

36.0. Illegally sited Gaming Machines

36.1. Gaming machines can only be made available for use where a premises licence, permit or an exemption e.g. travelling fairs, authorises its use. It is not possible to site gaming machines at premises such as off licences, newsagents, takeaways or other retail stores.

- 36.2. When illegally sited gaming machines are discovered, the Licensing Authority will make every effort to seize the gaming machine at the first opportunity to ensure that the gaming machine is removed from circulation.
- 36.3. The Licensing Authority working with the Gambling Commission will investigate offences committed under the Gambling Act 2005 by both the supplier of the machine and the proprietor of the business on which the machine was illegally sited.
- 36.4. The Licensing Authority will usually take formal action against the proprietor of the business where illegal gaming machines have been made available for use on the premises. As part of the proceedings the Licensing Authority will seek to secure a forfeiture order under Section 345 of Act, in order that the machine can then be destroyed.
- 36.5. The Licensing Authority anticipates that similar action will be taken by the Gambling Commission to ensure that formal action is also taken against the supplier of the gaming machine.

Part E – **Codes of Practice and Risk Assessments**

37.0. Overview

- 37.1. The Gambling Act 2005 requires the Gambling Commission to issue one or more codes of practice about the manner in which facilities for gambling are provided. The codes may be directed at the holders of operating or personal licences, or any other person involved in providing facilities for gambling.
- 37.2. The Act also requires licensing authorities to take into account when exercising their functions, any relevant code of practice issued by the Commission under section 24, in this case:-
- The Commission's Licence conditions and codes of practice (LCCP), which apply to holders of Gambling Commission operating or personal licences;
 - Other codes - these are the Commission's code of practice for equal chance gaming and its code **of** practice for gaming machines in clubs and premises with an alcohol licence

38.0. **Types of Code Provision**

38.1. The LCCP contains two types of code provision, Social Responsibility Code Provisions and Ordinary Code Provisions:

Social Responsibility Code Provisions

38.2. These are provisions describing arrangements which should be made by persons providing facilities for gambling for the purpose of:-

- ensuring that gambling is conducted in a fair and open way;
- protecting children and other vulnerable persons from being harmed or exploited by gambling; and
- making assistance available to persons who are or may be affected by problems related to gambling.

38.3. Compliance with these is a condition of operator licences; therefore any breach of them by a licensed operator may lead the Commission to review the operator's licence with a view to suspension, revocation or the imposition of a financial penalty and would also expose the operator to the risk of prosecution.

Ordinary Code Provisions

38.4. These do not have the status of licence conditions in the case of licensed operators, but set out good practice. Codes of practice are admissible in evidence in criminal or civil proceedings and must be taken into account in any case in which the court or tribunal think them relevant, and by the Commission in the exercise of its functions; any departure from code provisions by an operator may be taken into account by the Commission, for example on a licence review (but could not lead to imposition of a financial penalty).

39.0. **Risk Assessments**

39.1. The LCCP requires all existing licensees that provide gambling at their premises to assess the local risks to the licensing objectives and have policies, procedures and control measures to reduce those risks. Licensees must take into account any relevant matters identified in the licensing authorities (gambling) Statement of Policy when making their risk assessments.

39.2. A local risk assessment should also be undertaken or updated by a licensee, when applying for:-

- A new premises licence;
- When applying for a variation of an existing premises licence;
- To take into account any local significant changes in the local area;
- When there are significant changes within their premises that may affect the existing local risk assessment.

39.3. Operators are required to make the risk assessment available to licensing authorities when an application is submitted and a copy should be kept at the premises or otherwise on request, and this will form part of the Licensing Authority's inspection regime or investigating complaints.

39.4. The Licensing Authority expects the following matters to be considered by operators when making their risk assessment:

39.5. Matters relating to children and young persons, including:

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

39.6. Matters relating to vulnerable adults, including;

- Information held by the licensee regarding self-exclusions and incidences of underage gambling;
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments;

- Arrangement for localised exchange of information regarding self-exclusions and gaming trends;
- Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor's surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate, **credit / money lending shops, pawn shops** etc.

39.7. Other issues that may be considered could include;

- proximity to churches, mosques, temples or any other place of worship *as these are often used by vulnerable people, for example: providing food banks, debt advice or mental health support;*
- the economic make-up of an area;
- the surrounding night-time economy;
- children's homes and care facilities;
- the area footfall e.g. residential or commercial areas;
- banks and ATMs nearby;
- known anti-social behaviour issues;
- housing facilities;
- job centres;
- hostel and support services for the homeless;
- alcohol and drug support facilities;
- pawn brokers and payday loan businesses;
- other gambling premises;
- mental health facilities;
- community buildings;
- residential care establishments;
- transport and parking facilities e.g. bus stops, taxi ranks, train stations;
- presences of rough sleepers;
- unemployment rates for area;
- types and rates of crime in the area that could impact on the premises
- areas with significant areas of children, e.g. parks and playgrounds.

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

Betting Track Premises

39.9. Betting Track Premises are not required to seek an Operators' Licence with the Gambling Commission and as such are not required to conduct a risk assessment. However, in the interest of the objectives of the Gambling Act 2005, namely i) preventing gambling being a source of crime or disorder, being associated with crime or disorder or being used to support crime; ii) ensuring that gambling is conducted in a fair and open way; iii) protecting children and other vulnerable persons from being harmed or exploited by gambling, this Licensing Authority would expect a Betting Track Premises to conduct a risk assessment for their premises.

Significant changes

39.10. From time to time operators will undertake a refresh of the premises' layout and décor, which is unlikely to prompt a review of the risk assessment for that premises. However, where there is a significant change at the premises that may affect the mitigation of local risks, then an operator must review its risk assessment and if necessary update it, taking into account the change and how it may affect one or more of the licensing objectives.

39.11. It is expected that gambling operators will undertake this risk assessment process as a matter of course for any premises refit, changes to layout or internal control measures. If any changes do require a review of the risk assessments for that premises gambling operators should ensure that they have a system in place to record and action any measures identified in that review.

39.12. The gambling operator will be responsible for identifying when a significant change to the premises has occurred. In order to assist gambling operators the Licensing Authority has provided the following list of examples of what could be classified as a significant change to the premises (some of which may also require a variation to the existing premises licence).

- Any building work or premises refit where gambling facilities are relocated within the premises.
- The premises licence is transferred to a new operator who will operate the premises with its own

procedures and policies which are different to those of the previous licensee.

- Any change to the operator's internal policies which as a result requires additional or changes to existing control measures; and/or staff will require retraining on those policy changes.
- The entrance or entrances to the premises are changed, for example, the door materials are changed from metal with glazing to a full glass door or doors are reallocated from egress to ingress or vice versa.
- New gambling facilities are made available on the premises which were not provided previously, for example, bet in play, handheld gaming devices for customers, Self Service Betting Terminals, or a different category of gaming machine is provided.
- The premises operator makes an application for a licence at that premises to provide an activity under a different regulatory regime, for example, to permit the sale of alcohol.

39.13. As with the examples of significant changes in local circumstances, the list above is not an exhaustive list of significant changes to premises.

39.14. The Licensing Authority will not, as general practice, request a copy of the reviewed risk assessment if a significant change to the licensed premises has occurred, unless the change is one that will necessitate a variation application.

Variations

39.15. Variations to premises licences are only those required to be made under section 187 of the Act and will not include changes of circumstances such as a change of premises' name or a change of licensee's address, etc.

