



Please ask for: Matt Berry
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16 October 2024

Dear Councillor,

Cabinet

6:00pm on Thursday 24 October 2024

Meeting to be held in the Esperance Room, Civic Centre, Cannock

You are invited to attend this meeting for consideration of the matters itemised in the following Agenda.

Yours sincerely,

T. Clegg
Chief Executive

To: Councillors:

Johnson, T.B.	Leader of the Council
Preece, J.P.T.L.	Deputy Leader of the Council and Parks, Culture, and Heritage Portfolio Leader
Williams, D.W.G.	Community Wellbeing Portfolio Leader
Wilson, L.J.	Environment and Climate Change Portfolio Leader
Thornley, S.J.	Housing and Corporate Assets Portfolio Leader
Freeman, M.A.	Regeneration and High Streets Portfolio Leader
Prestwood, J.	Resources and Transformation Portfolio Leader

Agenda

Part 1

1. Apologies

2. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members

To declare any interests in accordance with the Code of Conduct and any possible contraventions under Section 106 of the Local Government Finance Act 1992.

3. Minutes

To approve the Minutes of the meeting held on 26 September 2024 (enclosed).

4. Updates from Portfolio Leaders

To receive oral updates (if any), from the Leader of the Council, the Deputy Leader, and Portfolio Leaders.

5. Forward Plan

Forward Plan of Decisions for October to November 2024 (Item 5.1 - 5.2).

6. Priority Projects for 2024-25

Report of the Deputy Chief Executive-Resources (Item 6.1 - 6.24).

7. 2023-24 Housing Services Annual Report to Tenants

Report of the Head of Housing and Corporate Assets (Item 7.1 - 7.24).

8. Gambling Act 2005 - Statement of Principles

Report of the Head of Regulatory Services (Item 8.1 - 8.33).

9. Statement of Licensing Policy 2025-2029

Report of the Head of Regulatory Services (Item 9.1 - 9.42).

Cannock Chase Council
Minutes of the Meeting of the
Cabinet

Held on Thursday 26 September at 6:00 p.m.
In the Esperance Room, Civic Centre, Cannock

Part 1

Present:

Councillors:

Johnson, T.	Leader of the Council
Preece, J.	Deputy Leader of the Council and Parks, Culture, & Heritage Portfolio Leader
Williams, D.	Community Wellbeing Portfolio Leader
Wilson, L.	Environment and Climate Change Portfolio Leader
Thornley, S.J.	Housing and Corporate Assets Portfolio Leader
Freeman, M.	Regeneration & High Streets Portfolio Leader
Prestwood, J.	Resources and Transformation Portfolio Leader

38. Apologies

None received.

39. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members

No other Declarations of Interest were made in addition to those already confirmed by Members in the Register of Members' Interests.

40. Minutes

Resolved:

That the Minutes of the meeting held on 22 August 2024 be approved.

41. Updates from Portfolio Leaders

(i) Community Wellbeing

The Portfolio Leader updated in respect of the following:

- **General Update**

"I am pleased to report another productive period within the Community Wellbeing portfolio.

I continue to meet regularly with the officers in the portfolio and am now working with them to shape its strategic direction, with a particular focus on addressing health inequalities."

- **Armed Forces Community**

“Our efforts to support the Armed Forces Community are ongoing. Recently, Councillors attended a well-received “Meet the Army” event in the West Midlands.

For the remainder of the financial year, I will focus on building relationships within the Council and with external stakeholders to enhance our initiatives. There is a renewed interest among local authorities in connecting with the armed forces and improving the lives of veterans, and I am confident this Council will play its part.”

- **Reducing Health Inequalities**

“I would like to highlight the successful event held last night, which showcased the excellent work done by Inspiring Healthy Lifestyles (IHL) and the Council on community-based projects aimed at reducing health inequalities.

Details of these projects can be found on the Cannock Chase Can app.”

- **Overcoming Loneliness Month**

“October marks Overcoming Loneliness month.

