

# Council Agenda



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## Summons to attend a meeting of Council

to be held on Wednesday 12 December 2018 at 7.00 pm  
The Ridgeway, The Beacon, Portway, Wantage, OX12 9BY

A handwritten signature in black ink, appearing to read "M Reed".

Margaret Reed  
Head of Legal and Democratic

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# Agenda

## Open to the public including the press

### Council's vision

The council's vision is to take care of your interests across the Vale with enterprise, energy and efficiency.

### 1. Apologies for absence

To record apologies for absence.

### 2. Minutes

(Pages 8 - 24)

To adopt and sign as a correct record the minutes of the Council meeting held on 10 October 2018 and the special Council meeting held on 19 November 2018 – **attached**.

### 3. Declarations of disclosable pecuniary interest

To receive any declarations of disclosable pecuniary interests in respect of items on the agenda for this meeting.

### 4. Urgent business and chairman's announcements

To receive notification of any matters which the chairman determines should be considered as urgent business and the special circumstances which have made the matters urgent, and to receive any announcements from the chairman.

### 5. Public participation

To receive any questions or statements from members of the public that have registered to speak.

### 6. Petitions

To receive any petitions from the public.

### 7. Council Tax Base 2019/20

(Pages 25 - 29)

Cabinet, at its meeting on 7 December 2018, will consider a report on the council tax base for 2019/20.

The report of the head of finance, which Cabinet will consider on 7 December, is attached.

The recommendations of Cabinet will be circulated to all councillors on 7 December.

## **8. Council Tax Empty Homes Premium**

(Pages 30 - 32)

Cabinet, at its meeting on 7 December 2018, will consider a report on the level of premium to be applied to long-term empty dwellings.

The report of the head of finance, which Cabinet will consider on 7 December, is attached.

The recommendations of Cabinet will be circulated to all councillors on 7 December.

## **9. Joint Gambling Policy**

(Pages 33 - 72)

Cabinet, at its meeting on 7 December 2018, will consider the recommendations of the Licensing Acts Committee, made at its meeting on 28 November 2018, on the Joint Gambling Policy following the statutory consultation.

The report of the head of housing and environment, which Cabinet will consider on 7 December, is attached.

The recommendations of Cabinet will be circulated to all councillors on 7 December.

## **10. Vale of White Horse Scrutiny Committee Annual Report**

(Pages 73 - 81)

To receive the Scrutiny Committee Annual Report **attached**.

## **11. Report of the leader of the council**

### **(1) Urgent cabinet decisions**

In accordance with the scrutiny procedure rules, a cabinet decision can be taken as a matter of urgency, if any delay by the call-in process would seriously prejudice the council's or the public's interest. Treating the decision as a matter of urgency must be agreed by the chairman of the Scrutiny Committee and must be reported to the next meeting of the council, together with the reasons for urgency.

To receive any details of urgent cabinet decisions taken since the last ordinary meeting of the council, (if any).

### **(2) Delegation of cabinet functions**

To receive details of any changes to the leader's scheme of delegation.

### **(3) Matters affecting the authority arising from meetings of joint committees, partnerships and other meetings**

To receive the report of the leader (if any).

## 12. Questions on notice

To receive questions from councillors in accordance with Council procedure rule 33.

1. Councillor Debby Hallett to Councillor Mike Murray, Cabinet member for Development and Regeneration

My question comes from my growing concern about the level to which we are performing on our duty to maintain and repair our property assets.

The most recent instance was Old Abbey House, which has been allowed to fall into disrepair, making it attractive for vandalism and anti-social behaviour nearby. A decision was made to board up the access points and place a security fence around this property right in the centre of Abingdon-on-Thames.

Members will be aware of other recent examples of buildings we own needing significant amounts spent on Planned and Preventive Maintenance (PPM). How does this council budget for PPM on properties that we own? Where can we find those amounts in our annual budget? If we have NOT been including this in our budget each year, shouldn't we be doing so?

Could the Cabinet member provide a list of our property assets, their location, value and condition, and the PPM costs for the past four years.

2. Councillor Judy Roberts to Councillor Roger Cox, Cabinet member for Partnership and Insight

What will be the mechanism by which the Vale representatives on the Growth Deal's three working sub-groups (Infrastructure, Joint Statutory Spatial Plan, and Housing) periodically and regularly feed back to full Council to let members know how the Growth Deal is progressing, the impact on our communities and how we can contribute to the plans?

Please can the Cabinet member tell us this evening what each group is prioritising and detail the work done by our representatives on our behalf so far?

3. Councillor Jenny Hannaby to Councillor Alice Badcock, Cabinet member for Community Services

Reductions in grants from central government and the probable reduction or disappearance of New Homes Bonus leaves our non-statutory services incredibly vulnerable. Leisure projects such as the Wessex Leisure Centre are clearly at risk of not going ahead - evidenced by this council's pause in capital spending.

What is the Cabinet member's contingency plan to pay for the Wessex Leisure Centre and other leisure provision if the New Homes Bonus is reduced or scrapped by the Conservative government?

4. Councillor Emily Smith to Councillor Roger Cox, Cabinet member for Planning

In 2015, the Vale Conservatives stated that the Vale was in a position to front fund the Lodge Hill slip roads.

The developers of the 950 homes North of Abingdon were given outline planning permission in July 2017, which included their s106 contribution towards the Lodge Hill southern slips. But we still do not have a reserved matters application from the developer.

Can the Cabinet member confirm that Vale administration is still able to 'front fund' the Lodge Hill slips and assure us that the diamond interchange will be delivered by 2020 whether the North Abingdon development goes ahead or not?

5. Councillor Bob Johnston to Councillor Elaine Ware, Cabinet member for Housing and Environment

Air Quality is of increasing concern for health professionals and residents, particularly in and around our established Air Quality Management Areas. Ten out of 11 targets in this council's 2015 Air Quality Action Plan were not met and when asked this at full Council in December 2017 the Cabinet member pointed to a lack of resource as the reason for the lack of progress. Since then our part-time air quality officer has gone on maternity leave and no replacement has been appointed. We've been told that instead, all officers are to be responsible for air quality. It seems clear to me that if no one is responsible, there's a real danger that nothing will be done.

What actions has the council taken over the past year that demonstrate to the public we are taking air quality and the mortality associated with it seriously?

6. Councillor Debby Hallett to Councillor Alice Badcock, Cabinet member for Community Services

For the past few years it's been clear that local government funding is uncertain and under threat. Whether you support the Government's austerity programme or not, one thing I hope we agree on is that the council needs to take professional and positive steps to mitigate the risk of cuts in Government funding to local authorities leading to real cuts in our services.

With the expectation of inevitable further funding cuts, it's natural to look to our non-statutory services to see where we can be leaner. That would have us look at our leisure centres and community centres, among other things.

The Beacon is a wonderful, valued community asset in Wantage, and its use has grown over the past several years. The cost to the council has recently been approximately £240,000 per year (as seen in the table below, from our finance team).

Financial Year	Budgeted Income	Actual Income	Budgeted Expenditure	Actual Expenditure	Planned Budget	Council Contribution	Variance against planned budget
2008/09	-91,980	-79,930	308,070	316,456	216,090	236,526	20,436
2009/10	-85,900	-87,862	259,540	243,417	173,640	155,555	-18,085
2010/11	-82,000	-80,260	253,290	255,988	171,290	175,728	4,438
2011/12	-84,500	-62,561	214,340	175,041	129,840	112,480	-17,360
2012/13	-83,450	-67,471	228,240	199,321	144,790	131,850	-12,940
2013/14	-96,010	-102,646	304,334	286,964	208,324	184,318	-24,006
2014/15	-126,010	-156,441	306,985	383,084	180,975	226,643	45,668
2015/16	-170,949	-188,129	381,176	396,386	210,227	208,257	-1,970
2016/17	-192,449	-185,827	404,443	431,070	211,994	245,243	33,249
2017/18	-249,800	-225,315	459,080	465,663	209,280	240,348	31,068

We discovered recently that The Beacon's financial reporting to Scrutiny Committee has had errors for the past few years. This has raised for me some concerns about how well the council is managing that asset, and what actions council has taken to mitigate the risk to The Beacon of funding cuts.

It would seem to me that the more they are reliant on council tax to fund their programmes and building, the more at risk they are as Government funding is reduced.

What actions has the council taken to identify ways for The Beacon to reduce its dependency on council funding? What actions are planned to help mitigate in future?

7. Councillor Helen Pighills to Councillor Mike Murray, Cabinet member for Development and Regeneration

Given that Vale of White Horse District Council has not owned social housing since about 1995, what policies are in place now to enable the council to deliver and manage the council owned social housing scheme planned at Old Abbey House in Abingdon?

8. Councillor Emily Smith to Leader of the council, Councillor Roger Cox

In October 2018, following the autumn budget statement, the National Infrastructure Commission (NIC) put out a statement titled 'National and Local Leadership Needed to Meet Growth Arc Potential'.

The statement says, "There are also plans... for new governance structure across the Arc to be in place by Spring 2019: these will take account of existing democratic accountabilities including the Cambridge-Peterborough Combined Authority as well as district and county councils".

What are these plans that the NIC refer to? How did this arrangement come about? And how will this impact the Vale residents and the district council?

9. Councillor Sandy Lovatt to Councillor Alice Badcock, Cabinet member for Community Services

The Social and Cultural activities in the Vale are as important for the health, vitality and wellbeing of the community as its economic and environmental activities. This was vividly illustrated by the sheer joy and goodwill demonstrated by the Community Awards Event that took place in the Beacon on Saturday 24 November. Does the Cabinet member agree with me that the provision of facilities such as The Beacon are a vital service to the community and that their benefits far outweigh the costs?

10. Councillor Chris Palmer to Councillor Ed Blagrove, Cabinet member for Corporate Services

Does this council have ambitions to move to a paperless environment and what measures are being taken to make this work on a practical level?

### **13. Motions on notice**

No motions have been submitted in accordance with Council procedure rule 38.

# Minutes of a meeting of the Council



held on **Wednesday 10 October 2018 at 7.00 pm**  
**at The Ridgeway, The Beacon, Portway, Wantage, OX12 9BY**

## Open to the public, including the press

### Present:

Members: Councillors Monica Lovatt (Chairman), Ben Mabbett (Vice-Chairman), Alice Badcock, Mike Badcock, Matthew Barber, Eric Batts, Ed Blagrove, Yvonne Constance, Roger Cox, Margaret Crick, Charlotte Dickson, St John Dickson, Gervase Duffield, Debby Hallett, Robert Hall, Jenny Hannaby, Anthony Hayward, Dudley Hoddinott, Simon Howell, Vicky Jenkins, Bob Johnston, Mohinder Kainth, Sandy Lovatt, Chris McCarthy, Chris Palmer, Helen Pighills, Julia Reynolds, Judy Roberts, Robert Sharp, Janet Shelley, Emily Smith, Reg Waite, Elaine Ware and Catherine Webber

Officers: Steven Corrigan, Andrew Down, Adrian Duffield, William Jacobs, Holly Jones, Margaret Reed and Mark Stone

### **Co.24 Apologies for absence**

Apologies for absence were submitted on behalf of Councillors Davenport and Murray.

### **Co.25 Minutes**

**RESOLVED:** to approve the minutes of the meeting held on 18 July 2018 as a correct record and agree that the chairman sign them as such.

### **Co.26 Declarations of disclosable pecuniary interest**

None.

### **Co.27 Urgent business and chairman's announcements**

The chairman provided housekeeping information.

### **Co.28 Public participation**

No public speakers had registered to address Council.

### **Co.29 Petitions**

None.

## **Co.30 Oxfordshire Joint Spatial Plan – Scoping Document**

Council considered Cabinet's recommendation, made at its meeting on 28 September 2018, to approve the Oxfordshire Joint Statutory Spatial Plan's scoping document. Cabinet authorised the head of planning, in agreement with the other Oxfordshire councils' equivalent, to make any necessary minor and presentational changes to the draft Joint Statutory Spatial Plan's Scoping Document before publication.

In introducing this item Councillor Cox, Cabinet member for planning, advised that, under the terms of the Housing and Growth Deal, Council, at its meeting on 14 February 2018, agreed to adopt a Joint Statutory Spatial Plan, also known as the Oxfordshire Joint Spatial Plan, subject to some non-negotiable matters set out in appendix 4 of the Cabinet report.

The majority of councillors supported the scoping document recognising that officers will continue to seek a number of changes identified by Cabinet at its meeting on 28 September 2018. The document will provide a framework for Oxfordshire under which the council can produce a local plan and make appropriate allocations for development. However, a number of councillors expressed concern that the scoping document did not address the issues of concern raised at the Council meeting in February 2018, particularly that the scoping document should not make housing allocations in the Vale. There is no guarantee that officers will gain agreement to the amendments proposed by Cabinet and as such the scoping document should not be signed off by Council.

**RESOLVED:** to approve the Oxfordshire Joint Spatial Plan's scoping document (as set out in Appendix 3 to the head of planning's report to Cabinet on 28 September 2018).

## **Co.31 Making the Radley Neighbourhood Development Plan**

Council considered the recommendations of Cabinet, made at its meeting on 5 October 2018, on making the Radley Neighbourhood Development Plan part of the development plan for Vale.

Councillors congratulated local residents who had been involved in the development of the plan.

**RESOLVED** to:

1. make the Radley Neighbourhood Development Plan so that it continues to be part of the council's development plan; and
2. authorise the head of planning, in agreement with the Qualifying Body, to correct any spelling, grammatical, typographical or factual errors in the Radley Neighbourhood Development Plan, together with any improvements from a presentational perspective.

## **Co.32 Treasury management outturn 2017/18**

Council considered Cabinet's recommendations, made at its meeting on 5 October 2018, on the outturn performance of the treasury management function for the financial year 2017/18.

The Joint Audit and Governance Committee and Cabinet had considered the head of finance's report and were satisfied that the treasury activities had been carried out in accordance with the treasury management strategy and policy.

**RESOLVED:** to

1. approve the treasury management outturn report for 2017/18 attached to the report of the head of finance to the Cabinet meeting on 5 October 2018;
2. approve the actual 2017/18 prudential indicators within the head of finance's report.

### **Co.33 Community Governance Review**

At its meeting on 8 October 2018 the Community Governance and Electoral Issues Committee made final decisions in respect of its community governance reviews of the boundary between Great Coxwel and Great Faringdon parishes, and the boundary between Abingdon-on-Thames, Radley, St Helen Without and Sunningwell parishes.

These changes impact on district ward and county division boundaries. To make district ward and county divisions coterminous with these parish changes Council was invited to authorise the head of legal and democratic to request the Local Government Boundary Commission for England to make related alteration orders to alter the district wards and county division boundaries where necessary.

**RESOLVED:** to

1. authorise the head of legal and democratic to request the Local Government Boundary Commission for England to make related alteration orders to change district wards and county divisions to reflect the changes made to the parish boundary of Abingdon-on-Thames, Radley, St Helen Without and Sunningwell;
2. authorise the head of legal and democratic to request the Local Government Boundary Commission for England to make a related alteration order to change district wards to reflect the change made to the parish boundary of Great Coxwell and Great Faringdon.

### **Co.34 Election fees and charges 2019**

Margaret Reed, the council's returning officer, indicated that she would leave the room during any debate and vote on this item.

Council considered the report of the returning officer on the setting of fees and charges for the 2019 district and parish elections.

**RESOLVED:** to

1. agree the scales of fees for district and parish council elections, parish polls and neighbourhood planning referendums as set out in the Appendix to the report of the returning officer to the Council meeting on 10 October 2018;
2. agree to continue to charge parish and town councils for running elections on their behalf.