39.16. The Commissions LCCP social responsibility code provision requires that gambling operators must undertake a review of the local risk assessment and update it if necessary when preparing an application to vary the premises licence. Operators submitting a variation application to the Licensing Authority may consider submitting a copy of the reviewed local risk assessment when submitting the application. This will then negate the need for the

Licensing Authority requesting to see a copy of this risk assessment and could potentially reduce the likelihood of a representation being made to the application.

Regular review of risk assessment

39.17. As a matter of best practice the Licensing Authority recommends that operators establish a regular review regime in respect of their local risk assessments. This review programme can be carried out alongside other reviews on Health and Safety risk assessments for the premises. This review programme would ensure that, regardless of whether or not any of the trigger events set out above have occurred, these risk assessments are considered at regular intervals and updated if necessary.

39.18. It will be up to the gambling operator as to the frequency of these reviews but it is recommended that no more than three years should pass before these assessments are reviewed. Operators may wish to synchronise their reviews of the local risk assessments with the publication of the Licensing Authority's Gambling Policy. This would enable gambling operators to consider the Local Area Profile outlined at paragraph 3.0.

Local risks and control measures

39.19. There are two specific parts to the risk assessment process:

- the assessment of the local risks
- the determination of appropriate mitigation to reduce those risks

39.20. The risks that operators must identify relate to the potential impact a gambling premises and its operation may have on the licensing objectives. Gambling operator should identify and list all of the local risks within the assessment that they have identified. The level of such risks can range from being low to very high depending on the potential impact that the gambling operator has assessed it to have on the licensing objectives. The level of any given risk will have a direct impact on the type and extent of the control measures that the gambling operators deems as being necessary to mitigate such risk.

39.21. Operators will already be assessing locations when looking for new sites or when reviewing the performance of their premises. The design of premises is also assessed to ensure that they will

meet the needs of the gambling operation, will provide protection for staff and customers; and will have facilities for recording crime. Operators will also have implemented policies and procedures for the operation of premises in line with statutory and other regulatory requirements placed upon them by the Commission and other agencies.

39.22. Operators will already be familiar with identifying risks in relation to health and safety and food hygiene legislation. Risk assessments are also used for security and crime purposes, for example for money laundering and as part of trade association best practice, such as the Safe Bet Alliance.

39.23. This local risk assessment process, although similar requires a much broader range of considerations when identifying local risk. The requirement of the Commissions LCCP social responsibility code provision is that gambling operators consider the local area in which the premises are situated and the impact that the premises operation may have on the licensing objectives.

40.0. **Further Information**

Further information about the Gambling Act 2005, this Statement of Licensing Policy or the application process can be obtained from:

Licensing Section
Civic Centre
Port Talbot
SA13 1PJ

Telephone: 01639 763050
Email: [licensing @npt.gov.uk](mailto:licensing@npt.gov.uk)

Information is also available from:

The Gambling Commission
Victoria Square House
Birmingham
B2 4BP

Telephone: 0121 230 6666
Website: www.gamblingcommission.gov.uk

The Department for Digital, Culture, Media and Sport
100 Parliament Street
London
SW1A 2BQ

Telephone: 020 7211 6200
Website: www.culture.gov.uk

APPENDIX 1



Neath Port Talbot County Borough Council
NPTCBC GIS V7.42N

© Crown copyright. All rights reserved Neath Port Talbot CBC LA090131 - 10/08/2009

Printed with TPMS Viewer NPTCBC GIS V7.44N

APPENDIX 2

Consultees – Gambling Policy

South Wales Police
Gambling Commission
ABMU Public Health Wales
British Association of Leisure Parks,
Piers & Attractions Ltd (BALPPA)
British Greyhound Racing Board
Bingo Association
British Beer & Pub Association
Association of British Bookmakers
Casino Operators Association of the UK
Racecourse Association Ltd
British Amusements + Catering Trades Association
British Casino Association
British Holiday & Home Parks Association
Community Councils
Neath Port Talbot Community Safety Partnership
Neath Port Talbot Council for Voluntary Services
Existing Licence / Permit holders (S34's, bingo, betting shops)
Neath Port Talbot CVS
Neath Town Centre Partnership
Neath Town Centre Manager
Business Crime Reduction Partnership
Gamblers Anonymous
Citizen's Advice Bureau
Gamcare
Mid and West Wales Fire and Rescue Services
Western Bay Safeguarding Boards
All Local Authority Directorates in particular:-
Environmental Health Section
Children and Young People Services

APPENDIX 3

SUMMARY OF LICENSING AUTHORITY DELEGATIONS UNDER THE
GAMBLING ACT 2005

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

Equality Impact Assessment Screening Form

Please ensure that you refer to the Draft Screening Form Guidance while completing this form. If you would like further guidance please contact Corporate Strategy or your directorate Heads of Service Equality Group Champion.

Section 1

What service area and directorate are you from?

Service Area: Licensing

Directorate: F&CS

Q1(a) What are you screening for relevance?

Service/ Function	Policy/ Procedure	Project	Strategy	Plan	Proposal
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(b) Please name and describe below

Gambling Act 2005 – Gambling Act Policy

Review of the Gambling Act policy in order to comply with statutory timescales. Amendments have been made to the policy to update dates and reflect changes that have been made to the Gambling Commission Guidance and Codes of Practice.

Q2(a) What does Q1a relate to?

Direct front line service delivery	Indirect front line service delivery	Indirect back room service delivery
<input checked="" type="checkbox"/> (H)	<input type="checkbox"/> (M)	<input type="checkbox"/> (L)

(b) Do your customers/clients access this service...?

Because they need to	Because they want to	Because it is automatically provided to everyone in NPT	On an internal basis i.e. Staff
<input checked="" type="checkbox"/> (H)	<input type="checkbox"/> (M)	<input type="checkbox"/> (M)	<input type="checkbox"/> (L)

Q3 What is the potential impact on the following protected characteristics?

	High Impact (H)	Medium Impact (M)	Low Impact (L)	Don't know (H)
Age	→ <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	→ <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	→ <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	→ <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	→ <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	→ <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	→ <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	→ <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	→ <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Welsh language	→ <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Q4(a) How visible is this service/function/policy/procedure/ project/strategy to the general public?

High visibility	Medium visibility	Low visibility
-----------------	-------------------	----------------

Equality Impact Assessment Screening Form

to general public

(H)

to general public

(M)

to general public

(L)

(b) What is the potential risk to the council's reputation? (Consider the following impacts – legal, financial, political, media, public perception etc...)

High risk
to reputation

(H)

Medium risk
to reputation

(M)

Low risk
to reputation

(L)

Q5 How did you score?
Please tick the relevant box

**MOSTLY H and/or M → HIGH PRIORITY → EIA to be completed
Please go to Section 2**

**MOSTLY L → LOW PRIORITY / NOT RELEVANT → Do not complete EIA
Please go to Q6 followed by Section 2**

Q6 If after completing the EIA screening process you determine that this service/function/policy/project is not relevant for an EIA you must provide adequate explanation below (Please use additional pages if necessary).

This is the 4th review of the Council's Gambling Act Policy. Originally adopted in January 2007 the policy sets out how the Council will deal with various applications for licences and permits under the Gambling Act 2005.

The amendments made to the policy are considered to be minor and relate to updating dates and to reflect changes made to the Gambling Commissions Guidance and Codes of Practice. The main changes to the policy reflect the need for gambling operators to produce risk assessments to ensure that vulnerable people are monitored and protected from the harms of gambling, and the Council's expectations of what should be included in those risk assessments.

It is not considered that the proposed amendments to the policy will have an impact on any of the protected characteristics.

Equality Impact Assessment Screening Form

Section 2

Screener- This to be completed by the person responsible for completing this screening
Name: Neil Chapple
Location: Licensing Section, Port Talbot Civic Centre
Telephone Number: 01639 763056
Date: 14 th September 2018
Approval by Head of Service
Name: Craig Griffiths
Position: Head of Legal Services
Date:

Please ensure this completed form is filed appropriately within your directorate because it may be required as evidence should a legal challenge be made regarding compliance with the Equality Act 2010.

This page is intentionally left blank

EXECUTIVE DECISION RECORD

24 OCTOBER, 2018

CABINET

Cabinet Board Members:

Councillors: C.Clement-Williams, D.W.Davies, A.R.Lockyer, P.A.Rees, P.D.Richards and A.J.Taylor

Invitees: Councillor A.N. Woolcock (Chairperson of the Scrutiny Committee)
Councillor S.Rahaman (Vice Chairperson of the Scrutiny Committee)

Officers in Attendance:

S.Phillips, H.Jones, A.Jarrett, C.Griffiths, D.Griffiths and N.Headon

1. **APPOINTMENT OF CHAIRPERSON**

Agreed that Councillor A.J.Taylor be appointed as Chairperson.

2. **MINUTES OF PREVIOUS MEETINGS HELD ON 6 SEPTEMBER, 12 SEPTEMBER AND 3 OCTOBER, 2018**

Noted by Committee.

3. **FORWARD WORK PROGRAMME 2018**

Noted by Committee.

4. **PROPOSAL FOR THE INTRODUCTION OF NON-REFUNDABLE CEREMONY BOOKING DEPOSITS FOR NEATH PORT TALBOT REGISTRATION SERVICES**

Decision:

That booking deposits for ceremonies conducted within Neath Port Talbot Registration Service, be non-refundable and set at a rate of £50, with implementation for all customer bookings made after 1 January, 2019.

Reason for Decision:

The proposal, if implemented could not only result in income generation but will assist in improving administrative support at the Neath Registration Office, with the aim of enhancing customer choice and experience and allowing for better preparedness for busy periods for ceremonies and staffing requirements.

Implementation of Decision:

The decision will be implemented after the three day call in period.

5. **PUBLIC SERVICE OMBUDSMAN FOR WALES ANNUAL REPORT 2017/2018**

That the report be noted.

CHAIRPERSON

EXECUTIVE DECISION RECORD

31 OCTOBER, 2018

CABINET

Cabinet Members:

Councillors: R.G.Jones (Chair), A.J.Taylor, C.Clement-Williams,
D.W.Davies, A.R.Lockyer, P.D.Richards and A.Wingrave

Invitees: Councillor A.N. Woolcock (Chairperson of the Scrutiny
Committee)

Officers in Attendance:

S.Phillips, K.Jones, C.Griffiths, H.Jenkins, A.Evans, G.Nutt, H.Jones,
C.Furlow, N.Headon and C.Davies

1. **APPOINTMENT OF CHAIRPERSON**

Agreed that Councillor R.G. Jones be appointed as Chairperson.

2. **DECLARATIONS OF INTEREST**

The following Members made declarations of interest at the
commencement of the meeting:

Councillor R.G.Jones	Re: Report of Corporate Directors' Group on the Draft Budget for Consultation 2019/20 as he a Governor at Ysgol Cwm Brombil and Coed Hirwaun Primary School and has a daughter working at a school in Neath Port Talbot.
----------------------	--

- Councillor A.J.Taylor Re: Report of Corporate Directors Group on the Draft Budget for Consultation 2019/20 as he is a Governor at Eastern Primary School and his sister-in-law works as a Teacher in Baglan Primary School.
- Cllr. C.Clement-Williams Re: Report of Corporate Directors' Group on the Draft Budget for Consultation 2019/20 as she has a family member working at Hillside Secure Unit.
- Councillor A.R. Lockyer Re: Report of Corporate Directors' Group on the Draft Budget for Consultation 2019/20 as he is a Governor at YGG Castell-nedd and Gnoll Primary School, has grandchildren in the school system and his son works at Dwr-y-Felin Comprehensive School.
- Councillor P.D.Richards Re: Report of Corporate Directors' Group on the Draft Budget for Consultation 2019/20 as he is a Vice Chair of Governors at Baglan Primary School and Blaenbaglan Primary School, and his grandson attends Blaenbaglan Primary School.
- Councillor D.W. Davies Re: Report of Corporate Directors' Group on the Draft Budget for Consultation 2019/20 as he is a Governor at Ynysfach Primary School and Llangatwg Comprehensive School, and his sister-in-law is employed in the Education Department.
- Councillor A.Wingrave Re: Report of Corporate Directors' Group on the Draft Budget for Consultation 2019/20 as she has grandchildren attending Coedffranc

3. **FORWARD WORK PROGRAMME 2018/19**

Noted by Committee.

4. **REVENUE BUDGET MONITORING 2018/19**

Decisions:

1. That the budget monitoring information be noted and management arrangements put in place to minimise overspends and the adverse impacts on reserves;
2. That the additional grants received, be noted;
3. That the proposed reserve movements and budget virements, be approved and commended to Council as appropriate.

Reason for Decisions:

To update the Council's budget for additional grants received, budget virements and reserve movements in line with the Council's Constitution.

Implementation of Decisions:

The decisions will be implemented after the three day call in period.

5. **CAPITAL BUDGET MONITORING 2018/19**

Decisions:

1. That the proposed 2018/2019 Capital Programme Budget, totalling £47.721m, be commended to Council for approval;
2. That the position in relation to expenditure as at 30 September, 2018, be noted.

Reason for Decisions:

To update the Capital Programme for 2018/19 and inform Members of the current year spend to date.

Implementation of Decisions:

The decisions will be implemented after the three day call in period.

6. **DRAFT BUDGET FOR CONSULTATION 2019/20**

Cabinet noted that the Director of Finance and Corporate Services would prepare a response to be submitted to the Welsh Government in relation to the Provisional Settlement, taking account of comments raised by Scrutiny Members at the Scrutiny Committee held earlier in the day.

Decision:

That the draft savings and additional income proposals, as set out at Appendix 1 of the circulated report, be approved for consultation purposes and the Chief Executive be authorised to carry out the said consultation.

Reason for Decision:

To commence the draft budget consultation for 2019/20.

Implementation of Decision:

The decision will be implemented after the three day call in period.

7. **TREASURY MANAGEMENT MONITORING 2018/19**

That the report be noted.

8. **THIRD SECTOR GRANTS SCHEME**

Decisions:

1. That the revised Third Sector Grant Scheme, as set out Appendix 1 to the circulated report, be approved.
2. That Members support the principle of allocating a higher proportion of the funds available to support the sustainability of strategic partners, the detail to be determined by Members once applications had been received and analysed;
3. That the Neath Port Talbot Council for Voluntary Services (CVS) be asked to respond to the consequential impact, arising from the recommendation set out at Paragraph 29 of the circulated report for those organisations that may be adversely affected by prioritising investment in Strategic Partners.
4. That the CVS be asked to provide assistance to other third sector organisations to seek out other fundraising opportunities which can include seeking assistance from Council Officers;
5. That the Council provides an opportunity to third sector organisation to advertise volunteering opportunities through its vacancy bulletin and through its Voluntary Redundancy Scheme;
6. That Officers explore the business case for adopting a Volunteering Policy for the Council's workforce;
7. That the other issues raised in this report, as set out in Paragraph 18 (h) be formally raised in the Voluntary Sector Liaison Forum, with a view to the issues being incorporated into the existing work programme of the Forum as proposed in this report.

Reason for Decisions:

To ensure the Third Sector Scheme is aligned with the Council's Corporate Plan 2018-2022.

Implementation of Decisions:

The decisions will be implemented after the three day call in period.