## **Co.35 Report of the Leader of the Council**

Councillor Roger Cox, Leader of the council, provided an update on a number of matters. The text of his address is attached to these minutes.

## **Co.36 Questions on notice**

### **A. Councillor Judy Roberts to Councillor Roger Cox, Leader of the council**

The chairman of the Local Government Association's Brexit Taskforce has said "the UKs exit from the European Union will have a significant impact on local government. Brexit will ultimately be judged on the success or failure by local areas; real people in real communities. Councils are taking a lead on preparations for Brexit because our residents and our local businesses expect us to be ready." What has Vale of White Horse District Council done in terms of an analysis of the potential impact on local business, employment and the services we deliver? And what mitigation is being put in place to protect Vale residents, housing provision and our Enterprise Zones?

### **Answer**

Councillor Cox responded as follows:

Until a decision and deal is made about it being a hard or soft Brexit, it is difficult to analyse the potential impact with any certainty. Once more information is available about the deal and policy implications, the economic development team will be in a position to work with partners to make sure Vale businesses make the most of the post-Brexit opportunities.

As at 1 October 2018 there were 36 companies in the Vale that are EU owned. To mitigate any negative impact on Vale businesses and the local workforce, the economic development team has taken the following proactive steps:

- Partnering with the Department of International Trade (DIT) inward investment team to personally visit key foreign owned businesses in the district to discuss their plans post-Brexit and the support available at a local, county and national level. To date, foreign owned businesses in the Vale have not expressed significant concern as the policies that will impact them have not been decided (e.g. customs, migration laws etc).
- Partnering with OxLEP's inward investment team and the DIT Capital Investment team to identify and promote opportunities for Vale businesses in non-EU markets. This includes identifying capital investment opportunities to foreign investors. This relates to the DIT work to secure free-trade agreements with non-EU countries including Australia and New Zealand. Officers are working with DIT to open a dialogue with relevant businesses in Australia.
- The Oxfordshire Local Industrial Strategy outlines how the government investment can support local businesses post-Brexit. This includes increasing productivity and growth opportunities. As the council's representative on the LIS steering group, the importance of Vale businesses and their growth potential are highlighted and considered when formulating the growth opportunities.
- The government has announced that EU citizens who reside and work in the UK before 31 December 2020 will be allowed to remain. Anecdotally, some businesses who employ EU migrants have had a few return to their country of origin but these numbers are small. The economic

development team is connected with EY which provide the latest legal information about migration laws, policy and processes. When the government decides the post-Brexit migration laws, the information and interpretation by EY will be shared with local businesses. At a recent workshop EY advised employers to identify their employees who are EU nationals and to advise them of the support available.

The Partnerships and Insight team are working on a light touch analysis of the potential implications of Brexit, this will cover aspects around the economy, workforce and legislation impact.

### **Supplementary question**

In response to a supplementary question Councillor Cox confirmed, subject to taking advice, that the Partnership and Insight team's analysis of the potential implications of Brexit would be published.

### **B. Councillor Helen Pighills to Councillor Mike Murray Cabinet member for Development and Regeneration**

A year has now passed since, the then Leader, Councillor Barber formally announced plans to turn Old Abbey House in Abingdon into council owned social housing. Please can the Cabinet member update us on this development and when residents can expect a planning application to be submitted for consultation?

### **Answer**

In the absence of Councillor Mike Murray, Councillor Ed Blagrove responded as follows:

“Since the announcement that we were to investigate the provision of affordable housing at Old Abbey House, officers have, in conjunction with the Council’s advisors, been exploring the potential for conversion or appropriate redevelopment of the building. Old Abbey House sits in a much valued and sensitive location, and opportunities are being carefully considered in the context of these and other constraints in respect of conversion or sensitive redevelopment of the site. In support of this, discussions have taken place with relevant officers with regards to site constraints and how it could be appropriately brought forward for this use. It is important that this process is properly carried out to ensure that any future planning application carries the best prospects for the successful future development or refurbishment of Old Abbey House”.

### **Supplementary question**

Councillor Pighills asked the following supplementary question:

Has the fact that they have been focussed on Old Abbey House meant that they have not looked for an alternative and more appropriate location for council owned social housing, for example have they approached the developers at the North Abingdon site to see if the quota of social housing on that site could be increased?

### **Answer**

Councillor Blagrove responded that Councillor Murray, as the responsible Cabinet member, would provide a written response.

### **C. Councillor Catherine Webber to Councillor Roger Cox, Leader of the council**

In the leader’s press statement responding to the announcement that the Expressway will be using a route through Corridor B, the leader stated that “we” support the “principles” of the Expressway but mentioned concerns about any route going west of Oxford.

- i Can the leader please explain what exactly are those principles he supports?
- ii But why is the leader not fighting to protect other Vale residents in harm's way, communities and environment to the east of Oxford such as Sunningwell, Radley, Marcham, Shippon, Wootton, and Abingdon?

### **Answer**

Councillor Cox responded as follows:

My statement actually said that I support the principles of the Oxford Cambridge corridor, not the proposed expressway. Those principles include economic growth, provision of housing for future generations, and improved transport connectivity.

The concerns I expressed were about an expressway route potentially going to the west of Oxford and I did not include or exclude any particular communities in the Vale on the basis of geography. Officers and I will continue to engage with Highways England at every opportunity.

### **Supplementary question**

In response to a supplementary question regarding views of residents, Councillor Cox stated that local ward councillors had a role in feeding these back to the council.

### **D. Councillor Emily Smith to Councillor Roger Cox, Leader of the council**

Given there has not been any public consultation on the Oxford to Cambridge Expressway, and none is expected for another year, Councillor Cox's position on the Highways England Stakeholder group will be a vitally important opportunity to ensure Highways England understand the views of Vale residents and potential impacts of routes through communities in corridor B.

However, full Council has not yet debated a position on the Expressway or canvassed the opinions of members, parish councils and residents about the significant environmental and social impacts on Vale communities.

How is the leader planning to collect and understand the views and concerns of local members and parish councils to ensure he and the Cabinet are fully appraised of the impact of each route before representing us at the first Highways England stakeholder meeting in November?

### **Answer**

Councillor Cox responded as follows:

The expressway project is owned by Highways England and they have the responsibility for gathering evidence to inform the choice of route. Highways England will carry out a full and formal public consultation later in the project when the route options become clear.

Although this council has no decision-making authority regarding the proposed expressway, officers and I will continue to take part in the informal stakeholder processes.

The Scrutiny Committee had the opportunity to debate the expressway corridor options in October 2017. It would make sense for the committee to consider the route options at an appropriate stage in the Highways England process.

### **Supplementary question**

In response to a supplementary question regarding the consultation process, Councillor Cox responded that no information is currently available, but the likely outcome would be a public inquiry.

## **E. Councillor Bob Johnston to Councillor Roger Cox, Cabinet member for Planning**

In December 2014 Council passed a motion as follows "Council believes the present system of s106 negotiations leaves much to be desired, and that the council should continue to revise the process to produce a system which is more open, more transparent and includes input from parish and town councils". What decisions and actions have been taken since then to create a more open and transparent system and to include town and parish councils in the s106 process?

### **Answer**

Councillor Cox responded as follows:

We adopted a Developer Contributions Supplementary Planning Document in June 2017, which sets out our approach, including consultation with towns and parishes, to negotiating planning obligations captured in S106 agreements. We encourage and support towns and parishes to undertake a community or a neighbourhood plan that can identify local infrastructure needs, which are justified and costed. We have in place a system that allows an online view of each planning obligation, including financial sums expected, collected and spent. We publish and provide towns and parishes with six-monthly reports on S106 funds we are holding on their behalf and transfer those funds appropriately and as quickly as possible.

### **Supplementary question:**

In response to a supplementary question regarding the lack of such information in hard copy format, Councillor Cox responded that local ward councillors could provide the information in hard copy for relevant parish councils.

## **F. Councillor Emily Smith to Councillor Alice Badcock, Cabinet Member for Community Services**

The Vale's Local Leisure Facilities Strategy published in 2016 was submitted as one of our detailed policies for Local Plan Part 2. Page 29 and 38 highlight the replacement of the Louie Memorial Pavilion and the 4<sup>th</sup> Oxford Scout Hut in North Hinksey as High priority for funding during this financial year (2018/19). But, as we learned at the last full council meeting the Botley service centre area has not received any funding from the Vale for leisure for the last 4 years, nor is any planned.

What is the Cabinet member doing to ensure that this High priority project happens?

### **Answer**

Councillor Badcock responded as follows:

1. The pavilion, scout hut and park are all owned by the North Hinksey Parish Council. To support the parish council, Vale of White Horse district Council recently funded a feasibility study looking at the options available in the area to design a master plan covering the whole site, at a cost of £15,900. This process was undertaken to put the Parish Council in a position to attract additional funding into the site.
2. The Leisure Strategy provided the evidence base for the council to negotiate a S106 contribution of £30,356.05 towards play equipment in the area. This money will assist the parish council in the delivery of its master plan for the entire site.

**Supplementary question:**

In response Councillor Smith stated that the s106 funding for play equipment was agreed 10 years ago and asked what the Cabinet member is doing to ensure that the projects listed as high priorities in the Leisure Strategy documents and action plans actually happen

Councillor Badcock undertook to provide a written response.

**G. Councillor Debby Hallett to Councillor Roger Cox, Leader of the council**

The Vale of White Horse Residents' Survey 2018 highlighted "large increases in negative attitudes in terms of the council needing to be more open and honest". What does he think are the top reasons for these results, and what is Cabinet planning to do to rectify this perception?

**Answer:**

Councillor Cox responded as follows:

It is true that the last resident survey shows a significant increase in the people who think the council needs to be more open and honest. However, other reputation measures in the survey show that overall satisfaction with the way the council runs things has improved and there is stability in the perception that the council acts on the concerns of residents. Trust in the council remains high at 83%.

However, there is always room for improvement, and this commitment is reflected in the management restructure with the establishment of the new community enablement and customer engagement teams. The new structure provides us with a framework to improve and increase our engagement with residents.

Specific areas of work which have already commenced include reshaping the town and parish council forums, a full review and redesign of our website, the development of a corporate customer services team, a technology strategy to enable connectivity in our district, with residents and within the council and reviewing our communication processes and protocols. These initiatives support the move towards increasing resident choice as to how they engage and obtain information from us.

A very important aspect of being open and honest is also our democratic processes which enables public access and involvement. Indeed, external audit in their various reports to joint audit and governance committee have commented positively on the council's openness and transparency.

Members are also encouraged to positively promote the work of the council in their ward areas and encourage active involvement. In doing so it is important to be accurate, open and honest and reflect the decision-making structures of the council.

**Supplementary question:**

In response to a supplementary question regarding how the council will address the survey result that showed the public felt the council needed to be more open and transparent, Councillor Cox referred to his answer setting out what the council is and plans to do and the need to address public perception.

## Co.37 Motions on notice

### Motion proposed by Councillor Debby Hallett, seconded by Councillor Bob Johnston:

Council notes that Vale of White Horse is an area of exceptionally high property values relative to the rest of England.

Council notes that the statutory definition of 'Affordable Housing', whether to buy or to rent, is related directly to these property values (currently 80% of market value).

Council notes the study brought to Vale Scrutiny Committee in February 2018 by the then interim head of housing and economic development, which shed further light on the nature of affordability in Vale of White Horse.

- This study looked at house prices and rents in quartiles and determined that to buy a lower quartile property, costing £255,000 in Vale, an income of £57,000 is needed, which is an upper quartile income. So only the highest income levels can afford to buy the lowest priced properties in our district.
- Over recent years, growth in local incomes has not kept pace with growth in house prices or rents, so the so-called 'affordable' housing is not affordable to too many households and individuals.

Therefore, Council asks Councillor Roger Cox, Leader of the council, to write to James Brokenshire, Secretary of State for Housing, Communities and Local Government setting out the council's concern. Council urges the Secretary of State to give consideration to the definition of affordable housing, taking into account the impact very high property values have on the current definition. Council urges him to consider a national debate on affordability and the implementation of a regional based definition of 'affordable housing', using a maximum price model for affordable housing within an area based on local incomes and circumstances, rather than the market value of the house.

With the consent of Council and following a short adjournment to consider a proposed amendment, the mover and seconder of the original motion accepted amended wording suggested by Councillor Ed Blagrove and seconded by Councillor Mike Badcock (new words in bold deleted words shown by a strikethrough).

**It is a priority for this council to provide enough affordable housing for the needs of our residents, however it is also a great challenge to do so given the current definition of affordable housing and the model upon which it is based.**

~~Council notes that Vale of White Horse is an area of exceptionally high property values relative to the rest of England.~~

~~Council notes that the statutory definition of 'Affordable Housing', whether to buy or to rent, is related directly to these property values (currently 80% of market value).~~

~~Council notes the study brought to Vale Scrutiny Committee in February 2018 by the then interim head of housing and economic development, which shed further light on the nature of affordability in Vale of White Horse.~~

- ~~— This study looked at house prices and rents in quartiles and determined that to buy a lower quartile property, costing £255,000 in Vale, an income of £57,000 is needed, which is an upper quartile income. So only the highest income levels can afford to buy the lowest priced properties in our district.~~

~~— Over recent years, growth in local incomes has not kept pace with growth in house prices or rents, so the so-called 'affordable' housing is not affordable to too many households and individuals.~~

**This Council requests** ~~Therefore, Council asks Councillor Roger Cox, as Leader of the council, to write to the James Brokenshire, Secretary of State for Housing, Communities and Local Government to oversee a review, as a matter of urgency, into the definition of affordable housing, to strongly consider a more regional based model and the introduction of a maximum cost per housing type.~~ setting out the council's concern. Council urges the Secretary of State to give consideration to the definition of affordable housing, taking into account the impact very high property values have on the current definition. Council urges him to consider a national debate on affordability and the implementation of a regional based definition of 'affordable housing', using a maximum price model for affordable housing within an area based on local incomes and circumstances, rather than the market value of the house.

Councillors noted that affordable rents and affordable home ownership is linked to local market house prices which are well above the national average. To meet the statutory definition of affordable can be far more expensive than many other parts of the country relative to local income, impacting on the ability of people to get on the property ladder or find suitable accommodation.

**RESOLVED:**

That it is a priority for this council to provide enough affordable housing for the needs of our residents, however it is also a great challenge to do so given the current definition of affordable housing and the model upon which it is based.

This Council requests Councillor Roger Cox, as Leader of the council, to write to the Secretary of State for Housing, Communities and Local Government to oversee a review, as a matter of urgency, into the definition of affordable housing, to strongly consider a more regional based model and the introduction of a maximum cost per housing type.

The meeting closed at 8.20pm

## Council leader's statement

Released on October 11, 2018

### VALE OF WHITE HORSE DISTRICT COUNCIL - 10 OCTOBER 2018 – LEADER'S STATEMENT

1. Oxfordshire Leaders' Meetings. As Chairman of the Oxfordshire Leaders meetings, I can report the six councils are working positively together on a wide range of issues:

Jane Murphy Leader of South Oxfordshire District Council and I wrote to the Secretary of State about housing land supply and received a Written Ministerial Statement (WMS) giving us a three-year land supply – HCW - S955 which gave time limited flexibilities in planning, provided Oxfordshire could demonstrate a three-year land supply. This lasts until the adoption of the Oxfordshire-wide Joint Spatial Strategy by the District and City councils.

I wrote separately to Ed Vaizey who passed on my letter to James Brokenshire about the effects of the potential loss of New Homes Bonus (NHB) and requesting early clarity, especially on retention levels.