9. **MEMBERS COMMUNITY FUND - PELENNNA**

Decision:

That approval be granted under the Members' Community Fund, to provide financial support of £3,090 for renewal of a defective heating boiler, Tonmawr RFC, Dan-y-Coed, Peleenna.

Reason for Decision:

To approve the Application for funding received under the Members' Community Fund. The Members' Community Fund will continue to receive bids until the due deadline date of 31 March, 2020.

Implementation of Decision:

The decision will be implemented after the three day call in period.

CHAIRPERSON

EXECUTIVE DECISION RECORD

7 NOVEMBER, 2018

CABINET

Cabinet Members:

Councillors: R.G.Jones (Chair), A.J.Taylor, C.Clement-Williams,
D.W.Davies, E.V.Latham, A.R.Lockyer, P.A.Rees and
A.Wingrave

Officers in Attendance:

H.Lewis and N.Headon

1. **APPOINTMENT OF CHAIRPERSON**

Agreed that Councillor R.G.Jones be appointed Chairperson.

2. **ACCESS TO MEETINGS**

RESOLVED: that pursuant to Regulation 4(3) and (5) of Statutory Instrument 2001 No 2290, the public be excluded for the following item of business which involved the likely disclosure of exempt information as defined in Paragraph 14 of Part 4 of Schedule 12A of the Local Government Act 1972.

3. **GLAMORGAN FURTHER EDUCATION TRUST FUND**

Decisions:

1. That the applications for awards as detailed in Appendices B, C and D of the private circulated report, under the Glamorgan Further Education Trust Fund for the academic year 2018/2019 to eligible applications received on or before the closing date, be approved.

2. That arrangements be made for future applications under the Glamorgan Further Education Trust Fund to be considered by the Cabinet (Finance) Sub Committee.

Reason for Decisions:

To provide appropriate financial support for students who would otherwise suffer hardship.

Implementation of Decisions:

The decisions are proposed from implementation after the three day call in period.

CHAIRPERSON

EXECUTIVE DECISION RECORD

21 NOVEMBER, 2018

CABINET

Cabinet Members:

Councillors: A.J.Taylor (Chair), R.G.Jones, C.Clement-Williams, D.W.Davies, E.V.Latham, A.R.Lockyer, P.A.Rees and P.D.Richards

Invitees: Councillor A.N. Woolcock (Chairperson of the Scrutiny Committee)
Councillor S.Rahaman (Vice Chairperson of the Scrutiny Committee)

Officers in Attendance:

S.Phillips, K.Jones, H.Jenkins, A.Jarrett, C.Griffiths, C.Furlow and N.Headon

1. **APPOINTMENT OF CHAIRPERSON**

Agreed that Councillor A.J.Taylor be appointed as Chairperson.

2. **FORWARD WORK PROGRAMME 2018**

Noted by Committee.

3. **CALCULATION OF COUNCIL TAX BASE FOR 2019/20**

Decisions:

1. That the Council Tax Base for the 2019/2020 financial year, be set in the sum of £47,348.79, for the whole of the County Borough, be approved;

2. That the following amounts, in relation to Town and Community Council areas, be approved:

Blaengwrach	360.90
Blaenhonddan	4,568.74
Briton Ferry	1,832.46
Clyne and Melincourt	253.98
Coedffranc	3,568.17
Crynant	677.29
Dyffryn Clydach	1,089.34
Glynneath	1,365.22
Neath	6,416.95
Onllwyn	371.38
Pelenna	392.96
Resolven	721.37
Seven Sisters	619.25
Tonna	890.32
Cilybebyll	1,886.25
Cwmllynfell	377.09
Gwauncaegurwen	1,315.93
Pontardawe	2,460.77
Ystalyfera	1,570.89

Reason for Decisions:

To determine the Council Tax Base for 2019/20.

Implementation of Decisions:

The decisions are urgent and for immediate implementation. The Chairperson of the Scrutiny Committee had agreed to this course of action and therefore there would be no call-in of these decisions.

4. **PROPOSAL FOR INTRODUCTION OF FEES FOR APPLICATIONS IN RELATION TO COMMON LAND**

Decision:

That the fee structure, as outlined in Appendix 1 of the circulated report, for applications under the Commons Act 2006 (Correction, Non-Registration or Mistaken Registration) (Wales) Regulations 2017 (“the Regulations”), be approved.

Reason for Decision:

To enable the Council, as the Commons Registration Authority, to meet its statutory requirements under the Commons Registration Act 1965, Commons Act 2006 and associated statutory regulations, comply with its duties accordingly.

Implementation of Decision:

The decision will be implemented after the three day call in period.

5. **IMPLEMENTATION OF THE COMMONS ACT 2006 (CORRECTION, NON-REGISTRATION OR MISTAKEN REGISTRATION) (WALES) REGULATIONS 2017**

Decision:

That the Head of Legal Services be given delegated authority to undertake the administration and maintenance of the Commons Register under the Commons Registration Act 1965, and any administrative tasks in relation to applications received under the Commons Act 2006 and any ancillary statutory regulations.

Reason for Decision:

In order to implement the legislative framework which has been set down by the Government and ratified by the Welsh Government. To not implement the same would be going against statute and could leave the Council open to judicial challenge.

Implementation of Decision:

The decision will be implemented after the three day call in period.

6. **HALF YEAR PROGRESS REPORT - CORPORATE GOVERNANCE IMPROVEMENT ACTION PLAN FOR 2018/19 - PERIOD 1 APRIL 2018 TO 30 SEPTEMBER 2019**

Noted by Committee.

7. **CORPORATE PLAN KEY PERFORMANCE INDICATORS 2018/2019 -
QUARTER 2 PERFORMANCE (1 APRIL 2018- 30 SEPTEMBER 2018)**

Noted by Committee.

CHAIRPERSON

EXECUTIVE DECISION RECORD
EDUCATION, SKILLS AND CULTURE
CABINET BOARD (SPECIAL)

18 OCTOBER 2018

Cabinet Members:

Councillors: A.R.Lockyer and P.A.Rees (Chairperson)

Officers in Attendance:

I.Guy, K.Gilbert and J.Woodman-Ralph

1. **APPOINTMENT OF CHAIRPERSON**

Agreed that Councillor P.A.Rees be appointed Chairperson for the meeting.

2. **APPOINTMENT OF LA GOVERNOR REPRESENTATIVES AT YSGOL CARREG HIR**

Decision:

That in line with approved policy the following Members be approved as Local Authority representatives for Ysgol Carreg Hir as from the 1st November 2018 to the 31 October 2022.

Cllr. Chris James
Cllr. Hugh James
Mr. Peter Nedin

Reasons for Proposed Decision:

To enable the Authority to contribute to effective school governing bodies.

Implementation of Decision:

The decision will be implemented after the three day call in period.

3. **APPOINTMENT OF LA GOVERNOR REPRESENTATIVES AT YSGOL CWM BROMBIL**

Decision:

That in line with approved policy Members approved the Local Authority Governor representatives for Ysgol Cym Brombil as follows as from 1st November 2018 until 31 October 2022.

Cllr. Rob Jones
Cllr. Dennis Keogh
Cllr. Rachel Taylor
Cllr. Rhidian Mizen
Cllr. David Whitelock

Reason for Decision:

To enable the Authority to contribute to effective school governing bodies.

Implementation of Decision:

The decision will be implemented after the three day call in period.