We also joined with the District Councils Network in requesting Government to confirm the four-year NHB deal offer made in 2016-17. Our approach to the current uncertainty is also reflected by the LGA's national position and response. I wrote to Kit Malthouse, Minister of State for Housing about the implications of building more houses than planned by local councils in the Corridor. I and other leaders reminded him at a self build/custom build site meeting at Craven Hill in Bicester that any reduction in NHB would have serious consequences.

2. Corridor and Expressway. I attended my second Corridor Leaders meeting comprising the leaders of all county, district and borough councils from Swindon to Cambridge. The Joint Vision and Scope of joint working is now being amended to reflect the wishes of delegates, which is to remain supportive of the Corridor and await further thoughts from the government. The government has contacted all councils along the Corridor outlining their intention to provide a common data set to support new settlement identification and development and this will feed into the Corridor Leaders thinking

3. Economic Heartland of England. Championed by government as the Silicon Valley joining Oxford and Cambridge, which is planning to deliver the businesses and commercial aspects of cross Corridor working. Exchequer Secretary to the Treasury, Robert Jenrick spoke and confirmed this at the meeting. He is keen to see councils across the Corridor work collectively to promote it 'end to end', rather than 'compete' on behalf of a sub-section and undermine wider growth. This was very much the NIC view and is now held across government. It is one I support.

4. Growth Board. Cllr Jane Murphy SODC is Chairman and I am Vice-Chairman. There is largely consensus and unanimity on the major strategic issues such as: JSSP, the developing ToRs; Scrutiny of the Board; housing numbers and affordable housing opportunities. Uppermost in our minds is the health and well-being of all our residents. Along with our partners, the Environment Agency, Active Oxford, Rural Connectivity and Homes

England, Cllr Jane Murphy wrote on behalf of all members to Chris Grayling, Secretary of State for Transport, on 1 October 18 seeking greater certainty around the Expressway Route. This is essential if we are to secure Oxfordshire's spatial planning commitments and associated infrastructure and investment.

5. OxLEP. I have participated in the Audit and Governance Review of OxLEP and attended the AGM and Board meeting. This has been a game changing year for Oxfordshire reflecting the significant economic developments that have emerged over 12 months. As Oxfordshire continues to demonstrate how it can be a 'global asset' to UKPLC both now and in the longer term, having delivered 43,000 new jobs in the last five years and developing one of only three government-backed pilot Local Industrial Strategies. The draft Local Industrial Strategy has been well received by council leaders. We will now examine it critically with officers and offer amendments.

6. Unitary MHCLG. Jane and I wrote jointly to James Brokenshire, Secretary of State for MHCLG, asking about our proposal for unitarisation. Minister Rishi Sunak replied that as we are all working well together in Oxfordshire, at present, he sees no need to proceed with a unitary decision. [His response](#) is on our website.

7. LPP2. Sessions have been completed with Harwell, Dalton Barracks. The inspector called for additional information on: WMS on three-year land supply in Oxfordshire; Harwell Campus housing tenure; Ox Cam Expressway; Wootton 7 St Helens NDP. We await a formal letter from the inspector asking for modifications. LPP2 is being examined under the original NPPF. Policies in the previous NPPF will apply to plans submitted before 24 January 2019, thus there are no implications for LPP2 from revised NPPF and LPP2 is supportive of the council-approved Growth Deal. Once adopted there will be a consistency check as required by the revised NPPF.

8. Five Councils. I represented the council at an informal Five Councils Joint Committee where the dashboard of results showed significant improvement in services, many at 100 per cent and, almost all on target. Some are now possibly exceeding previous levels of service. Capita's new CEO John Lewis is modernising the business quickly and his local government board director, Jonathan Prew, is working closely with us as part of this. Our CEO Mark Stone is leading on behalf of the wider group of Five Council CEOs in his work and ongoing redesign. We have made significant steps forward, which are acknowledged across the partnership. I welcome and endorse the positive response from Scrutiny to recent updates on our approach and progress.

9. Council Tax. We wrote next to the CEO Valuation Office asking for more help with officers inspecting and classifying houses on the register to enable councils to collect the council tax as soon as possible. This has generated a positive response. Our collection rates remain among the very highest in the country and I thank all involved for their efforts.

10. Accounts. Audit and Governance Committee met at the end of September to consider feedback from our External Auditor EY to ensure that the accounts were signed off by the end of the month. I am pleased to report to Council that the audit concluded with a clean audit opinion on both the financial statements and the Value For Money statement. This improvement from the prior year reflects a significant level of engagement and support

from officers and I would like to thank them for their professionalism, perseverance in overcoming challenges and diligence in achieving this outcome.

11. Board Report. Our own internal performance measure of services is the Board Report, which again reflects a solid performance across all services, with many being at levels that are above the national standards set by government

12. Residents' Survey. I reported the residents' survey, which was largely positive, to the Scrutiny Committee. The survey continues to show high levels of satisfaction amongst those who use our services and our results are higher than others in the region.

13. Town and Parish Forum. I hosted the briefing on 24 September, which was presented by our eight heads of service, explaining their roles and team responsibilities. As previously approved by full council, I confirm the CEO will now work with the Heads of Service to populate the chart according to funds available. Please be aware that over the next 12 weeks many of our staff will be having a change of line manager and some will be applying for jobs as we complete the operational layers of the officer structure and reduce the number of agency staff within the organisation.

14. Crowmarsh. The old council buildings have been demolished. We are negotiating an extension of current 135 MP to allow for continuity prior to the move to Crowmarsh. We will shortly enter the design and build phase of the programme

15. WWI. Ed Blagrove laid a wreath from the Vale at The Menem Gate Memorial at Last Post. Vale representatives for wreath laying at towns and villages on 11 November can collect wreaths from my PA.

16. In Summary. We continue to build a strong economy, creating opportunities for all, ever improving our already high quality council services and continuing to listen to, and addressing, our residents' concerns.

However, I have been disappointed by some recent comments in the press. In response, I offer the comments of the council's Section 151 Officer.

The reason the current uncertainty over our future revenue position is impacting our approach to capital spending is that the two are directly related to each other.

This is partly because we are currently planning within the Medium Term Finance Strategy (MTFS) to incur capital borrowing, the repayment of which is revenue-funded (as with a mortgage). It is also because capital receipts are extinguished during the period of the MTFS and revenue reserves ultimately underpin and fund both our revenue and capital expenditure. In addition, capital schemes invariably increase long term revenue costs eg through asset maintenance costs.

The capital programme currently assumes a large contribution from money we hold in our reserves. Depending on future financial settlements it is possible that members may wish to (or may have to) draw down on these

reserves to fund other priorities and support the revenue budget instead of continuing with currently planned capital expenditure.

It is not correct to assume that the currently proposed capital programme is separate from our revenue position and the primary financial duty of the council is to propose and deliver a balanced budget, which includes both revenue and capital. At this time, it is not possible for us to be sure that this will not require the use of reserves, which are currently allocated to potential capital schemes, for revenue purposes.

Vale remains financially healthy and solvent, and our current pause in expenditure on discretionary capital schemes will ensure we continue to be so in future years, whilst retaining maximum flexibility for members in setting the 2019/20 budget and beyond.

**Cllr Roger Cox - Leader of Vale of White Horse District Council**

# Minutes

of a special meeting of the

# Council

held on Monday 19 November 2018 at 7.00 pm

at The Ridgeway, The Beacon, Portway, Wantage, OX12 9BY



## Open to the public, including the press

### Present:

Members: Councillors Monica Lovatt (Chairman), Ben Mabbett (Vice-Chairman), Alice Badcock, Mike Badcock, Matthew Barber, Eric Batts, Ed Blagrove, Yvonne Constance, Roger Cox, Margaret Crick, Charlotte Dickson, St John Dickson, Robert Hall, Jenny Hannaby, Anthony Hayward, Dudley Hoddinott, Simon Howell, Vicky Jenkins, Bob Johnston, Mohinder Kainth, Sandy Lovatt, Chris Palmer, Helen Pighills, Julia Reynolds, Judy Roberts, Emily Smith, Reg Waite, Elaine Ware and Catherine Webber

Officers: Steven Corrigan, Adrian Duffield, Holly Jones, and Margaret Reed

Number of members of the public: 4

### **Co.38 Apologies for absence**

Apologies for absence were submitted on behalf of Councillors Gervase Duffield, Debby Hallett, Chris McCarthy and Robert Sharp.

### **Co.39 Declarations of disclosable pecuniary interest**

None.

### **Co.40 Urgent business and chairman's announcements**

The chairman provided housekeeping information.

### **Co.41 Public participation**

None.

### **Co.42 Local Plan 2031 Part 2 - Inspector's initial post hearing letter**

Council considered Cabinet's recommendation, made at its special meeting on 16 November 2018, for a proposed response to the Planning Inspector's initial post hearing letter relating to the proposed allocation of Dalton Barracks.

In moving Cabinet's recommendation Councillor Roger Cox, Leader of the council and Cabinet member for planning, reminded councillors that Council had submitted the Local Plan Part 2 (LPP2) for examination in February 2018 and that the Examination in Public took place in July and September this year. Further work was done during

the examination by supplying topic papers to the Inspector at his request, which amplified the council's approach and modifications to various topics which are in the examination library and are public documents.

The Inspector's letter, dated 30 October 2018, was published in the councillor newsletter 'In focus'. He stressed that the item before Council was to consider the Inspector's request for an amended approach to the Dalton Barracks site and was not a re-examination of LLP2. However, it is quite possible that further modifications will be needed for other parts of the plan later in the process.

The report to Cabinet set out three options:

- Continue with the whole scheme.
- Modify the scheme to meet the plan period.
- Discard the site altogether.

In order to satisfy the Inspector's request for a modified approach to the Dalton Barracks site, Cabinet recommended Option 2 as the preferred option which would reduce the size of the development, retain the MOD playing fields and Starveal Farm within the green belt, and provide a site capable of taking 1,200 homes within the timescale. 11 topic papers underpin the recommendation with two pieces of additional work required on transport and air quality, which have been commissioned.

Councillor Cox advised that the council has submitted a 'Bid' to join the Garden Communities Programme which, if successful, would help to further enhance the development. Details will be published shortly.

The majority of councillors supported the recommendation. Some expressed the view that, whilst the council still has no sound LLP2 with further modifications likely, of the three options available, and given the time pressure the council is under, Option 2 provides the most sensible way forward.

A number of councillors noted that the Inspector had made a number of requested modifications following questions raised regarding the soundness of LLP2 in relation to the inadequate transport infrastructure to support housing at Dalton Barracks and Abingdon Airfield, deletion of the bus road through Sunningwell and not removing Shippon village from the green belt. The number of homes required in South-East Vale had been reduced with Oxford's unmet need treated as a working assumption.

In response to questions Councillor Cox confirmed that, although in the hands of the Inspector in terms of timescale, he has a high degree of optimism that following the adoption of Local Plan Part 1 in 2016 the council can achieve a date of 31 December 2018 for modifications and adoption of LLP2 by 31 March 2019. He acknowledged that the Oxfordshire Housing and Growth Deal requires all partner authorities to have local plans in place by April 2019, in order to take forward the work of the Growth Deal for the benefit of Oxfordshire and reiterated that Vale of White Horse was on track and ahead of the other authorities.

In response to concerns regarding the resources to undertake the additional work required, Councillor Cox responded that the work would be undertaken within existing resources and that no concerns had been raised by officers. He advised that any modifications will be subject to the normal six week consultation period.

In accordance with Council Procedure Rule 67, which provides for a recorded vote if three members request one, the Chairman called for a recorded vote on the motion which was declared carried with the voting as follows:

Vale of White Horse District Council – Council minutes

<b>For</b>	<b>Against</b>	<b>Abstentions</b>
Councillors	Councillors	Councillors
Alice Badcock		
Mike Badcock		
Matthew Barber		
Eric Batts		
Edward Blagrove		
Yvonne Constance		
Roger Cox		
Margaret Crick		
Charlotte Dickson		
St John Dickson		
Robert Hall		
Jenny Hannaby		
Anthony Hayward		
Dudley Hoddinott		
Simon Howell		
Vicky Jenkins		
Bob Johnston		
Mohinder Kainth		
Monica Lovatt		
Sandy Lovatt		
Ben Mabbett		
Chris Palmer		
Helen Pighills		
Julia Reynolds		
Judy Roberts		
Emily Smith		
Reg Waite		
Elaine Ware		
Catherine Webber		
Total: 29	Total: 0	Total: 0

**RESOLVED:**

To respond to the Planning Inspector presiding over the Local Plan 2031: Part 2 Examination confirming that Option 2, as set out below, is supported. A draft letter to the Planning Inspector is appended to the head of planning's report to Cabinet on 16 November 2018, along with a proposed modification to Core Policy 8b: Dalton Barracks and a simple summary signposting to the existing evidence base.

Inspector's Option (Option 2): "Allocate a specific site (or sites) at Dalton Barracks for the housing proposed during the plan period, with the Green Belt designation deleted from the site(s) concerned and no more. In this case there would be no presumption that any further development would take place on the wider site unless brought forward and justified in a future local plan".

The meeting closed at 7:20pm

# Cabinet Report



Report of Head of Finance

Author: Vicky Johnson

Telephone: 01235 422481

Textphone: 18001 01235 422481

E-mail: [Vicky.johnson@southandvale.gov.uk](mailto:Vicky.johnson@southandvale.gov.uk)

Wards affected: All

Cabinet member responsible: Robert Sharp

Tel: 01367 710549

E-mail: [robert.sharp@whitehorsedc.gov.uk](mailto:robert.sharp@whitehorsedc.gov.uk)

To: CABINET on 7 December 2018

To: COUNCIL on 12 December 2018

## Council tax base 2019/20

### Recommendations

1. That the report of the head of finance for the calculation of the council's tax base and the calculation of the tax base for each parish area for 2019/20 be approved
2. That, in accordance with The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the amount calculated by Vale of White Horse District Council as its council tax base for the year 2019/20 is
  - (i) **51,667.9** or
  - (ii) **51,706.2** if the long term empty premium change is approved, as included in the report of the head of finance to Cabinet on 7 December 2018
3. That, in accordance with The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the amount calculated by Vale of White Horse District Council as the council tax base for the year 2019/20 for each parish be the amount shown against the name of that parish in
  - (i) Appendix 1 of the report or
  - (ii) Appendix 2 of the report, if the changes to long term empty premium is approved, as included in the report of the head of finance to Cabinet on 7 December 2018

## Purpose of Report

1. The purpose of this report is to ask Cabinet to recommend the council tax base for 2019/20 to Council for approval.

## Corporate Objectives

2. The calculation of the tax base is a legal requirement and an essential part of the tax setting process which helps to achieve the council's corporate objectives.

## Background

3. Before the council tax can be set by the council, a calculation has to be made of the council tax base, which is an estimate of the taxable resources for the district as a whole and for each parish area.
4. The council tax base for the district has to be notified to Oxfordshire County Council and the Police and Crime Commissioner by 31 January 2019. Each parish and town council is also notified of the figure for its area.
5. The legislation requires that the council tax base is approved by full council or a non-executive body with delegated powers. No such delegation exists, so cabinet is therefore asked to recommend to council the schedule set out in **Appendix 1** or **Appendix 2** as the council tax base for the district as a whole and for each parish area.

## Calculation of the tax base

6. The starting point for the calculation is the total number of dwellings and their council tax band.
7. The council then allows for the following information, for each band:
  - (a) dwellings which will be entirely exempt, so no tax is payable (e.g. those occupied entirely by students)
  - (b) dwellings which will attract a 25 per cent reduction (e.g. those with a single adult occupier)
  - (c) dwellings which will attract a 50 per cent reduction (e.g. those where all the adult residents qualify for a reduction)
  - (d) dwellings which will be treated as being in a lower band because they have been adapted for a severely disabled person. The regulations provide methodology to take account of the reduction available to those in band A dwellings
  - (e) dwellings which will be on the valuation list, but which attract discounts or disablement relief or are exempt, for only part of the year
8. Each band is then converted into "band D equivalents" by applying the factor laid down by legislation. For example, a band A dwelling is multiplied by 2/3 to arrive at the band D equivalent figure, whilst a band H dwelling is multiplied by two. All these are then added together to give a total of band D equivalents.

9. A final adjustment is required to allow for non-collection. The council is required to decide what its collection rate is likely to be and apply this to its council tax base. For the 2018/19 tax the council assumed 98 per cent would eventually be collected and it is proposed to use 98 per cent again in 2019/20.

### **Taxbase for 2019/20**

10. Based on the assumptions detailed above, the council tax base for 2019/20 is **51,667.9**. or **51,706.2** if the changes to long term empty premium is approved.
11. Similar calculations are required for each parish in order to calculate the proportion of the district's tax base which relates to its area. A schedule of the tax base for each parish is set out in **Appendix 1** and **Appendix 2**.
12. To calculate the council tax amounts payable per property band for the council, its council tax requirement (i.e. the amount of council tax to be raised) is divided by the Band D equivalent (taxbase). This will be finalised during January and February, culminating in the council tax being set by council on 13 February 2019 (this date is subject to the council being notified of the major precepting authorities' council tax requirements).

### **Financial Implications**

13. These are set out in the body of the report.

### **Legal Implications**

14. These are set out in the body of the report.

### **Risks**

15. The council's methodology for calculating the taxbase involves basing the calculation on actual dwellings at a certain point in time, rather than forecasting on potential new dwellings that may be built in the future. Because of this the risk exposure is considered to be low.

### **Background Papers**

None

# Appendix 1

## PARISH COUNCIL TAXBASES - 2019-20 (AFTER to Boundary Change)

PARISH/TOWN COUNCIL	NUMBER OF DWELLINGS	PARISH TAX BASE 2019-20	PARISH TAX BASE 2018-19
ABINGDON	14,837.0	12,266.1	12,138.9
APPLEFORD	144.0	160.2	155.3
APPLETON WITH EATON	399.0	450.4	450.3
ARDINGTON AND LOCKINGE	220.0	218.4	218.2
ASHBURY	257.0	270.7	268.9
BAULKING	39.0	49.0	47.0
BESSELSLEIGH	29.0	35.2	34.8
BLEWBURY	809.0	739.0	724.4
BOURTON	133.0	144.6	143.3
BUCKLAND	255.0	317.1	313.5
BUSCOT	87.0	86.9	89.1
CHARNEY BASSETT	125.0	153.1	150.4
CHILDREY	225.0	239.4	235.8
CHILTON	648.0	667.0	662.9
COLESHILL	75.0	70.2	69.5
COMPTON BEAUCHAMP	30.0	38.6	37.3
CUMNOR	2,741.0	2,941.0	2,926.4
DENCHWORTH	80.0	83.7	84.0
DRAYTON	1,077.0	1,000.0	949.4
EAST CHALLOW	399.0	339.2	335.8
EAST HANNEY	438.0	479.9	464.7
EAST HENDRED	558.0	579.9	550.2
EATON HASTINGS	35.0	34.3	34.9
FARINGDON	3,487.0	2,799.6	2,735.3
FERNHAM	95.0	108.3	111.0
FRILFORD	87.0	117.6	118.0
FYFIELD AND TUBNEY	199.0	235.4	237.8
GARFORD	69.0	82.4	81.1
GOOSEY	56.0	65.4	66.9
GREAT COXWELL	131.0	154.3	156.6
GROVE	3,104.0	2,634.8	2,740.1
HARWELL	1,805.0	1,645.7	1,394.2
HATFORD	36.0	46.5	47.3
HINTON WALDRIST	149.0	153.4	150.9
KENNINGTON	1,769.0	1,694.0	1,688.2
KINGSTON BAGPUIZE AND SOUTHMOOR	1,251.0	1,280.1	1,211.2
KINGSTON LISLE	111.0	116.4	115.3
LETCOMBE BASSETT	79.0	91.2	88.5
LETCOMBE REGIS	383.0	360.5	365.8
LITTLE COXWELL	70.0	80.6	80.2
LITTLEWORTH	94.0	115.7	115.7
LONGCOT	221.0	225.8	222.3
LONGWORTH	244.0	273.6	270.1
LYFORD	23.0	26.1	25.2
MARCHAM	885.0	880.2	781.9
MILTON	502.0	454.8	445.2
NORTH HINKSEY	2,253.0	1,890.4	1,866.2
PUSEY	28.0	34.1	33.4
RADLEY	1,005.0	880.0	879.9
ST HELEN WITHOUT	845.0	827.7	837.3
SHELLINGFORD	80.0	81.6	81.4
SHRIVENHAM	1,115.0	1,114.7	1,055.3
SOUTH HINKSEY	175.0	194.6	196.9
SPARSHOLT	138.0	151.5	153.6
STANFORD IN THE VALE	976.0	900.8	893.0
STEVENTON	900.0	855.2	744.3
SUNNINGWELL	380.0	453.1	452.8
SUTTON COURTENAY	1,184.0	1,122.4	1,103.4
UFFINGTON	365.0	369.3	365.9
UPTON	175.0	208.8	209.2
WANTAGE	5,574.0	4,684.1	4,400.8
WATCHFIELD	1,083.0	1,013.0	972.9
WEST CHALLOW	91.0	97.0	94.2
WEST HANNEY	249.0	285.5	277.7
WEST HENDRED	149.0	161.9	161.1
WOOLSTONE	62.0	78.0	77.6
WOOTTON	1,188.0	1,178.3	1,182.3
WYTHAM	70.0	79.6	78.8
<b>TOTAL</b>	<b>56,575</b>	<b>51,667.9</b>	<b>50,451.8</b>

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PUSEY	28.0	34.6	33.4
RADLEY	1,005.0	880.3	879.9
ST HELEN WITHOUT	845.0	829.6	837.3
SHELLINGFORD	80.0	81.6	81.4
SHRIVENHAM	1,115.0	1,115.1	1,055.3
SOUTH HINKSEY	175.0	194.6	196.9
SPARSHOLT	138.0	151.5	153.6
STANFORD IN THE VALE	976.0	901.3	893.0
STEVENTON	900.0	855.5	744.3
SUNNINGWELL	380.0	455.0	452.8
SUTTON COURTENAY	1,184.0	1,123.8	1,103.4
UFFINGTON	365.0	369.3	365.9
UPTON	175.0	208.8	209.2
WANTAGE	5,574.0	4,685.9	4,400.8
WATCHFIELD	1,083.0	1,013.0	972.9
WEST CHALLOW	91.0	97.0	94.2
WEST HANNEY	249.0	286.1	277.7
WEST HENDRED	149.0	162.2	161.1
WOOLSTONE	62.0	78.4	77.6
WOOTTON	1,188.0	1,179.5	1,182.3
WYTHAM	70.0	79.6	78.8
<b>TOTAL</b>	<b>56,575</b>	<b>51,706.2</b>	<b>50,451.8</b>

# Cabinet Report



Report of Head of Finance

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Wards affected: All

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To: CABINET

Date: 7 December 2018

## Council Tax Empty Homes Premium

### Recommendation(s)

That the Council be recommended

- (a) That in accordance with the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 the Long Term Empty Property Premium (currently set at a 50%) is:
  - (i) Increased to **100%** from 1 April 2019 for those properties which are empty for **two years** and over
  - (ii) Increased to **200%** premium from 1 April 2020 for those properties which are empty for **five** years and over
  - (iii) Increased to **300%** premium from 1 April 2021 for those properties which are empty for **10 years** and over

### Purpose of Report

1. The purpose of this report is for Cabinet to recommend to Council the level of premium to be applied to long-term empty dwellings.

## Corporate Objectives

2. By reviewing and varying the levels of discount that can be applied to long term empty properties it may encourage owners to bring dwellings back into use and therefore contribute the strategic objective of “homes and jobs for everyone”.

## Background

3. Long-term empty dwellings that have already received any relevant discounts or exemptions are currently charged an additional 50 per cent of the council tax due, where that dwelling has been empty for at least two years.

## Options

4. The Government introduced new legislation on 1 November 2018 (Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018) to allow councils to:
  - apply from 1 April 2019 a premium to long-term empty dwellings of up to an additional 100 per cent of the council tax due, where that dwelling has been empty for at least two years
  - apply from 1 April 2020 a premium to long-term empty dwellings of up to an additional 200 per cent of the council tax due, where that dwelling has been empty for five years and over
  - apply from 1 April 2021 a premium to long-term empty dwellings of up to an additional 300 per cent of the council tax due, where that dwelling has been empty for ten years and over
5. There are currently **136** properties which have been unoccupied and unfurnished for over two years and are already subject to a **50 per cent** long term empty homes premium.
6. There is a lack of available housing within the district and long-term empty dwellings could be put to better use in easing the pressure on housing stock. Applying a premium to long-term empty dwellings should encourage owners to bring them into occupation.
7. There are however certain exemptions to this premium being applied. These include premises owned by members of the armed forces; annexes; and, properties that are genuinely on the market for sale or let.

## Financial Implications

8. If the long term empty homes premium was increased to **100 per cent** from the current 50 per cent from 1 April 2019 then, based on the 2018 charge, it could potentially bring in an extra **£138,019.39** of council tax revenue, meaning from Vale’s point of view the annual financial benefit of applying the premium would be **£9,656.59** based on current

property figures. Other principle preceptors such as the County Council will see a more significant additional benefit.

## Legal Implications

9. The recommendations to vary existing discount levels and apply a premium are in accordance with proposed regulations under the Local Government Finance Act 1992 (as amended) and The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018. Where a determination is made to amend the premium, the council will be required to publish notice of it in at least one newspaper circulating in its area before the end of the period of 21 days beginning with the date of the determination.

## Risks

10. It is hoped that owners would consider bringing properties back into use, but there is a risk of owners avoiding the premium on long term empty properties by just moving furniture into the property and claiming they are occupied (which will pay 100% council tax). **For this reason, if the proposal to increase the premiums is approved, we would assume that only 50 per cent of the current dwellings would attract the 100 per cent premium and increase the taxbase accordingly.**

## Conclusion

11. It is hoped that the adoption of higher premiums may encourage the owners of the remaining long term empty properties to bring them back into use, as well as increase the supply of dwellings generally by discouraging second home ownership, thus contributing to the strategic objective of “homes and jobs for everyone”. At the same time, the new flexibility to increase the premium provides additional revenue to the council and other principle preceptors, where owners choose not to bring properties back into use.

## Background Papers

- None

# Cabinet Report



Report of Head of Housing and Environment

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To: CABINET

Date: 7 December 2018

## Joint Gambling Policy

### Recommendations

Cabinet is recommended to consider the recommendations of the Licensing Acts Committee and to recommend Council to:

- (a) adopt the proposed Joint Gambling Policy
- (b) authorise the Head of Housing and Environment to make minor editorial changes to the Joint Gambling Policy
- (c) authorise the Head of Housing and Environment to publish the Joint Gambling Policy in accordance with the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006.

### Purpose of Report

1. To consider the recommendations of the Licensing Acts Committee on the Joint Gambling Policy following the statutory consultation.

### Strategic Objectives

2. The Joint Gambling Policy will further the council's role in building an even stronger community and facilitating sustainable communities. The policy will also ensure the council is meeting its statutory responsibilities.

## Background

3. The gambling policy is subject to statutory review every three years. The policy is due for review by 31 January 2019.

## Proposed policy

4. There are no significant changes to the gambling policy.
5. There have not been any changes in legislation or guidance within the last three years, therefore there are no significant changes to the gambling policy.
6. Minor changes to the policy are as follows:
  - Information is included on the detail that we require for premises risk assessments, including for them to be kept at the premises.
  - Paragraphs 2.7.2 and 2.7.3 refer to the local area profiles are now available on the council websites to assist operators in developing their risk assessments which are required for the application process.
  - The policy has been updated to refer to refer to GDPR and Data Protection Act 2018 and the councils' Licensing enforcement policy
  - Annex 4 now refers to the recent government review of gaming machines and social responsibility measures and the decision that maximum stakes on fixed odds betting terminals will be reduced from £100 to £2.
7. The council currently has a 'no casino' clause which was first adopted in 2006 on the basis of the rural nature of the district with market towns being an inappropriate location for a casino; that casinos are better located in large towns or cities and the council should also protect the most vulnerable people from gambling in casinos.
8. The 'no casino' clause in the current policy means that the council cannot consider any application for opening a casino in the district.
9. If the 'no casino' clause was removed the council could consider an application for a casino subject to a number of controls.
10. Any application to open a casino would first require an amendment of The Gambling (Geographical Distribution of Large and Small Casino Premises Licences) Order 2008 by the Secretary of State.
11. Any application would then to be subject to the council's development control system and the consultation process set out in the Gambling Policy itself.
12. If the Committee recommend the retention of a 'no casino' clause then it must recommend the adoption of such a resolution under Section 166 (1) of the Gambling Act 2005 by Council.

## **Consultation results**

13. The consultation ran four weeks from 10 September to 7 October 2018. This was a public consultation and went to all councillors and responsible authorities as defined under the Gambling Act 2005.
14. The overall response level was very low. The Gambling Commission suggested we include information about the local area profile and risk assessments within the policy. This has been included in section 2.7. We have also updated the policy to refer to both the Human Rights Act 1998 and Equality Act 2010 in section 2.3
15. These changes are minor but do provide some additional clarification for operators.
16. The low level of consultation responses show that the policy can be recommended for adoption subject to the identified responses and minor wording changes which have been incorporated into the policy at appendix 1.

## **Licensing Acts Committee recommendations**

17. The Licensing Acts Committee considered the Joint Gambling Policy on 28 November 2018 and decided to recommend Cabinet to recommend Council on 12 December 2018 to adopt the policy and to authorise the Head of Housing and Environment to make minor editorial changes and to publish the policy as required by regulations.
18. The Gambling Act 2005 specifically excludes the Cabinet from decisions on whether to have a “no casinos” clause in the policy. In all other respects, it is the role of the Cabinet to recommend the Gambling Policy to Council for adoption and to authorise the Head of Housing and Environment to make minor editorial changes and to publish the policy as required by regulations.

## **Implementation**

19. Once the Council has adopted a new gambling policy it must publish a notice of intention to adopt the new policy four weeks before the new policy comes into force. The policy will be due for renewal by 31 January 2022.

## **Financial Implications**

20. There are no financial implications arising from the adoption of the proposed policy.

## **Legal Implications**

21. The policy has been drafted to reflect current legislative requirements and guidance. All applications for licences and permits under the Gambling Act 2005 have to be made and determined in accordance with the council’s gambling policy.

## **Risks**

22. Failure to reflect the requirements of the Gambling Act 2005 and associated regulations could result in the councils not complying with the legislation. Having a clear policy helps to ensure that licensing decisions comply with the legislation and are made fairly and consistently.

## **Other Implications**

23. There are no other implications arising from the adoption of the proposed policy.

## **Conclusion**

24. Cabinet is recommended to consider the outcome of the consultation and recommend Council to:

- (a) adopt the proposed Joint Gambling Policy
- (b) authorise the Head of Housing and Environment to make minor editorial changes to the Joint Gambling Policy.
- (c) authorise the Head of Housing and Environment to publish the Joint Gambling Policy in accordance with the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006.

## **Background Papers**

none



# **Statement of Principles**

## **Gambling Act 2005**

### **Joint statement of licensing policy**

This policy was adopted by the Vale of White Horse District Council at the meeting of Council on 12 December 2018 and South Oxfordshire District Council at the meeting of Council on 20 December 2018 and comes into force from 31 January 2019 and will be reviewed by 31 January 2022.