CHAIRPERSON

EXECUTIVE DECISION RECORD
EDUCATION, SKILLS AND CULTURE CABINET BOARD
18 OCTOBER 2018

Cabinet Members:

Councillors: A.R.Lockyer and P.A.Rees (Chairperson)

Officers in Attendance:

A.Thomas, A.Spooner-Cleverly, C.Davies and J.Woodman-Ralph

Invitees:

Councillor: A.L.Thomas (Scrutiny Chairperson)

1. **APPOINTMENT OF CHAIRPERSON**

Agreed that Councillor P.A.Rees be appointed Chairperson for the meeting.

2. **MINUTES OF PREVIOUS MEETING**

That the minutes of the 20 September 2018 be noted.

3. **ANNUAL REPORT ON NEETS 2018**

Decision:

That the report be noted.

4. **EMPLOYABILITY PROGRAMMES WITHIN THE EDUCATION LEISURE, AND LIFELONG LEARNING DIRECTORATE**

Decision:

That the report be noted.

5. **FORWARD WORK PROGRAMME 18/19**

Decision:

That the report be noted.

6. **ACCESS TO MEETINGS**

Decision:

That pursuant to Regulation 4(3) and (5) of Statutory Instrument 2001 No. 2290, the public be excluded for the following items of business which involved the likely disclosure of exempt information as defined in Paragraphs 14 & 15 of Part 4 of Schedule 12A to the Local Government Act 1972.

7. **MARGAM CATERING AND TWYN YR HYDD**

Decisions:

1. That approval be granted to retain the catering operation at the Orangery and Charlottes Pantry;
2. That the previous exercise for a tenant and operator to be appointed for Twyn Yr Hydd be abandoned and that the Head of Property and Regeneration be granted delegated authority to notify the remaining organisations of the exercise being abandoned;
3. That approval be granted for officers to explore the viability of developing Twyn yr Hydd as a smaller wedding venue to complement the operation at The Orangery;
4. That if Recommendations 2 proves not appropriate the Head of Property and Regeneration and the Head of Transformation be

granted authority to commence a new exercise for the granting of a lease for Twyn Yr Hydd;

5. That the Head of Transformation be granted delegated authority to accept the highest scoring applicant following a competitive process being undertaken. In the event that the highest scoring applicant declines the award, delegated authority be granted to the next highest scoring and so on;
6. That the Head of Property and Regeneration be granted delegated authority to enter into a lease and any associated documents with the successful applicant under the aforementioned competitive exercise in respect of Twyn Yr Hydd.

Reason for Decisions:

The option of in house delivery is considered to be the better delivery model after appraising both options.

The retendering of Twyn Yr Hydd is necessary to attract a tenant who would complement the existing offer at Margam Country Park.

Implementation of Decisions:

That the decisions will be implemented after the three day call in period.

8. **PRIMARY SCHOOLS CATERING REVIEW**

Decision:

That the report be noted.

CHAIRPERSON

This page is intentionally left blank

EXECUTIVE DECISION RECORD

29 NOVEMBER 2018

EDUCATION, SKILLS AND CULTURE CABINET BOARD

Cabinet Members:

Councillors: A.R.Lockyer, P.A.Rees and D.W.Davies

Officers in Attendance:

I.Guy, K.Gilbert and A.Manchipp

1. **APPOINTMENT OF CHAIRPERSON**

That Councillor A.R.Lockyer be appointed Chair for the meeting.

2. **DECLARATIONS OF INTEREST**

That the following Members made declarations of interest at the commencement of the meeting:-

Councillor A.R.Lockyer	In relation to YGG Castell-Nedd, as his son is the Head of Music at the school and confirmed his dispensation to both speak and both thereon.
------------------------	---

Councillor P.A.Rees	In relation to YGG Castell-Nedd, as he is a relative of a governor at the school and withdrew during the discussion and voting thereon.
---------------------	---

3. **APPOINTMENT AND REMOVAL OF LA GOVERNOR REPRESENTATIVES**

Decisions:

That, in line with the approved policy, the following changes be approved to the Local Authority Governor Representatives as detailed in the circulated report.

Awel Y Mor Primary School

Re-appoint Cllr.M.Crowley w.e.f. 1 January, 2019

Catwg Primary School

Appoint G.Murphy with immediate effect

Coedffranc Primary School

Re-appoint Cllr.A.Davies and Re-appoint S.James w.e.f. 1 January 2019

Cwmafan Primary School

Re-appoint A.Curtis w.e.f. 1 February, 2019

Dwr Y Felin Comprehensive School

Remove H.Bebell

Llangiwg Primary School

Appoint M.Naughton with immediate effect

Maesmarchog Primary School

Re-appoint W.Hopkins w.e.f. 1 January, 2018

Sandfields Primary School

Appoint S.Amos with immediate effect

The Federated Schools of UAV

Appoint Cllr.J.Jones with immediate effect

Tywyn Primary School

Re-appoint Cllr.M.Crowley w.e.f. 1 January, 2019

YGG Castell-Nedd

Re-appoint R.Williams w.e.f. 1 January, 2019

(Cllr D.W.Davies substituted for Cllr P.A.Rees in relation to the above)

YGG Rhosafan

Re-appoint A.Phillips w.e.f. 1 January, 2019

Ysgol Hendrefelin

Re-appoint R.Blank 1 February, 2019

That the consideration of appointment of Local Authority Representatives to the following schools, be deferred:

Catwg Primary School

(1 Vacancy)

Coedffranc Primary School

(1 Vacancy)

Llangatwg Community School

(1 Vacancy)

Rhos Primary School

(1 Vacancy)

Tonnau Primary School

(1 Vacancy)

Waunceirch Primary School

(2 Vacancies)

YGG Cwnllynfell

(2 Vacancies)

Ysgol Bae Baglan

(2 Vacancies)

Ysgol Hendrefelin

(1 Vacancy)

Reason for Decisions

To enable the Authority to contribute to effective school governance through representation on school governing bodies.

Implementation of Decisions

The decisions will be implemented after the three day call in period.

CHAIRPERSON

EXECUTIVE DECISION RECORD

CABINET BOARD - 26 OCTOBER 2018

REGENERATION AND SUSTAINABLE DEVELOPMENT CABINET BOARD

Cabinet Board Members:

Councillors: D.W.Davies and A.Wingrave (Chairperson)

Vice Chair of Scrutiny:

Councillor: L.Jones

Officers in Attendance:

S.Brennan and T.Davies

1. **APPOINTMENT OF CHAIRPERSON**

Agreed that Councillor A.Wingrave be appointed Chairperson for the meeting.

2. **MINUTES OF PREVIOUS MEETING**

Agreed that the minutes of the meeting of 14 September, 2018 be noted by the Committee.

3. **TAI TARIAN - LOCAL LETTING POLICIES**

Cabinet Members took on board the views of the Scrutiny Committee, which had discussed the report in its meeting immediately prior to the Cabinet Board.

Cabinet Members felt that the report should be deferred at today's meeting, to allow further information to be included as follows:

- A screening assessment had been completed, with the outcome that no Equalities Impact Assessment (EIA) was necessary, but Members felt that an EIA should nonetheless be completed due to the vulnerable nature of homeless people (even though homelessness was not defined as a protected characteristic);
- Cabinet Members wanted additional legal information included within the report around the Authority's statutory duty to homelessness. They also wanted figures included in the report relating to homeless and potentially homeless households within the Authority;
- Cabinet Members wanted the impact of the 'Bush Row' Local Letting Policy assessed in relation to the wider community (ie if the recommendation was approved, would the problems mentioned in the report be forced into other areas?);
- Members expressed concern about giving delegated powers to the Head of Commissioning, Support and Direct Services as they felt such policies should be brought for discussion and approval by the Cabinet Board.

Decision:

That the report be deferred until further information had been included in relation to the points identified above.

Reason for Decision:

Member's required more information before making a decision on the recommendations contained within the report.