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## **GLOSSARY**

### **Adult gaming centres**

Adult gaming centres (AGCs) are a category of gambling premises contained within the Act. Persons operating an AGC must hold a gaming machines general operating licence from the Gambling Commission and must seek a premises licence from the licensing authority. The holder of an adult gaming centre premises licence may have up to four category B3 or B4 machines available for use and any number of category C or D machines.

### **Amusement arcades**

These are not referred to as such in the Act. See adult gaming centres and licensed and unlicensed family entertainment centres.

### **Betting**

Betting means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not true.

### **Bingo**

Bingo has no statutory definition in the Act. It has its ordinary and natural meaning. There is no distinction between cash bingo, where cash prizes are derived from the stakes, and prize bingo, where prizes were not directly related to the stakes paid. The holder of a bingo operating licence will be able to offer any type of bingo game, whether cash or prize. This also applies to alcohol-licensed premises, club and miners' welfare institutes (up to a total weekly prize value of less than £2,000).

Prize bingo is traditionally played in arcades or travelling funfairs. For these operators, prize bingo is subsumed within the allowances for prize gaming in the Act. This means that adult gaming centres, both licensed and unlicensed family entertainment centres, travelling fairs, and any premises with a prize gaming permit will be able to offer prize gaming, which includes prize bingo.

### **Casino**

A location where people can participate in one or more casino games.

### **Casino games**

Games of chance not being equal chance gaming. i.e. games in which players stake against a "bank".

## **Councils**

The licensing authorities. Vale of White Horse District Council in its capacity as the licensing authority for the area of Vale of White Horse and South Oxfordshire District Council in its capacity as the licensing authority for the area of South Oxfordshire.

## **Equal chance gaming**

This is a game where the chances of winning are equally favourable to all participants, and which does not involve playing or staking against a “bank”. It is immaterial how the “bank” is described and whether it is controlled by a player.

## **Exempt activities**

The following are exempt under the Act:

- Private betting - betting which takes place between inhabitants of the same premises or between employees of the same employer.
- Private gaming - gaming that takes place in private dwellings and on domestic occasions providing that no charge is made for participating; only equal chance gaming takes place; and it does not occur in a place to which the public have access.
- Non-commercial gambling - when no part of the proceeds/profits will be for private gain. The proceeds/profits are the sums raised by the organisers, for example, by way of fees for entrance or participation, or by way of stakes, minus an amount deducted by the organiser in respect of costs reasonably incurred in organising the event including the provision of a prize. The following conditions would also have to apply:
  - the profits will be for a purpose other than that for private gain
  - the players are informed that the purpose of the gaming is to raise money for a specified purpose other than that of private gain
  - the event must not take place in premises which either have a premises licence or on premises relying on a temporary use notice under the Act
  - the gaming must not be remote.

Any regulations made by the Secretary of State will need to be complied with and will include for example regulations limiting the amounts staked and limiting participation fees. If the profits from the activity are used for a purpose other than that which was specified, an offence would be committed.

## **Gambling**

Gambling is defined as: gaming, betting or participating in a lottery.

## **Games of chance**

This covers games that involve both chance and skill. This includes games in which skill can eliminate an element of chance and includes games that are presented as involving an element of chance. It does not include a sport. Playing a game of chance need not involve other participants.

## **Gaming**

Gaming means playing a game of chance for a prize.

## **Guidance**

Under section 25 of the Act, the Gambling Commission is required to issue guidance on the manner in which local authorities are to exercise their functions under the Act, in particular, the principles to be applied by local authorities in exercising their functions under the Act.

## **Interested parties**

Interested parties are defined under section 158 of the Act. To accept a representation from an interested party, the council must take the view that the person:

- lives sufficiently close to the premises to be likely to be affected by the authorised activities
- has business interests that might be affected by the authorised activities
- represents persons in either of these groups.

Interested parties can also be a councillor or an MP.

## **Licensed family entertainment centres**

These premises require operating licences from the Gambling Commission. They will be able to offer gaming machines in categories C and D. Gaming machines are a form of gambling which is attractive to children and Licensed Family Entertainment Centres may contain machines of the Category D machines on which they are allowed to play as well as category C which they are not permitted to play.

## **Lottery**

A 'lottery' is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance.

## **Operators**

Individuals or companies who provide facilities for gambling.

## **Operating licence**

The Act requires individuals or companies who intend to provide facilities for certain types of gambling to obtain an operating licence from the Gambling Commission. Operating licences may be issued for the following forms of gambling:

- casino operating licence
- bingo operating licence
- general betting operating licence
- pool betting operating licence
- betting intermediary operating licence
- gaming machine general operating licence (for an adult gaming centre)
- gaming machine general operating licence (for a family entertainment centre)
- gaming machine technical operating licence (to manufacture, supply, install, adapt, maintain or repair a gaming machine or part of a gaming machine)
- gambling software operating licence (to manufacture, supply, install or adapt gambling software)
- lottery operating licence.

## **Premises licence**

A premises licence issued by a licensing authority authorises the provision of facilities on casino premises, bingo premises, betting premises, including tracks, adult gaming centres and family entertainment centres.

## **Representations**

In dealing with applications the council is obliged to consider representations from two categories of person, referred to in the Act as interested parties and responsible authorities.

## **Tracks**

A track is any premises where a race or sporting event may take place. Facilities for betting on tracks may be permitted by a track premises licence, a temporary use notice or an occasional use notice.

## **Unlicensed family entertainment centres**

These premises can provide category D machines providing prizes of up to £5 cash or £8 in goods. Stakes are limited to 10p (or 30p for a goods prize). They can also offer prize bingo.

## **1.0 INTRODUCTION**

### **1.1 Scope**

1.1.1 Gambling activities are regulated by the Gambling Act 2005 ('the Act'). Vale of White Horse and South Oxfordshire District Councils are licensing authorities for the purposes of the Act. This 'Statement of Principles' ('policy') covers the districts of the Vale of White Horse District Council and South Oxfordshire District Council ('the councils'). The Act requires the councils to produce a statement of principles concerning their duties under the Act every three years.

1.1.2 The Act gives the councils various regulatory functions in relation to gambling. The councils' main functions under the Act are:

- licensing premises for gambling activities
- considering notices given for the temporary use of premises for gambling
- granting permits for gaming and gaming machines in clubs and miners' welfare institutes
- regulating gaming and gaming machines in alcohol licensed premises
- granting permits to family entertainment centres (FECs) for the use of certain lower stake gaming machines
- granting permits for prize gaming
- considering occasional use notices for betting at tracks
- registering small societies' lotteries
- maintaining a register of premises licences (for casinos, bingo halls, adult gaming centres, family entertainment centres, betting shops and race tracks).

The councils are required to provide information annually to the Gambling Commission on the of licences, permits and registrations issued.

The councils maintain statutory registers of premises licensed under the Act. The registers can be viewed on the relevant council's website or by prior request at the council offices.

## **2.0 BACKGROUND**

### **2.1 Purpose of policy**

It is expected that the councils regulate gambling in the public interest. The purpose of this policy is to ensure the councils' compliance with the Act, to protect the health and welfare of the general public and to assist businesses by ensuring they are aware of the councils' requirements and the way in which the councils carry out their regulatory functions.

## **2.2 Persons consulted**

The following bodies/persons were consulted on this policy and their views taken into consideration:

- the Chief Constable of Thames Valley Police
- businesses and individuals in the councils' areas who held a premises licence granted under the Act at the time consultation commenced
- one or more persons who appeared to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act. A list of persons/bodies responding to the consultation is attached at Annex 1

## **2.3 Declaration**

This policy has been produced with due regard to the licensing objectives, the Gambling Commission's 'Guidance to Licensing Authorities 5<sup>th</sup> edition' and the responses received as part of the consultation process. The consultation ran for a four week period from 10 September 2018. The policy will be in force for no longer than three years and it may be reviewed and amended at any time within the three year period. The policy does not override the right of any person to make an application, make representations about an application or apply for a review of a licence. Each application and representation will be considered on its own merits and in accordance with the Act. The policy has been agreed taking into account the Human Rights Act 1998 and the Equality Act 2010. The councils will consider the need to balance the legislation and the principles contained within the policy with the human rights of all parties, be they licence holders, applicants or interested parties.

## **2.4 Responsible authorities**

2.4.1 Under the Act responsible authorities are public bodies who must be notified of applications and who are entitled to make representations to the licensing authority in relation to applications for and in relation to, premises licences. The responsible authorities for both councils are:

- the licensing authority
- the Gambling Commission
- the Chief Constable of Thames Valley Police
- Oxfordshire Fire and Rescue Service
- the planning authority (within the relevant council)
- the local town council, parish council or parish meeting
- the environmental protection team (of the relevant council)
- a body designated in writing by the licensing authority as competent to advise about the protection of children from harm (see 2.4.3)

- HM Revenue & Customs
- any other persons prescribed in regulations by the Secretary of State.

Contact details for the above authorities are included at Annex 2.

2.4.2 In the event that the premises are a vessel, the following bodies are also responsible authorities:

- the Environment Agency
- the British Waterways Board
- the Secretary of State for Transport (who acts through the Maritime and Coastguard Agency)

2.4.3 In exercising the councils' powers under section 157(h) of the Act to designate a body competent to advise them about the protection of children from harm the following principles have been applied:

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

Having regard to the above principles, the councils have designated the Oxfordshire Safeguarding Children Board at Oxfordshire County Council for this purpose.

## **2.5 Interested Parties**

2.5.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. The Act defines interested parties as persons or bodies who, in the opinion of the licensing authority:

- (a) live sufficiently close to the premises to be likely to be affected by the authorised activities;
- (b) have business interests that might be affected by the authorised activities; or
- (c) represent persons who satisfy (a) or (b) (see 2.5.4)

2.5.2 Whether a person is an interested party is a decision that will be taken by the relevant council on a case-by-case basis, judging each case on its merits. However, the following factors will be taken into account:

- the size of the premises (for example, larger premises may affect people over a wider geographical area)
- the nature of the activities planned or already taking place
- the distance of the premises from the location of the person making the representation
- the potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment)
- the circumstances of the complainant (which may be relevant to the distance from the premises, for example, it could be reasonable for an authority to conclude that 'sufficiently close to be likely to be affected' could have a different meaning for (a) a private resident (b) a residential school for children with truanting problems and (c) a residential hostel for vulnerable adults
- the catchment area of the premises (i.e. how far people travel to visit); and whether the person making the representation has business interests in that catchment area, that might be affected (this is particularly relevant when representations are made by another gambling business who state their business interests may be affected, however whether there is demand for the premises shall not be taken into account).

2.5.3 This list is not exhaustive and other factors may be taken into consideration if the councils deem it necessary.

2.5.4 The councils consider the following people / bodies to fall within the category of those who represent persons living close to premises, or having business interests that might be affected by the authorised activities: -

- trade associations
- residents' and tenants' associations
- district, county, town and parish councillors
- MPs
- school headteachers
- community groups
- charities
- faith groups
- medical practices
- bodies that exist to help people with gambling addictions such as GamCare or Gamblers Anonymous.

2.5.5 In other cases, the councils shall require written evidence that the person / association / body represent an interested party.

## **2.6 Licensing objectives**

In exercising their functions under the Act, the councils must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

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

The councils will aim to permit the use of premises for gambling as required by section 153 of the Act.

- 2.6.1 The councils can only make decisions based on the licensing objectives and not for unrelated moral, ethical or business reasons, for example, a general dislike of gambling, nuisance or expected demand.

## **2.7 Local area profile and operator risk assessments**

- 2.7.1 The councils will maintain a local area profile (LAP) containing information on the makeup of their area and any actual or potential risks from gambling premises that the councils have identified by observation, data or consultation. The local area profiles are available on the relevant council's website to assist operators in developing their risk assessments as required under the revised code of practice published by the Gambling Commission.
- 2.7.2 Operators are required to submit their risk assessments as part of an application for a new premises licence, variation to existing licence or on request from the licensing authority.
- 2.7.3 The risk assessments should consider actual and potential risks to the licensing objectives posed by the provision of gambling facilities at a premises. The licensing authority has an expectation that all local risk assessments will take into account the local social profile of the area. The assessment should detail the policies, procedures and control measures to mitigate those risks.
- 2.7.4 Operators will be made aware of any significant changes in the local area profile during the life of this policy so that their risk assessments can be updated.

## **2.8 Decision making and delegation of powers**

- 2.8.1 All applications for the grant or review of a licence or permit will be considered on their own merits. The Act makes it clear that neither issues of demand for a premises nor compliance with planning or building regulations are to be considered when councils make decisions about applications. With regard to premises licences, the councils will consider all applications in accordance with the principles contained in section 153 of the Act. Responsible Authorities and Interested Parties may only make representations relevant to the licensing objectives listed at paragraph 2.6. For clarification, these are different to the licensing objectives of the Licensing Act 2003.
- 2.8.2 The councils expect applicants to show that they have policies and procedures in place to support the licensing objectives, for example; exactly how they intend to ensure that children cannot gamble in their premises. Applicants are required to consider the following steps in promoting all three objectives:
- proof of age schemes
  - Closed Circuit Television (CCTV)
  - supervision of entrances / gambling areas
  - physical separation of areas (for example when gaming machines are provided in pubs where children are permitted or in gaming centres where children may be permitted to play on some but not all of the machines)
  - location of and entry to premises
  - notices / signage
  - training for staff on challenging persons suspected of being under-age
  - training for staff on how to recognise someone with or developing a gambling addiction and what action to take
  - training for staff on the types of crime that may occur as part of gambling and what action to take
  - specific opening hours (for example if the premises are sited near a school or job centre)
  - self-barring schemes
  - provision of information leaflets / helpline numbers for organisations such as GamCare.
- 2.8.3 All new applicants are required to submit a risk assessment for their premises as part of their application.
- 2.8.4 The councils will not automatically refuse an application for the grant of a licence because a responsible authority or interested party has concerns relating to one of the licensing objectives; they will take into account any measures the applicant may offer to put into place to overcome the concerns.
- 2.8.5 The Act defines at what level decisions may be made within councils – see Annex 3. Where representations have been received and remain unresolved to the satisfaction of all parties, a Licensing Acts Panel will hold a hearing to decide whether a licence, statement or club gaming permit will be granted.

2.8.6 Guidance on making applications for licences or permits, to make representations regarding application or to request a review can be found on the relevant council website or by contacting the licensing team.

## **2.9 Reviews of Premises Licences**

2.9.1 Section 197 of the Act provides that an application for a review of a premises licence may be made by a responsible authority or interested party. There are regulations governing reviews (The Gambling Act 2005 (Premises Licences) (Review) Regulations 2007) which state that the person applying for the licence to be reviewed must do so in writing using a prescribed form, stating the reasons why a review is being requested and submitting it to the relevant council with any supporting documents. They must then send the same information to all (other) responsible authorities within seven days. Failure to do this will mean that the review process is halted until the documents are received by all parties.

2.9.2 The relevant council must grant the application for a review unless it thinks the grounds on which it is sought:

- are not relevant to this policy, or any guidance or codes of practice issued by the Gambling Commission, or the licensing objectives
- are frivolous
- are vexatious
- 'will certainly not' cause the council to revoke or suspend a licence or to remove, amend or attach conditions to the premises licence
- are substantially the same as the grounds cited in a previous application or substantially the same as representations made at the time the licence was granted, depending on how much time has passed (the licence should not be reviewed based on the same arguments that have already been considered by the relevant council).

2.9.3 Within seven days of receiving the application to review a premises licence, the relevant council will publish notice of the application in accordance with the regulations mentioned in paragraph 2.9.1.

2.9.4 Representations in response to the application must be made within the 28 days which follow publication of the notice and the relevant council must carry out the review as soon as possible after the 28 days has ended.

2.9.5 If the relevant council deems action is justified, its options are to:

- add, remove or amend a licence condition imposed by the relevant council
- exclude a default condition imposed by the Secretary of State (relating to for example, opening hours) or remove or amend such an exclusion
- suspend the premises licence for a period not exceeding three months
- revoke the premises licence.

2.9.6 The relevant council will notify the licence holder, the applicant for the review, any person who made representations, the Gambling Commission, the Chief Constable of Thames Valley Police and HM Revenue and Customs of the outcome of the review as soon as possible.

## **2.10 Appeals against a decision of the councils**

2.10.1 The Act details the process for appeals against the councils' decisions regarding licences, permits, provisional statements and temporary use notices. In all cases appeals are to the local Magistrates' Court within 21 days of the appellant's receipt of the councils' decision.

2.10.2 Any party may apply for a judicial review if they believe that a decision taken by the relevant council is:

- beyond the powers available to it
- subject to procedural impropriety or unfairness
- irrational (a decision so unreasonable no sensible person could have reached it).

## **2.11 Enforcement**

2.11.1 The councils seek to secure compliance with the law in a variety of ways. Most contact with individuals and businesses is informal; providing advice and assistance over the telephone, during visits and in writing. Formal measures will include warnings, licence reviews and prosecution. The objective of these measures will be to ensure compliance with the licensing objectives including any general or specific licence conditions. Any enforcement action will be taken in accordance with our enforcement policy which is based on the principles of the Regulators' Code.

2.11.2 Part 15 of the Act details inspections that may be made to check for compliance with the Act. The councils will adopt a risk-based approach to the inspection of gambling premises which will be operated in conjunction with the councils' current enforcement policy. This will allow for the targeting of high-

risk premises or those where a breach would have serious consequences. Premises that are low risk and / or well run will be subject to a less frequent inspection regime.

- 2.11.3 Section 346 of the Act gives the councils the power to instigate criminal proceedings in respect of the offences specified in that section. The councils will ensure that enforcement is carried out in a fair and consistent manner in accordance the councils' enforcement policy.
- 2.11.4 The councils will endeavour to work with, and avoid duplication with, other regulatory regimes so far as possible.
- 2.11.5 Concerns about manufacture, supply or repair of gaming machines will not be dealt with by the councils but will be referred to the Gambling Commission.

## **2.12 Exchange of information**

- 2.12.1 The councils regard the lawful and correct treatment of information as important to the successful and efficient performance of their functions, and to maintain the confidence of the people / bodies they deal with. The councils will ensure that information is kept and shared lawfully and correctly and in accordance with the General Data Protection Regulations.
- 2.12.2 The councils may share information in accordance with the following provisions of the Act:
  - sections 29 and 30 (with respect to information shared between the councils and the Gambling Commission)
  - section 350 (with respect to information shared between the councils and the other persons listed in Schedule 6 to the Act).
- 2.12.3 The purpose of information exchange is not only to fulfil the requirements under the Act, but also to enable both the Gambling Commission and the councils to carry out work related to their regulatory functions in a risk-based manner, using the best available information.
- 2.12.4 In the exercise of the above functions, consideration shall also be given to the common law duty of confidence, the law relating to defamation, the guidance issued by the Gambling Commission and to the councils' policies in relation to data protection and freedom of information.
- 2.12.5 Any information sharing between the councils and Thames Valley Police must also be carried out in accordance with the information sharing protocol under the Oxfordshire memorandum of understanding.
- 2.12.6 Any person wishing to obtain further information about their rights under the Data Protection Act 2018 and the General Data Protection Regulation or the Freedom of Information Act 2000 may view the councils' policies at

[www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk) or [www.southoxon.gov.uk](http://www.southoxon.gov.uk) or alternatively members of the public and businesses can also access information and advice regarding licensing by obtaining independent legal advice or contacting the following bodies:

- Local Government Regulation (formerly LACORS)  
[www.local.gov.uk](http://www.local.gov.uk)
- DCMS (Department for Digital, Culture, Media and Sport)  
[www.culture.gov.uk](http://www.culture.gov.uk)
- Citizens Advice Bureau  
[www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

## 2.13 Application procedure

Applications for family entertainment centres, prize gaming and licensed premises gaming machine permits are to be made on the relevant council's forms available at either

[www.whitehorsedc.gov.uk/services-and-advice/business/licensing/gambling](http://www.whitehorsedc.gov.uk/services-and-advice/business/licensing/gambling)

or

[www.southoxon.gov.uk/services-and-advice/business/licensing/gambling](http://www.southoxon.gov.uk/services-and-advice/business/licensing/gambling)

For all other types of licences and permits, the standard forms are available from the Gambling Commission at:

<http://www.gamblingcommission.gov.uk/Licensing-authorities/Information-for-licensing-authorities/DCMS-LA-forms/DCMS-Licensing-authority-forms.aspx>

Applicants must ensure that they are aware of what should accompany each application (for example a plan of the premises). Each of the websites mentioned detail these requirements.

## 2.14 Fees

Maximum licence fees are set by the government; however each council sets its own fees up to these maximums. Fees set by the councils are subject to annual review. A list of current fees to accompany the different licence / permit applications can be found by accessing the councils' websites at either:

[www.whitehorsedc.gov.uk/services-and-advice/business/licensing/gambling](http://www.whitehorsedc.gov.uk/services-and-advice/business/licensing/gambling)

or

<http://www.southoxon.gov.uk/services-and-advice/business/licensing/gambling>

## 3.0 PERMITS

- 3.0.1 Please refer to [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk) for the latest details on machine categories including maximum stakes and pay-outs permitted and the entitlement of certain premises to certain categories and numbers of

machines. A summary of gaming machine categories is included at Annex 4 for information, however the stakes are subject to change.

- 3.0.2 The councils will expect applicants to be able to demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permitted in their premises and that staff are trained to have a full understanding of them.
- 3.0.3 The holder of a permit must comply with any code of practice issued by the Gambling Commission about the location and operation of any machine(s).

### **3.1 Unlicensed family entertainment centre gaming machine permits (FECs)**

- 3.1.1 Unlicensed FECs are able to offer category D machines if granted a permit by the relevant council. If an operator of a family entertainment centre wishes to make category C machines available in addition to category D machines, they will need to apply for an operating licence from the Gambling Commission and a premises licence from the relevant council.
- 3.1.2 The councils can grant or refuse an application for an FEC permit, but cannot attach conditions.
- 3.1.3 As unlicensed family entertainment centres appeal to children and young persons, the councils expect applicants to pay particular attention to the example measures detailed in paragraph 2.8.2.
- 3.1.4 In considering the protection of children, the councils will expect the applicant to show not only how they intend to protect children from gambling but also that they have taken into account wider child protection considerations in their policies and procedures. The efficacy of such policies and procedures will be considered on their merits.
- 3.1.5 The councils will not grant a permit for unlicensed family entertainment centres if the applicant has a relevant conviction (as set out in Schedule 7 to the Act). Applicants will be required to undergo an enhanced Disclosure and Barring Service (DBS) check.

### **3.2 (Alcohol) licensed premises gaming machine permits**

- 3.2.1 The Gambling Commission has published several useful leaflets and guidance about gaming machines and other types of gambling specifically to provide information to premises authorised to sell alcohol. This can be found at: <http://www.gamblingcommission.gov.uk/pdf/Advice-on-gaming-in-pubs-and-alcohol-licensed-premises.pdf>
- 3.2.2 Premises licensed to sell alcohol for consumption on the premises are automatically entitled to two gaming machine permits, of categories C and/or

D. The holder of the premises licence authorising the sale of alcohol will need to notify the council and pay the prescribed fee.

3.2.3 The councils can remove the automatic authorisation in respect of any 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
- the premises are mainly used for gaming; or
- an offence under the Act has been committed on the premises.

3.2.4 If the holder of the premises licence wishes to have more than two machines in the premises, they will need to apply for a permit.

3.2.5 As children may be present in alcohol licensed premises, the councils expect applicants to pay particular attention to the example measures detailed in paragraph 2.8.2. to protect the children.

3.2.6 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would need to be applied for and dealt with under the Gambling Act, not the Licensing Act.

3.2.7 The councils can decide to grant the application with a smaller number of machines and / or a different category of machines than that applied for, however conditions cannot be attached to the permit.

### **3.3 Club gaming and club machine permits**

3.3.1 The numbers and categories of machine permitted are different to non-clubs. Please refer to [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk) for the latest maximum stakes and pay-outs permitted for each machine category and numbers of machine(s) permitted.

3.3.2 The councils may grant members' clubs and miners' welfare institutes (but not commercial clubs) club gaming permits which authorise the establishments to provide gaming machines, equal chance gaming and games of chance.

3.3.3 If a members' club or a miners' welfare institute does not wish to have the full range of facilities permitted by a club gaming permit, they may apply to the councils for a club machine permit under section 273 of the Act.

3.3.4 To qualify, 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. A members' club must be

permanent in nature, not established to make commercial profit and controlled by its members equally. Examples include working men's clubs, branches of the Royal British Legion, sports and social clubs, bridge and whist clubs and clubs with political affiliations.

3.3.5 The councils must satisfy themselves that the club genuinely meets the requirements of the Act to obtain a club gaming permit and therefore may ask for supporting documents. The following is a list of matters that will be considered:

- the procedures for guests accepted into the club
- how the club is advertised
- the running of the club, for example committee meetings, financial accounts and election of committee members.

This list is not exhaustive and the councils may ask for any documents they feel are necessary in determining whether a club is genuine, even if it has already been granted a club premises certificate under the Licensing Act 2003.

3.3.6 An application may only be refused on one or more of the following grounds:

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

3.3.7 Under section 72 of the Act there is a 'fast-track' procedure available for clubs which hold a club premises certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Gambling Commission or the police and the grounds upon which a council can refuse a permit are reduced.

3.3.8 The grounds on which an application under the fast track procedure may be refused are:

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

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

3.3.9 The councils may grant or refuse an application for a club gaming or club machine permit but cannot attach any conditions to it. However there are a number of conditions in the Act that the holder must comply with. These are contained in the Gaming Machine Permits Code of Practice issued by the Gambling Commission. This can be found on the Gambling Commission's website [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

### **3.4 Prize gaming permits**

3.4.1 Section 288 of the Act defines gaming as prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for, or raised by the gaming.

3.4.2 Casinos, bingo premises, adult gaming centres and licensed family entertainment centres do not require a permit in order to offer prize gaming.

3.4.3 Travelling fairs do not require a permit to offer equal chance prize gaming, provided that taken together the facilities for gambling are ancillary to the fair.

3.4.4 Children and young persons may only participate in equal chance prize gaming.

3.4.5 Applicants for a prize gaming permit should set out the types of gaming that they intend to offer. The applicant should be able to demonstrate:

- that they understand the limits on stakes and prizes that are set out in regulations; and
- that the gaming offered is lawful.

3.4.6 The councils can grant or refuse an application for a permit, but cannot attach any conditions to it. However, there are four conditions in the Act that permit holders must comply with. These 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.

3.4.7 Councils can only grant a permit if they have consulted the chief officer of police about the application. Applicants must disclose any relevant convictions they may have to the council and the council will consider any objections that the police make about the suitability of person or the premises, including its location and the potential for disorder.

## **4.0 PREMISES LICENCES**

### **4.1 Primary gambling activity**

4.1.1 Premises licences authorise the provision of gambling activities in:

- casinos
- bingo premises
- betting premises (including tracks and premises used by betting intermediaries)
- adult gaming centres and
- family entertainment centres.

4.1.2 Premises licences will be considered in accordance with the principles set out in paragraph 2.8.

### **4.2 Premises**

4.2.1 In the Act a premises is defined as 'any place'. No more than one premises licence can apply to any place, however one premises may hold more than one premises licence so long as the building can be genuinely separated. In determining whether the separation is genuine, the councils will base their decisions on the following:

- are the premises registered separately for business rates?
- are the premises owned by the same person?
- can each of the premises be accessed from the street or is access to one only via the other or another gambling premises?

- 4.2.2 Roping off and different coloured carpets are examples of methods used by some proprietors to artificially sub-divide premises and the councils will not consider premises 'divided' as such as two separate premises.
- 4.2.3 Where two or more licences are applied for within the same building and the council does consider separation genuine, the applicant(s) must still demonstrate how they will uphold the licensing objectives, with particular reference to how they plan to control the access from one part of the building into the other, in order to protect children from accidentally or otherwise accessing types of gambling to which they are not authorised.

### **4.3 Location**

- 4.3.1 The location of premises may be relevant to the promotion of the licensing objectives. In particular, premises located in close proximity to the following may give rise to concern
- schools
  - vulnerable adult centres
  - residential areas with a high concentration of children.
- 4.3.2 The councils will consider the location on a case-by-case basis and will take into account the type of gambling that is proposed. If the location does pose a risk to the promotion of the licensing objectives, the applicant must demonstrate how they will overcome such concerns.

### **4.4 Conditions**

- 4.4.1 Conditions may be imposed upon a premises licence in a number of ways. These are:
- (a) mandatory – set by the Secretary of State, some set out in the Act and some to be prescribed in regulations, for all, or classes of licence
  - (b) default – to be prescribed in regulations made by the Secretary of State, to be attached to all or classes of licences unless excluded by the licensing authority
  - (c) specific – conditions that can be attached to an individual licence by the licensing authority
- 4.4.2 Conditions will only be imposed to address specific risks under the licensing objectives. Any conditions imposed by the councils will only be considered where there is evidence of a risk to the licensing objectives and be

proportionate to the circumstances that they are seeking to address. In particular, the councils will ensure that premises licence conditions:

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

4.4.3 Certain matters may not be the subject of conditions. These 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 and
- conditions in relation to stakes, fees, winnings or prizes.

## **4.5 Door supervisors**

4.5.1 It is not a mandatory to impose conditions relating to door supervision. However, if the councils consider it necessary to impose a condition on a premises licence requiring the presence of door supervisors they shall be licensed by the Security Industry Authority (SIA).

4.5.2 There is an exemption for 'in house' employees working as door supervisors at licensed casino or bingo premises, however 'contract' staff employed as door supervisors will need to be licensed by the SIA. The councils may still impose specific requirements on these unlicensed door supervisors if they consider it necessary at particular premises.

## **4.6 Adult gaming centres**

4.6.1 Operators of an adult gaming centre must obtain an operating licence from the Gambling Commission and a premises licence from the relevant council. This will allow the operator to make category B, C & D machines available to their customers.

4.6.2 In considering licence applications for adult gaming centres, consideration will be given to the need to protect children and vulnerable persons from harm or

being exploited by gambling. The councils will therefore expect applicants to demonstrate that there will be sufficient measures in place to promote this objective.

## **4.7 Licensed family entertainment centres**

4.7.1 Operators of a licensed family entertainment centre will require an operating licence from the Gambling Commission and a premises licence from the relevant council. This will allow the operator to make category C and D machines available to their customers.

4.7.2 Children and young persons will be able to enter licensed family entertainment centres and play category D machines. They will not be permitted to play category C machines.

4.7.3 As family entertainment centres will particularly appeal to children and young persons, consideration shall be given to child protection issues. Where category C machines are available in licensed family entertainment centres the councils will require that:

- all such machines are located in an area of the premises 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 the category C machines are located
- access to the area where the category C machines are located is supervised
- the area where the category C 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 notices prominently displayed indicating that access to the area is prohibited to persons under 18.