Implementation of Decision:

The decision will be implemented after the three day call in period.

4. **LOCAL DEVELOPMENT PLAN (LDP) ANNUAL MONITORING REPORT**

Decision:

That the findings, conclusions and recommendations of the Annual Monitoring Report, as detailed at Appendix 1 to the circulated report, be

noted and the submission and publication procedures as set out in the report be implemented.

Reason for Decision:

To ensure compliance with the requirements of the Planning and Compulsory Purchase Act 2004 and Town and Country Planning (Local Development Plan) (Wales) (Amendment) Regulations 2015.

Implementation of Decision:

The decision will be implemented after the three day call in period.

5. **FOOD AND FEED SERVICE DELIVERY PLAN 2018-2019 AND THE FOOD AND FEED LAW ENFORCEMENT REVIEW 2017-2018**

Decision:

That the Food and Feed Service Delivery Plan 2018- 2019 and the Food and Feed Law Enforcement Review 2017-2018, be noted.

6. **NEATH FOOD AND DRINK FESTIVAL**

Decision:

That the report be noted.

7. **FORWARD WORK PROGRAMME 2018/19**

Decision:

That the Forward Work Programme be noted.

8. **URGENT ITEM**

Because of the need to deal now with the matter contained in Minute No. 10 below, the Chairperson agreed that this could be raised at today's meeting as an urgent item pursuant to Statutory Instrument 2001 No.2290 (as amended).

Reason: Due to the time element.

9. **ACCESS TO MEETINGS**

RESOLVED: That pursuant to Regulation 4(3) and (5) of Statutory Instrument 2001 No. 2290, the public be excluded for the following items of business which involved the likely disclosure of exempt information as defined in Paragraph 14 of Part 4 of Schedule 12A to the Local Government Act 1972.

10. **REPAYMENT OF GRANT MONIES**

Decision:

That the full amount of grant monies, as detailed in the private circulated urgent report, be waived, for the reasons given within the circulated report.

Reason for Decision:

To ensure the Authority exercises its discretion under the Housing Grants Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008.

Implementation of Decision:

The decision will be implemented after the three day call in period.

11. **PITCHES 4 AND 5 AT CWRT HERBERT, NEATH ABBEY**

Decision:

That the grant of a lease to the Trustees of Celtic Neath AFC in respect of the playing fields and recreation area known as pitches 4 and 5 at Cwrt Herbert, Neath Abbey, on the terms set out in the private circulated report, be approved.

Reason for Decision:

To allow the playing fields and recreation area to be used for the playing of senior football and associated training purposes by the club for the benefit of the local community.

Implementation of Decision:

The decision will be implemented after the three day call in period.

Consultation:

This item has been subject to external consultation.

12. **CANOLFAN SHELTERED ACCOMMODATION, SEVEN SISTERS, NEATH**

Decision:

That the recommended offer received from A W Properties for land formerly known as Canolfan Sheltered Accommodation, Seven Sisters, Neath, on the terms set out in the private, circulated report, be approved.

Reason for Decision:

To enable the sale of a surplus property and to obtain a capital receipt.

Implementation of Decision:

The decision will be implemented after the three day call in period.

13. **FORMER BRYNSIRIOL SENIOR CITIZENS' CENTRE, CYMMER, PORT TALBOT**

Decision:

That the recommended offer for the former Brynsiriol Senior Citizens' Centre, Cymmer, Port Talbot, as detailed in the private circulated report, be approved.

Reason for Decision:

To enable the disposal of a surplus property and obtain a capital receipt.

Implementation of Decision:

The decision will be implemented after the three day call in period.

Consultation:

This item has been subject to consultation with the Local Ward Member.

14. **PROPERTY AND REGENERATION DELEGATED POWERS**

Decision:

That the report be noted.

15. **SALE OF FORMER YNYSMAERDY SCHOOL**

Decision:

That Officers continue negotiations with Linc Cymru for the disposal of the former Ynysymaerdy School.

Reason for Decision:

To enable the sale of surplus land for an innovative housing development and to obtain a capital receipt.

Implementation of Decision:

The decision will be implemented after the three day call in period.

Consultation:

This item has been subject to consultation with the Local Ward Member.

CHAIRPERSON

This page is intentionally left blank

EXECUTIVE DECISION RECORD

7 DECEMBER, 2018

**REGENERATION AND SUSTAINABLE DEVELOPMENT CABINET
BOARD**

Cabinet Members:

Councillors: D.W.Davies (Chairperson) and A.Wingrave

Officers in Attendance:

S.Brennan, M.Shaw, N.Jones and T.Davies

1. **APPOINTMENT OF CHAIRPERSON**

Agreed that Councillor D.W.Davies be appointed Chairperson for the meeting.

2. **MINUTES OF PREVIOUS MEETING**

Agreed that the minutes of the meeting held on 26 October, 2018 be noted.

3. **QUARTER 2 KEY PERFORMANCE MONITORING**

Decision:

That the monitoring report be noted.

4. **NEATH PORT TALBOT LOCAL DEVELOPMENT PLAN (LDP)**

Decisions:

1. That the Historic Environment Supporting Planning Guidance as set out at Appendix 1 to the circulated report, be agreed as forming the basis for consultation;
2. That the publication and consultation procedures as set out in the circulated report, be implemented.

Reason for Decisions:

To ensure that clear guidance is issued by the Council in respect of the Historic Environment as well as to ensure a consultation exercise is undertaken so that the guidance carries full weight when planning applications and/or appeals are considered.

Implementation of Decisions:

The decisions will be implemented after the three day call in period.

Consultation:

This item will be subject to external consultation.

5. **DELIVERY OF COMMUNITY BENEFITS IN RELATION TO THE STRATEGIC SCHOOL IMPROVEMENT PROGRAMME AND THE WELSH GOVERNMENT'S 21ST CENTURY SCHOOLS INITIATIVE.**

Decision:

That the report be noted.

6. **ALLEGED PUBLIC FOOTPATH FROM CLARE ROAD TO ALLTYGRUG ROAD, COMMUNITY OF YSTALYFERA**

Decision:

That a Modification Order be made to recognise a public footpath in the Community of Ystalyfera, between points E-B-D-A-C, as detailed at

Appendix 1 to the circulated report, and should no objections be made, to confirm the same as an unopposed Order.

Reasons for Decision:

1. There are sufficient numbers of witnesses who could represent the public at large;
2. There is evidence that it is a route used by pupils attending the former Infants School and Ysgol Gyfun and Cwm Tawe Schools;
3. There are aerial photographs supporting the existence of the claimed public path;
4. There is evidence due to previous existence of a metal footpath sign at either end of the path, at points E and C;
5. There is lack of any evidence that establishes that access was not possible during the relevant period nor that measures were taken prior to 2010 to inform the public that no such right of access existed.

Implementation of Decision:

The decision will be implemented after the three day call in period.

Consultation:

This item has been subject to external consultation.

7. **FORWARD WORK PROGRAMME 2018/19**

Decision:

That the Forward Work Programme be noted.

8. **ACCESS TO MEETINGS**

RESOLVED: That pursuant to Regulation 4(3) and (5) of Statutory Instrument 2001 No. 2290, the public be excluded for the following items of business which involved the likely disclosure of exempt information as defined in Paragraph 14 of Part 4 of Schedule 12A to the Local Government Act 1972.

9. **PORT TALBOT PERIPHERAL DISTRIBUTOR ROAD (PDR)**

Decision:

That the time limit to negotiate the claim from Associated British Ports Holdings Ltd under Port Talbot Peripheral Distributor Road, Phase 2, be extended to 31 March, 2019.