## **4.8 Tracks**

4.8.1 Tracks are sites (including racecourses and dog tracks) where races or sporting events take place. Operators of tracks will require a premises licence from the relevant council, but they do not need to obtain an operating licence from the Gambling Commission (although they may have one).

4.8.2 Tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track.

- 4.8.3 It is a mandatory condition of all track licences that children and young persons are excluded from any areas where facilities for betting are provided and any area where a gaming machine, other than a category D machine, is situated. In relation to the areas used for betting, special dispensation from this rule is provided for dog tracks and horse racecourses on days when racing takes place. On these days families will be entitled to attend a track or racecourse and children may enter the areas where facilities for betting are provided. This race day dispensation does not apply to the areas where gaming machines of category B & C are provided and the councils will therefore expect that suitable measures are in place to prevent children from entering such areas.
- 4.8.4 Holders of betting premises licences in respect of tracks who also hold a pool betting operating licence may make up to four gaming machines available (categories B2 to D) on the track. The councils will therefore expect the applicant to demonstrate that suitable measures are in place to ensure that children are prevented from entering areas where machines (other than category D machines) are made available.
- 4.8.5 The councils will attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public, for example, the rules could be printed in the race card or made available in leaflet form from the track office.
- 4.8.6 The councils will require the following information from applicants for premises licences in respect of tracks:
- detailed plans for the racetrack itself and the area that will be used for temporary 'on-course' betting facilities (often known as the 'betting ring')
  - in the case of dog tracks and horse racecourses, details of the fixed and mobile pool betting facilities operated as well as any other proposed gambling facilities.
- 4.8.7 Plans submitted with the application should be clearly marked to show what licensable activities will take place where and how children will be separated from category C machines.
- 4.8.8 The councils will accept occasional use notices for tracks in accordance with section 39 of the Act.

## **4.9 Casinos**

- 4.9.1 The Act states that operators of a casino must obtain an operating licence from the Gambling Commission and a premises licence from the relevant council.

4.9.2 In July 2012 a Culture, Media and Sport Select Committee reviewed the Act and recommended that any local authority should be able to make its own decision about whether to have a casino in its district. The Committee also recommended that the licences for casinos that were licensed under the pre-existing Gaming Act of 1968 be made portable, allowing operators to relocate to any local authority (with the authority's consent).

4.9.3(a) **Vale of White Horse District Council:** Policy not to allow applications for a casino.

Section 166 of the Act gives the council the power to pass a 'no casino' resolution, meaning that applications for a casino would not be considered. The council has adopted a 'no casino' resolution on the basis that this rural district with market towns is an inappropriate place for a casino, that casinos are better located in large towns or cities, and the council should also protect the most vulnerable people from gambling in casinos. This resolution is required to be renewed within three years.

4.9.3(b) **South Oxfordshire District Council:** Policy to allow applications for a casino

Section 166 of the Act gives the council the power to pass a 'no casino' resolution, meaning that applications for a casino would not be considered. The council has not adopted a 'no casino' policy. As such, all applications received for a premises licence to operate a casino in the council area would be judged on their own merits, in accordance with paragraph 2.8 and the requirements set out in paragraph 4.9.4.

4.9.4 Applicants for casino licences are required to:

- submit a procedure with their application for the reporting of any suspicious activity
- follow a policy of requiring proof of identification to be shown on entering the casino in order to act as a deterrent to those considering using the casino for criminal activities (such as money laundering) and to effectively support gambling self-exclusion schemes
- detail any entertainment to be provided
- submit details of employee training to promote the licensing objectives
- submit a policy to promote the protection of children and vulnerable persons
- submit a policy regarding the identification of and interventions in force to aid problem gamblers
- set aside at least one 'training room' where customers can learn how to play the various games offered in a non-threatening environment. The room shall clearly display information on how and where help for problem gambling can be sought
- set aside a quiet area as a refuge from gambling. The room shall clearly display information on how and where help for problem gambling can be sought.

## **4.10 Betting premises**

- 4.10.1 Betting premises are those premises which take bets other than at a track (commonly known as a licensed betting office). Operators of betting premises will require an operating licence from the Gambling Commission and a premises licence from the relevant council.
- 4.10.2 It is unlawful for anyone under the age of 18 to place a bet. Persons under the age of 18 shall not be permitted to enter a premises licensed for betting.
- 4.10.3 The councils expect applicants to demonstrate how they will ensure that neither children nor vulnerable persons are able to place a bet, for example by detailing proof of identification and self-barring schemes and staff training.
- 4.10.4 At the time of writing, the holder of a betting premises licence may make available for use up to four gaming machines of category B (B2, B3 or B4), C or D.
- 4.10.5 The councils may, in accordance with section 181 of the Act, enforce the number of betting machines, their nature and the circumstances in which those machines are made available for use. When considering whether to impose such conditions, the councils will take into account the following:
- the size of the premises
  - the number of counter positions available for person-to-person transactions and
  - the ability of staff to monitor that machines are not used by children and young persons or by vulnerable people.

## **4.11 Bingo**

- 4.11.1 Operators of premises offering bingo (cash or prize bingo) will require a bingo operating licence from the Gambling Commission and a premises licence from the relevant council.
- 4.11.2 The council will need to be satisfied that bingo can be played in any premises for which it grants a bingo premises licence. This is 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.
- 4.11.3 The councils note the unusual circumstances in which the splitting of a pre-existing premise into two adjacent premises might be permitted and that it is not permissible to exceed 20 percent of the total number of B3 machines available for use in the premises.

4.11.4 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 present, these must be separated from areas where children and young people are allowed. Where category C or above machines are available in premises to which children are admitted the councils will require that:

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

## **4.12 Temporary use notices**

4.12.1 Temporary use notices allow the use of premises for gambling where there is no premises licence but where a person or company holding a relevant operator's licence wishes to use the premises temporarily for providing facilities for gambling.

4.12.2 There are a number of statutory limits concerning the use of temporary use notices. Please refer to [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk) for details of the maximum numbers of days premises may be used and for other restrictions.

4.12.3 If objections are received to a temporary use notice (from the police, Gambling Commission, HM Revenue & Customs or any other licensing authority in whose area the premises are situated), the council must hold a hearing to consider the representation (unless all the participants agree that a hearing is unnecessary).

4.12.4 If the council, after a hearing has taken place or been dispensed with, considers that the temporary use notice should not have effect, it must issue a counter-notice which may:

- prevent the temporary use notice from taking effect
- limit the activities that are permitted
- limit the time period of the gambling or
- allow the activities to take place subject to a specified condition.

4.12.5 The councils will apply the principles set out in paragraph 2.6 of this statement to any consideration as to whether to issue a counter-notice.

### **4.13 Provisional statements**

4.13.1 Section 204 of the Act provides for a person to make an application for a provisional statement in respect of premises they expect to be constructed, altered or expect to acquire the right to occupy. For example, a developer may wish to apply for a provisional statement to see whether a premises licence would be issued prior to entering into a contract to buy or lease the premises. Equally, a provisional statement may be applied for where there is already a premises licence but the application is for a different type of gambling.

4.13.2 An applicant need not hold an operating licence from the Gambling Commission before applying for a provisional statement and the councils shall not consider the likelihood of an operating licence being granted in determining whether to grant the provisional statement.

4.13.3 If a provisional statement has been granted, the fee for the subsequent premises licence application will be less and the councils are constrained in considering matters; no further representations from responsible authorities or interested parties may be considered 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.

4.13.4 The councils 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 way of representations at the provisional statement stage
- which, in the council's opinion, reflect a change in the operator's circumstances
- where the premises has not been constructed in accordance with the plan and information submitted with the provisional statement application. (There must be a substantial change to the plan and the council shall discuss any concerns with the operator before coming to a final decision).

### **4.14 Travelling fairs**

4.14.1 The Act defines a travelling fair as, 'wholly or principally' providing amusements.

4.14.2 To be exempt from requiring a permit for gaming machines, the fair must be on a site that is not used for a fair for more than 27 days per calendar year

(regardless of whether it is the same or different travelling fairs which occupy the land).

- 4.14.3 Fairs may provide an unlimited number of category D machines provided the facilities for gambling amount to no more than ancillary amusement to the fair.
- 4.14.3 Whilst the gaming machine providers may be exempt from the requirement to hold a permit, they must comply with the legal requirements about how the machines operate.
- 4.14.4 The councils will liaise with neighbouring authorities to ensure that land used for fairs which crosses local authority boundaries is monitored.

## ANNEX 1

### List of persons / bodies responding to the consultation on this policy

<b>Organisation Details</b>	<b>Responding as:</b>
Gambling Commission	Regulator
Gamcare	Charity
GambleAware	Charity
Equalities Officer – South Oxfordshire and Vale of White Horse District Councils	Equalities Officer
Watchfield Parish Council	Councillor
Councillor Cox	Councillor
Councillor Vicky Jenkins	Councillor
Cllr. St.John Dickson	Councillor

## ANNEX 2

### List of responsible authorities

The Responsible Authorities for the council areas under the Act, and their contact details are as follows.

Contact details may change, and other responsible authorities may be designated by regulations by the Secretary of State. For latest information, please check with the relevant council's licensing team.

		Contact details for preliminary discussions or follow-up enquiries
Responsible Authority	Address	Telephone, e-mail and website
The licensing authorities	Licensing Team Vale of White Horse District Council 135 Eastern Avenue, Milton Park, Milton, OX14 4SB	01235 422556 <a href="mailto:licensing.unit@whitehorsedc.gov.uk">licensing.unit@whitehorsedc.gov.uk</a>  <a href="http://www.whitehorsedc.gov.uk/services-and-advice/business/licensing">www.whitehorsedc.gov.uk/services-and-advice/business/licensing</a>
	Licensing Team South Oxfordshire District Council 135 Eastern Avenue, Milton Park, Milton, OX14 4SB	01235 422556 <a href="mailto:licensing@southoxon.gov.uk">licensing@southoxon.gov.uk</a>  <a href="http://www.southoxon.gov.uk/services-and-advice/business/licensing">www.southoxon.gov.uk/services-and-advice/business/licensing</a>
The planning authorities	Planning Vale of White Horse District Council 135 Eastern Avenue, Milton Park, Milton, OX14 4SB	01235 422600 <a href="mailto:planning@whitehorsedc.gov.uk">planning@whitehorsedc.gov.uk</a>  <a href="http://www.whitehorsedc.gov.uk/services-and-advice/planning-and-building">www.whitehorsedc.gov.uk/services-and-advice/planning-and-building</a>
	Planning South Oxfordshire District Council 135 Eastern Avenue, Milton Park, Milton, OX14 4SB	01235 422600 <a href="mailto:planning@southoxon.gov.uk">planning@southoxon.gov.uk</a>  <a href="http://www.southoxon.gov.uk/services-and-advice/planning-and-building">www.southoxon.gov.uk/services-and-advice/planning-and-building</a>
Environmental health	Environmental Health Vale of White Horse District Council 135 Eastern Avenue, Milton Park, Milton, OX14 4SB	01235 422403 <a href="mailto:env.health@southandvale.gov.uk">env.health@southandvale.gov.uk</a>  <a href="http://www.whitehorsedc.gov.uk/services-and-advice/environment">www.whitehorsedc.gov.uk/services-and-advice/environment</a>
	Environmental Health South Oxfordshire District Council 135 Eastern Avenue, Milton Park, Milton, OX14 4SB	01235 422403 <a href="mailto:env.health@southandvale.gov.uk">env.health@southandvale.gov.uk</a>  <a href="http://www.southoxon.gov.uk/services-and-advice/environment">http://www.southoxon.gov.uk/services-and-advice/environment</a>

Gambling Commission	Gambling Commission Victoria Square House Victoria Square Birmingham B2 4BP	0121 230 6666 <a href="mailto:info@gamblingcommission.gov.uk">info@gamblingcommission.gov.uk</a> <a href="http://www.gamblingcommission.gov.uk">www.gamblingcommission.gov.uk</a>
Thames Valley Police	Chief Constable, Thames Valley Police Headquarters Oxford Road Kidlington OX5 2NX	01865 266000 <a href="mailto:licensing@thamesvalley.pnn.police.uk">licensing@thamesvalley.pnn.police.uk</a> <a href="http://www.thamesvalley.police.uk">www.thamesvalley.police.uk</a>
Fire and Rescue Service	Oxfordshire Fire and Rescue Service Sterling Road Kidlington OX5 2DU	01865 842999 <a href="mailto:fire.service@oxfordshire.gov.uk">fire.service@oxfordshire.gov.uk</a> <a href="http://www.oxfordshire.gov.uk/cms/public-site/fire-and-rescue-service">www.oxfordshire.gov.uk/cms/public-site/fire-and-rescue-service</a>
Oxfordshire Safeguarding Children Board	Oxfordshire Safeguarding Children Board c/o Children, Young People & Families Directorate Oxfordshire County Council, County Hall, New Road Oxford OX1 1ND	01865 815843 <a href="mailto:oscb@oxfordshire.gov.uk">oscb@oxfordshire.gov.uk</a> <a href="http://www.oscb.gov.uk">www.oscb.gov.uk</a>
HM Revenue and Customs	HM Revenue and Customs Excise Processing Teams Gambling Duties BX9 1GL	0300 200 3700

## ANNEX 3

### Licensing authority delegations

Matter to be dealt with	Full Council	Licensing Acts Panel	Officers
Final approval of three year licensing policy statement	X		
Policy not to permit casinos	X		
Fee setting (when appropriate)	X		
Application for premises licence		X Where representations have been received and not withdrawn	X Where no representations received or all have been withdrawn
Application for a variation to a licence		X Where representations have been received and not withdrawn	X Where no representations received or all have been withdrawn
Application for a transfer of a licence		X Where representations have been received from the Commission	X Where no representations received from the Commission
Application for a provisional statement		X Where representations have been received and not withdrawn	X Where no representations received or all have been withdrawn
Review of a premises licence		X	
Application for club gaming/ club machine permits		X Where objections have been made and not withdrawn	X Where no representations received or all 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	

X indicates the lowest level to which decisions can be delegated

## ANNEX 4

### Summary of gaming machine categories

Category of Machine	Maximum stake (from January 2014)*	Maximum prize (from January 2014)*
<b>A</b>	Unlimited	Unlimited
<b>B1</b>	£5	£10,000
<b>B2</b>	£100 (in multiples of £10) *	£500
<b>B3A</b>	£2	£500
<b>B3</b>	£2	£500
<b>B4</b>	£2	£400
<b>C</b>	£1	£100
<b>D – non-money prize (other than a crane grab, coin pusher, penny fall machines)</b>	30p	£8
<b>D – non-money prize (crane grab machine)</b>	£1	£50
<b>D - money prize (other than coin pusher or penny falls machines)</b>	10p	£5
<b>D – combined money and non-money prize (other than a coin pusher or penny falls machines)</b>	10p	£8 (of which no more than £5 may be a money prize)
<b>D – combined money and non-money prize (coin pusher or penny falls machine)</b>	20p	£20 (of which no more that £10 may be a money prize)

- \* The Government has published its review of gaming machines and social responsibility measures. As part of the review the Government has decided that the maximum stakes on Fixed Odds Betting Terminals (FOBTs) will be reduced from £100 to £2. No change in prize level has been proposed.