Reason for Decision:

To secure approval for the immediate action required in respect of claims under the Port Talbot Peripheral Distributor Road Phase 2 Scheme.

Implementation of Decision:

The decision will be implemented after the three day call in period.

10. **CROWN FOODS, CARNAUD METAL BOX, MILLAND ROAD, NEATH, SA11 1PQ**

Decisions:

1. That the recommended offer to acquire the property formally known as Crown Foods, Carnaud Metal Box, Milland Road, Neath, as detailed at paragraph 5 to the private circulated report, be agreed;
2. That the recommended offer to dispose of part of the property formally known as Crown Foods, Carnaud Metal Box, Milland Road, Neath, as detailed at paragraph 6 to the private circulated report, be agreed.

Reasons for Decisions:

1. To enable the acquisition of the former Crown Foods, Carnaud Metal Box;
2. To enable the disposal of part of the former Crown Foods, Carnaud Metal Box.

Implementation of Decisions:

The decisions will be implemented after the three day call in period.

Consultation:

Local Ward Members have been consulted on this item.

11. **FORMER LLANSAWEL PRIMARY SCHOOL, VERNON PLACE, BRITON FERRY, NEATH**

Decisions:

1. That the lease of the former Llansawel Primary School, Vernon Place, Briton Ferry, Neath, be granted on the terms set out in the private, circulated report, subject to outcome of the Public Notice;
2. That should any representations be received, then the matter be reported back to Cabinet Board for consideration before any final decision is made regarding the proposed lease.

Reason for Decisions:

To allow the premises to be used for the benefit of a local charity and the community.

Implementation of Decisions:

The decisions will be implemented after the three day call in period.

CHAIRPERSON

This page is intentionally left blank

EXECUTIVE DECISION RECORD
CABINET BOARD - 19 OCTOBER, 2018
STREETSCENE AND ENGINEERING CABINET BOARD

Cabinet Board Members:

Councillors: E.V.Latham (Chairperson) and A.Wingrave

Officers in Attendance:

M.Roberts, A.Lewis and T.Davies

1. **APPOINTMENT OF CHAIRPERSON**

Agreed that Councillor E.V.Latham be appointed as Chairperson for the meeting.

2. **MINUTES OF PREVIOUS MEETING**

That the Minutes of the meeting held on 7 September 2018, be noted.

3. **FORMER LEISURE FACILITIES**

Decisions:

1. That the pavilion and field at Vivian Park be let to a local sports club and the former Tennis Court be retained as a fenced off area for general use by the public;
2. That the Tennis Courts at Talbot Park be retained as a fenced off area for general use by the public;
3. That the existing perimeter fence to the former Bowling Green 2 at Talbot Park be removed, and a fence moved to alongside the leased Bowling Green 1, and the former Bowling Green 2 area be incorporated into the general open space within the park;

4. That the former Bowling Green 2 at Dyfed Road be incorporated into the adjoining general open space within the park;
5. That the Tennis Court area at King George V Playing Fields be returned to open space for general public use;
6. That the former Tennis Courts at Parc Y Werin be retained as a fenced off area for general use by the public;
7. That Officers investigate if alternative use is considered feasible with the covenant holder at Parc Y Darren and report back to Members on any possible options;
8. That the use of the Bowling Green area at Ynyscorrwg Park as a continuation of open space within the park be endorsed;
9. That negotiations continue at Court Herbert Sports Field (behind the railway lines) with a view to concluding a lease in the near future.

Reason for Decisions:

To complete actions associated with previous forward financial plans and to ensure that areas which are currently unused are given alternative uses.

Implementation of Decisions:

The decisions will be implemented after the three day call in period.

4. **ARBORICULTURAL MANAGEMENT PLAN**

Decision:

That the Arboricultural Management Plan, as detailed at Appendix A to the circulated report, be endorsed.

Reason for Decision:

To allow a consistent approach to tree management across the county borough.

Implementation of Decision:

The decision will be implemented after the three day call in period.

5. **MANAGEMENT OF POTHoles**

Decision:

That the detailed action plan contained in Appendix H to the circulated report, be endorsed.

Reason for Decision:

To ensure the Council's arrangements for dealing with pot holes remain suitable and sufficient.

Implementation of Decision:

The decision will be implemented after the three day call in period.

6. **TRAFFIC ORDER/S: GLYN ROAD AND MAES-Y-GLYN, LOWER BRYNAMMAN**

Decision:

That the objections to the Traffic Regulation Order at the junction of Glyn Road and Maes-Y-Glyn in Lower Brynamman be partially upheld, and a revised scheme be implemented, as detailed in Appendix B to the circulated report, and the objectors informed accordingly.

Reason for Decision:

To prevent indiscriminate parking in the interests of road safety and to maintain traffic flow for large vehicles.

Implementation of Decision:

The decision will be implemented after the three day call in period.

Consultation:

This item has been subject to external consultation.

7. **TRAFFIC ORDER/S: TYDRAW PLACE AND GLAN AFAN, PORT TALBOT**

Decision:

That the revocation of the existing Traffic Regulation Orders and the implementation of new Legal Orders at Tydraw Place and Glan Afan, Port Talbot (as detailed in the circulated report), be advertised, and should there be no objections, the Orders be implemented.

Reason for Decision:

To prevent indiscriminate parking, introduce controlled parking and implement a No Entry in the interest of highway safety.

Implementation of Decision:

The decision will be implemented after the three day call in period.

Consultation:

A consultation exercise will be carried out when the scheme is advertised.

8. **TRAFFIC ORDER/S: WATER STREET AND ST. DAVID'S STREET, NEATH**

Decision:

That the objection be over ruled, the Traffic Regulation Orders at Water Street and St. David's Street, Neath as detailed in the circulated report, be implemented as previously advertised, and the objector informed accordingly.

Reason for Decision:

To prevent indiscriminate parking and prevent a right turn into St David's Street in the interest of road safety.

Implementation of Decision:

The decision will be implemented after the three day call in period.

Consultation:

This item has been subject to external consultation.

9. **TRAFFIC ORDER/S: LAUREL AVENUE, LABURNUM AVENUE, CHESTNUT ROAD, MAMETZ COURT, BAGLAN PARK ACCESS ROAD, BAGLAN**

Decision:

That the objection be over ruled, the Traffic Regulation Order at Laurel Avenue, Laburnum Avenue, Chestnut Road, Mametz Court and Baglan Park Access Road, Baglan, as detailed in the circulated report, be implemented as previously advertised, and the objector informed accordingly.

Reason for Decision:

To prevent indiscriminate parking in the interest of road safety.

Implementation of Decision:

The decision will be implemented after the three day call in period.

Consultation:

This item has been subject to external consultation.

10. **SPEED CUSHIONS: A4109 CHURCH ROAD, MARTYN'S AVENUE, BRYNHYFRYD TERRACE AND COMMERCIAL STREET, SEVEN SISTERS, NEATH**

Decisions:

1. That two of the speed cushion locations on Church Road, Seven Sisters, be relocated and re-advertised, as detailed in the circulated report;
2. That one set of speed cushions on Martyn's Avenue, Seven Sisters be relocated away from a proposed new access to a property;

3. That the scheme to be implemented as advertised with the exception of the two locations of cushions on Church Road, Seven Sisters (Decision 1 above), that are to be re-advertised, and all other objections be overruled, and the objectors informed accordingly.

Reason for Decisions:

To reduce vehicular speeds in the interest of highway safety.

Implementation of Decisions:

The decisions will be implemented after the three day call in period.

Consultation:

This item has been subject to external consultation.