## ANNEX 5

### Summary of machine provisions by premises

	Machine Category						
	A	B1	B2	B3	B4	C	D
<b>Large casino</b> (machine/table ratio of 5-1 up to maximum)		Maximum of 150 machines: Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)					
<b>Small casino</b> (machine/table ratio of 2-1 up to maximum)		Maximum of 80 machines: Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)					
<b>Pre-2005 Act casinos</b> (no machine/table ratio)		Maximum of 20 machines categories B to D (except B3A machines) or any number of C or D machines instead					
<b>Betting premises and tracks occupied by Pool Betting</b>		Maximum of 4 machines categories B2 to D (except B3A machines)					
<b>Bingo Premises</b>				Maximum of 20% of the total number of machines available for use on the premises category B3 or B4		No limit on category C or D machines	
<b>Adult gaming centre</b>				Maximum of 20% of the total number of machines available for use on the premises category B3 or B4		No limit on category C or D machines	
<b>Family entertainment centre</b> (with premises licence)						No limit on category C or D machines	
<b>Family entertainment centre</b> (with permit)							No limit on Category D machines
<b>Clubs or miners' welfare institute</b> (with permit)						Maximum of 3 machines in categories B3A or B4 to D*	
<b>Qualifying alcohol licensed premises</b>						1 or 2 machines of category C or D automatic upon notification	
<b>Qualifying alcohol licensed premises</b> (with gaming machine permit)					Number as category C or D machines on permit		
<b>Travelling Fair</b>						No limit on category D machines	
	<b>A</b>	<b>B1</b>	<b>B2</b>	<b>B3</b>	<b>B4</b>	<b>C</b>	<b>D</b>

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

**Vale of White Horse Scrutiny Committee  
Annual Report to Council 2017/18**



## Foreword by the Chairman



Councillor Debby Hallett, Chairman of Scrutiny Committee

Last year I wrote, “Scrutiny is a powerful mechanism for providing a ruling party with some checks and balances. Scrutiny provides a place for the public to bring their concerns to council to be heard and their questions answered. All of this leads the council to making better policy decisions and bringing more effective strategies to inform the work we do on behalf of people who live and work in the Vale of White Horse.”

I still believe this. In 2017-18, unintended consequences were obviously rich and fertile grounds for learning. Unintended consequences are seen in our own councils, where the 5 Councils Partnership outsourcing contracts were signed based on inaccurate costs-benefits information, and contractor performance has been unacceptable. And the unintended consequences at Northamptonshire County Council led to a discovery of shallow budget scrutiny that let through some poor decisions leading to financial meltdown.

We learn by contextualising our current issues; we see our current state as a result of past decisions, and we are confident today’s decisions lead to tomorrow’s situations. By applying good practices that let us learn from both our successes and our failures, we give ourselves a chance at better performance tomorrow.

We learned from our external auditors in this year that we didn’t always have all the information we needed to make well-informed decisions. The consequences are apparent today in the remedial work around the Corporate Services Contracts. This is a potentially rich source of information for Cabinet to use to improve; I’d like to see Cabinet work more closely with Scrutiny to identify where we can do better to ensure the relevant information is available when big decisions are being considered.

Learning points from management of the Corporate Services Contracts could help us better manage other collaborative projects with other authorities. Think of the Growth Deal, and the upcoming Joint Spatial Strategy Plan. What have we learnt from the Five Councils Partnership that would help us make a success of our future joint working with our neighbouring authorities via the Growth Board?

We also learned from our external auditors that past decisions about management-level staff led to our inability to handle business as usual. Councils are currently in the final steps of a complete organisational restructure which will help to address this. Once again, lack of enough information led to decisions with unintended consequences. If Scrutiny can find ways to point out anything that is in danger of being overlooked, that would be a help to council’s governance.

We can learn from the experience of Northamptonshire County Council, where the auditors discovered inadequate budget scrutiny contributed to poor financial decision making. This year in Vale, Scrutiny has set up a task group to explore our budget setting process, with a mind to seeing what we can do to improve budget scrutiny.

All of this is important work that contributes to good governance.

## **What is Scrutiny?**

The national advisory body, the Centre for Public Scrutiny, defines 'scrutiny' as follows:

*Public scrutiny is an essential part of ensuring that government remains effective and accountable. Public scrutiny can be defined as the activity by one elected or appointed organisation... examining and monitoring all or part of the activity of a public sector body with the aim of improving the quality of public services.*

Scrutiny ensures that decision-making processes are clear and accessible to the public and that the people taking decisions are held accountable for those decisions.

All of this leads the council to making better policy decisions and bringing more effective strategies to inform the work we do on behalf of people who live and work in the Vale of White Horse.

## **Membership of the Scrutiny Committee 2017/18**

Councillor Debby Hallett (Chairman)

Councillor Alice Badcock (Vice-Chairman)

Councillor Mike Badcock

Councillor Ed Blagrove (until December 2017)

Councillor Vicky Jenkins

Councillor Mohinder Kainth

Councillor Ben Mabbett

Councillor Chris Palmer

Councillor Judy Roberts

Scrutiny Committee is a politically balanced committee

In addition, Vale members also serve on other Scrutiny committees:

- Councillors Debby Hallett (co-chairman), Alice Badcock, Ed Blagrove (until December 2017), Mohinder Kainth, and Chris Palmer serve on Joint Scrutiny Committee (with South Oxfordshire District Councillors) which considers matters that affect both councils' areas or their residents.
- Councillor Monica Lovatt serves on the Oxfordshire Joint Health Overview and Scrutiny Committee, which looks at the health services provided by the NHS and other providers in the county.

The Committee appointed a Task Group comprising Councillors Chris Palmer (Chairman), Mike Badcock, Ed Blagrove, Debby Hallett and Judy Roberts to gain greater understanding of the budget process and make recommendations for future improvements. Ed Blagrove was appointed to Cabinet so ceased to be a member of the Task Group, prior to its first meeting. The Task Group is due to report in 2018/19

## Training

During 2017/8 Scrutiny members have attended the following training:

Course	Provider	Attendees
Scrutiny Best Practice 22.06.17	South East Employers	Debby Hallett Alice Badcock Mike Badcock Dudley Hoddinott Mohinder Kainth Chris Palmer Judy Roberts plus South Oxfordshire members
Scrutinising Council Performance	Centre for Public Scrutiny	Chris Palmer

## Summary of Scrutiny Activity

During 2017/18 the Vale Scrutiny committee met on 8 occasions. Here is a summary of the key information promised and recommendations committee made to Cabinet members:

27 July 2017

- Corporate Delivery Plan 6 monthly review of progress: Committee made a number of recommendations to provide more consistency across all areas of the Corporate Delivery Plan.
- Temporary Accommodation Provision 2017-2022: Committee requested that:
  1. the transitional plan come back to Scrutiny if Cabinet approve the report and recommendations, and
  2. the officers add actions to the Corporate Delivery Pan for Vale
- Joint Housing Strategy: following discussion with the Scrutiny Chairman, it was decided to change to title of the document to 'Housing Delivery Strategy', as this was more accurate. This is a high-level document setting out the direction of travel over the next ten years that would enable the councils to take a proactive approach in driving the delivery of the housing numbers and types needed.
  1. The Cabinet member reported that a detailed action plan with further details would be implemented following the adoption of the Strategy.
  2. Committee recommended:
    - a) to commend the strategy to Cabinet, together with the comments of the members of the Committee as part of the consultation process;
    - b) to send the comments of Vale Scrutiny Committee to South Cabinet as part of the consultation process as it is a joint strategy;
    - c) to recommend that the Strategy is updated and comes back to Scrutiny Committee for review in the light of any major infrastructure projects

such as the Oxford to Cambridge Expressway and the possible reservoir;

- d) to request that the Action Plan should come back to Scrutiny Committee on an annual basis, to keep the committee abreast of progress;
- e) to request that joint strategies come to the Joint Scrutiny Committee in future;
- f) to add the Joint Housing Delivery Strategy to the Corporate Plan.

20 September 2017

- Local Plan 2031 Part 2 – detailed policies and additional sites. Scrutiny resolved:

(a) to advise Cabinet that:

1. the section on spatial standards as set out in Chapter 3 of the Local Plan requires further clarification;
2. the numbers of the core policies need to be checked to ensure that they are correct;
3. further consideration should be given to ensuring that sufficient land is safeguarded to enable a viable public transport and cycle link between Dalton Barracks and the Lodge Hill Park and Ride site;
4. Appendix I: Registered Parks and Gardens should be reviewed to ensure that all registered parks and gardens and, in particular, Elizabeth Diamond Jubilee sites are included;
5. Appendices N & O need to be completed; and
6. officers should review the Sustainable Transport Study to ensure consistency with the Local Plan.

(b) to request officers to:

1. circulate information on recent traffic surveys to Committee members; and
2. report to a future meeting, after the Local Plan Examination, on the costs of the process.

(c) to thank the officers for all their hard work and, in particular, for producing a Local Plan in plain English.

28 September 2017 –

- Review of annual performance report of The Beacon. Committee noted the report and requested that next year's performance review include information on:
  1. income and expenditure budgets;
  2. environmentally friendly and energy saving measures; and
  3. The Beacon's role as a community asset.
- Financial outturn 2016/17. Scrutiny Committee:
  1. requested that the interim head of development, regeneration and housing attend a future meeting to report on the reasons for the delay in implementing his service's capital schemes
  2. welcomed the under achievement of income on temporary accommodation due to a reduction in demand, and
  3. congratulated the officers on the accuracy of the budget forecast.

- Council Tax Reduction Scheme 2016/17. Scrutiny committee noted the report and requested that a further update be submitted to the committee in a year's time, which would include details of the savings apportioned to the council, Oxfordshire County Council and the Thames Valley Police and Crime Commissioner in 2017/18.

26 October 2017

- New Leisure Centre for Wantage and Grove area: Committee heard the results of the recent public consultation on options for the new leisure centre. Scrutiny Committee resolved to:
  1. congratulate the officers and consultants on the consultation exercise;
  2. support the proposed facility mix for the new leisure centre for the Wantage and Grove area; and
  3. request officers to explore all possible sources of grant funding for the new leisure centre.
- Oxford to Cambridge Expressway – Vale options. Committee considered the five potential routes, noting that these routes were the officers' interpretation of potential options rather than firm proposals. It was also noted that this was a major project that would have economic, transport and environmental implications for much of the south-east of England. Committee's view was that most of the five potential routes under consideration would decimate the green belt. It therefore urged the Cabinet member and officers to request Government to consider ways in which the green belt and green open space might be preserved. Committee resolved to:
  1. advise the Leader of the Council and officers that the committee considers Indicative Route 2 merits further attention insofar as, in the Committee's view, it is the least damaging potential option and has strategic housing and employment sites allocated along the route; and
  2. urge the Cabinet member and officers to request Government to consider ways in which the green belt and green open space might be preserved if and when a proposed route is identified.
- Appointment of a task group to gain greater awareness of the budget process and make recommendations for future improvements, Cllr Chris Palmer to chair.

30 November 2017

- Reviewed the changes in planning procedures and their efficacy. Committee recommended:
  1. to the head of planning services that all future reports to Planning Committee should set out in the introduction the reasons why they have been referred.
  2. to the Cabinet member that the Committee is satisfied that the changes to planning committee procedures have had a positive outcome and welcome the closer working with parishes that has resulted.
- Reviewed progress to date on the Corporate Delivery Plan and requested several reporting changes to increase clarity and understanding.
- Reviewed the plans for a Joint Strategic Spatial Plan. Committee recommended:
  1. The JSSP should be prepared under section 28 of the Planning and Compulsory purchase act of 2004;

2. The JSSP should show clear evidence of benefits to both Oxfordshire County and the Vale of White Horse; and
3. any motion to Council would need to provide further detail of what the Government would provide in return for the Oxfordshire councils' commitments.

14 December 2017

- Housing Delivery Update: Committee received a report from the head of planning services which detailed the council's housing delivery performance since 2011 compared with the housing requirements in the Adopted Local Plan 2031 Part 1. Committee requested the head of planning services to submit the Authority Monitoring report to a future meeting.
- Slippage of housing and development capital schemes: The Committee was informed that some of the budget identified as slippage had actually been spent. However, at the time of the outturn report, some expenditure had not been invoiced or payment for invoices had not yet been received. Once invoices had been received and paid, the changed position would be reflected in the next quarterly budget report. Committee requested the Cabinet member for finance and head of finance to consider the feasibility of including the reasons for the slippage of capital schemes in future budget reports.

25 January 2018

- Partnership Grants: The report to Scrutiny Committee stated that, historically, award decisions had been informal and the budget for the scheme had been based on these decisions and then agreed as part of the council's budget setting process. In recent years, the Cabinet member for grants determined the awards based on officer advice about each organisation's financial situation, performance targets and business cases, where relevant.
- Ask the Leader: Cllr Matthew Barber made himself available for any questions. There were many questions from members, which brought interesting information but it wasn't really a proper scrutiny opportunity.

8 February 2018

- Houses that People Can Afford. Committee received a report from the interim head of development, regeneration and housing which set out actions that were being taken and which could be taken, within the Vale of White Horse, to increase the number of houses for rent or sale that were truly affordable to the average working family or person. The report contained the following information:
  1. in order to buy a lower quartile property costing £255,000 in Vale, an income of £57,000 p.a. is needed, which is an upper quartile income. So only those on the highest incomes can afford to buy the lowest priced properties.
  2. only 18% of ownership options, i.e. shared ownerships, first time buyers, help to buy, starter homes etc., are comfortably affordable at all, and then only to the highest incomes. So four out of five ownership options are basically unaffordable to most people.
  3. Help to buy schemes make houses affordable only to those earning over £56,000 p.a.

4. Private rentals and any sort of ownership tenure are unaffordable to lower quartile income households. Only social rent is affordable to them, and there isn't enough social housing.

Committee recommended that Cabinet:

1. take all necessary steps to seek a better relationship with Central Government in order to influence national planning policies; and
  2. respond to the review panel led by Sir Oliver Letwin looking at the gap between the number of planning permissions granted and homes built in areas of high demand.
- Revenue Budget 2018/19 and Capital Programme to 2022/23. The Committee was informed that:
    1. West Way capital receipt was not yet allocated so was funding the capital programme in general, reducing the borrowing requirement at this time.
    2. potential leisure investment projects in the Botley area were under review with a report anticipated in 2018/19. Consideration would also be given to a suitable investment opportunity should one arise.

In addition, the Joint Scrutiny Committee met on 3 occasions. Its work included:

- Reviewing the performance of contractors Biffa Municipal, Sodexo Ltd (Horticultural) Services and GLL.
- Reviewing the proposed Didcot Garden Town Delivery Plan.
- Considering and commenting on an update on the corporate services contracts.
- Considering and commenting on the proposed management restructure and senior staff appointments

## Progress Tracker

Last year's annual report set out a number of aims for 2017/18.

The extent to which these were met is set out below.

Aim	Achieved?	Comments
Hold a Scrutiny best practice workshop	Completely	Facilitated workshop held on 22 June 2017
Commission at least one "task and finish" group to carry out a detailed review of an important topic.	Completely	Budget Task Group appointed; due to report in 2018/19
Introduce an annual "Ask the Leader" meeting for the Leader of the Council to answer questions from the committee and members of the public	Partially	Held in January 2018. Agreed that it would be more appropriate for future "Ask the Leader" events to be discrete public meetings rather than on Scrutiny committee agendas.
Develop closer working relationships with the Cabinet/Cabinet members for to enable Scrutiny Committee to add value to the decision making process	Partially	Attendance by Cabinet members at Scrutiny committees has been excellent. The Chairman has attended Cabinet meetings and been invited to speak on behalf of the committee.
Continue to encourage members to take up training opportunities	Partially	Members are encouraged to take up Scrutiny training opportunities but there is a general reluctance to do so. It is intended to circulate a self-assessment questionnaire to members in 2018/19 in order to shape a tailored development programme.
Publish the committee's work programme on the Council website	Not achieved	Due to technical issues this has not been possible. It is now intended to publish the work programme on a Sharepoint site which Scrutiny members can access