11. **ADDITIONAL WELSH GOVERNMENT GRANT APPROVAL FOR HIGHWAYS AND TRANSPORT 2018/2019**

Decision:

That the report be noted.

12. **CHRISTMAS CAR PARKING**

Officers amended the 'Implementation of Decision' Section to read 'The decision is proposed for implementation after the three-day call-in period' from 'The decision is proposed for immediate implementation'.

Decision:

That free Christmas parking be agreed in Neath, Port Talbot and Pontardawe Pay and Display Car Parks from Saturday 15 December 2018 to Tuesday 1 January 2019 inclusive (excluding Gnoll, Afan Forest Country Parks and Seafront car parks).

Reason for Decision:

Free parking over the festive period is likely to attract Christmas shoppers to our town centres supporting local businesses.

Implementation of Decision:

The decision will be implemented after the three day call in period.

CHAIRPERSON

This page is intentionally left blank

EXECUTIVE DECISION RECORD

30 NOVEMBER 2018

STREETSCENE AND ENGINEERING CABINET BOARD

Cabinet Members:

Councillors: E.V.Latham (Chairperson) and A.Wingrave

Officers in Attendance:

M.Roberts and T.Davies

Invitees:

Councillors: S.M.Penry (Scrutiny Chairperson) and S.apDafydd (Scrutiny Vice Chairperson)

1. **APPOINTMENT OF CHAIRPERSON**

Agreed that Councillor E.V.Latham be appointed Chairperson for the meeting.

2. **MINUTES OF PREVIOUS MEETING**

That the Minutes of the meeting held on 19 October 2018, be noted.

3. **QUARTER 2 PERFORMANCE MONITORING**

Members were pleased to note that recycling in the County Borough was increasing in line with targets for 2019.

Decision:

That the monitoring report be noted.

4. **HIGHWAY MAINTENANCE - NEW CODE OF PRACTICE**

Decision:

That the current Highway Maintenance Plan continue to be used until the County Surveyors' Society Wales (CSSW) development of a nationally consistent response to the code across Welsh Local Authorities is completed, and a further report be brought back to this Cabinet Board.

Reason for Decision:

To facilitate the introduction of a consistent "risk based" approach to the management of all highway assets across the Welsh authorities.

Implementation of Decision:

The decision will be implemented after the three day call in period.

5. **TRAFFIC ORDER: SALEM ROAD, CWMAVON**

Decision:

That the objections be over ruled, the Prohibition of Waiting at Any Time Order at the B4286 Salem Road, Cwmavon be implemented as previously advertised and the objectors informed accordingly.

Reason for Decision:

To improve visibility exiting the junction of Heol Jwbili/Salem Road, Cwmavon, in the interest of road safety.

Implementation of Decision:

The decision will be implemented after the three day call in period.

Consultation:

This item has been subject to external consultation.

6. **TRAFFIC ORDERS - KINGDON OWEN ROAD, NEATH**

Decision:

That the objections be over ruled, the One Way Order and No Entry Order at Kingdon Owen Road, Neath, be implemented as previously advertised and the objectors informed accordingly.

Reason for Decision:

To improve traffic flow in the interest of road safety.

Implementation of Decision:

The decision will be implemented after the three day call in period.

Consultation:

This item has been subject to external consultation.

7. **TRAFFIC ORDER - MERTHYR ROAD, GLYNNEATH**

Decision:

That the Legal Orders for No Waiting, No Loading or Unloading at Any Time Traffic Regulation Order at Merthyr Road, Glynneath, be advertised, and should no objections be received, the Orders be implemented.

Reason for Decision:

To prevent indiscriminate parking in a bus turning area in the interest of highway safety.

Implementation of Decision:

The decision will be implemented after the three day call in period.

Consultation:

This item will be subject to external consultation.

8. **LIST OF APPROVED CONTRACTORS**

Decision:

That the following firms be included in the approved list of contractors in the categories below:-

FIRM	CATEGORY
CCTV Access Control Ltd	3, 47, 48.
Protectorcomms Ltd	47,48,49,50,61,68,111 (Access Control)

Reason for Decision:

To keep the Approved List up to date and as far as possible ensure a competitive procurement process, as well as for the purpose of supplying a List of Contractors for invitation to tender/quote within the relevant category.

Implementation of Decision:

The decision will be implemented after the three day call in period.

Consultation:

The Approved List of Contractors is promoted on Neath Port Talbot web pages.

9. **ACCESS TO MEETINGS**

Decision:

That pursuant to Regulation 4(3) and (5) of Statutory Instrument 2001 No. 2290, the public be excluded for the following item of business which involved the likely disclosure of exempt information as defined in Paragraphs 12, 13 and 14 of Part 4 of Schedule 12A to the Local Government Act 1972.

10. **PRIVATE URGENCY ACTION - 1282**

Decision:

That the following Private Urgency Action taken by the Head of Engineering and Transport in consultation with the requisite Members, be noted:-

Officer Urgency Action No 1282 re: Replacement Community Services Transport Vehicles.

CHAIRPERSON

This page is intentionally left blank

EXECUTIVE DECISION RECORD
SOCIAL CARE, HEALTH AND WELLBEING CABINET BOARD
8 NOVEMBER 2018

Cabinet Board Members:

Councillors: A.R.Lockyer (Chairperson) and P.A.Rees

Invitees:

Councillors: L.M.Purcell (Scrutiny Chairperson)
S.Freeguard (Scrutiny Vice Chairperson)

Officers in Attendance:

A.Jarrett, A.Thomas, J.Hodges, Ms.K.Warren, N. Jones and
J.Woodman-Ralph

1. **APPOINTMENT OF CHAIRPERSON**

Agreed that Councillor A.R.Lockyer be appointed Chairperson for the meeting.

2. **MINUTES OF PREVIOUS MEETING**

That the Minutes of the meeting held on the 11 October 2018 be noted by Committee.

3. **FORWARD WORK PROGRAMME 18/19**

Noted by Committee.

4. **COMPLAINTS AND REPRESENTATIONS ANNUAL REPORT 2017 - 18**

Decision:

That the report be noted.

5. **PROPOSED REMODEL AND RELOCATION OF COMPLEX NEEDS DAY SERVICES**

Decision:

That approval be granted to commence a 45 day public consultation in relation to the current and future model of service delivery and locations of the Complex Needs Day Services.

Reasons for Decision:

1. To enable the services to develop in line with people's requirements both current and future;
2. To improve and enhance the quality of service delivery;
3. To develop sustainable services with clear pathways.

Implementation of Decision:

The decision will be implemented after the three day call in period.

6. **ACCESS TO MEETINGS**

Decision:

That pursuant to Regulation 4 (3) and (5) of Statutory Instrument 2001 No. 2290, the public be excluded for the following item of business which involved the likely disclosure of exempt information as defined in Paragraph 14 of Part 4 of Schedule 12A to the Local Government Act 1972.

7. **CONTRACTUAL ARRANGEMENTS FOR A CRISIS SUPPORT SERVICE FOR YOUNG PEOPLE**

Decision:

That delegated authority be granted to the Head of Children and Young People Services to enter into a new contract with Dewis Housing Ltd, for the provision of a crisis support service for young people until the 30 November 2019, with the option to extend for a further period of up to 24 months, if required.

Reasons for Decision:

1. To enable the Local Authority to have a legally binding agreement setting out the approved terms of working and to offer protection to the Authority in the event of a dispute and ensure that the provider delivers in line with the Authority's expectations.
2. To ensure that this vital front-line service is not disrupted whilst officers undertake an analysis of service demand and service model in order to undertake a procurement exercise.

Implementation of Decision:

The decision will be implemented after the three day call in period.

CHAIRPERSON

This page is intentionally left blank