The ‘Treasure Times project, funded nationally by ‘Know Your Neighbourhood’, aims to tackle loneliness in Cannock Chase by showcasing community activities through a series of short films. The campaign will start on Sunday 29 September.

These videos, produced by IHL and promoted in collaboration with Cannock Chase Can and Staffordshire Libraries, highlight activities such as volunteering, arts, culture, churches, and outdoor recreation. The goal is to break down barriers to participation, encourage connection, and combat social isolation. The campaign will run throughout October, with weekly themes and videos shared on social media to raise awareness and promote community engagement.

I hope we can all support this vital initiative to combat social isolation.”

(ii) **Parks, Culture, and Heritage**

The Portfolio Leader updated in respect of the following:

- **Official Opening of Tennis Courts**

“On Sunday 1st September I was pleased to attend the official opening of the upgraded tennis courts that have been installed across Cannock Chase.

The event was held at the tennis courts at Hednesford Park as I joined Chris Penn, tennis coach at Cheslyn Hay and Cannock Chase Community Tennis Club; Julie Porter, Chief Operating Officer at the Lawn Tennis Association (LTA); the Chair of the Council and his Consort, Steve and Sue Thornley; and Cannock Chase officers Lynn Evans and Tom Walsh in celebrating our commitment to providing food quality sports facilities. The refurbishment saw over £200,000 worth of investment by the LTA, and Cannock Chase Council - and helped to bring thirteen courts across the district up to a high quality.

I took part in a round of tennis with Chris, who gave me some tips on how to improve my game. I would urge anyone interested in learning to play tennis, or would like an opportunity to get some exercise in a friendly and welcoming environment to come and get involved with the Community Tennis Club who run tennis sessions on Sunday mornings at Hednesford and Cannock parks - where they will provide free use of the courts and equipment and to help introduce you to the sport.”

- **Heart of England in Bloom Awards Successes**

“On the 20th of September I was pleased to join Lynn Evans at the annual Heart of England in Bloom awards ceremony held at Meriden.

Cannock Chase was privileged to be able to enter five of our parks into the competition, and we are delighted, and I am personally proud to reveal that Hednesford park and war memorial, Cannock park, and Elmore park have all won a gold award in the category, and Heath Hayes park and Ravenhill park have each won the silver award.

These awards represent the best that Cannock Chase District has to offer, and I would personally like to thank everyone involved in making our parks award winning, especially our volunteers and staff who take great pride in their work and community.”

(iii) **Regeneration and High Streets**

The Portfolio Leader updated in respect of the following:

- **Business Visit**

“I recently visited a small business in Bridgtown which was setting up a dancing club for small children. They were seeking advice from me on how to source support funding and help with opening up the venue.”

- **Cannock Town Centre**

“I attended a recent meeting of the Cannock Town Centre Partnership at which a lot of discussion was held about this year’s Christmas event and the promotion of it. I have also been visiting retailers in the town to seek their support with promoting the event.

Furthermore, the bollards in the town had recently been knocked down and the concrete bases broken. Upon reporting to Staffordshire County Council Highways they came out the next day to fix them.”

- **Bridgtown Parish Council Meeting**

“I attended a recent meeting of the Bridgtown Parish Council for a discussion on their allocation of UK Shared Prosperity fund monies and Community Infrastructure Levy funds. I advised them to contact relevant officers at the District Council about how these funds should be spent.”

- **Cannock Hospital Minor Injuries Unit**

“I attended a public engagement event at the Aquarius in Hednesford regarding the Minor Injuries Unit (MIU) at Cannock Hospital, which provided a very personal service for people across the District but had sadly been unopened for quite some time now, despite reassurances from the previous Chief Executive that it would be reopened. Josh Newbury MP and County Councillor Phil Hewitt were also in attendance, and there was a good public turnout with lots of questions asked.

Another session had been arranged for Wednesday 9th October at Cannock leisure centre as concerns had been raised with the organisers of the first event about it not being well advertised and the time it took place meant many people could not attend.”

(iv) **Resources and Transformation**

The Portfolio Leader updated in respect of the following:

- **General Update**

“I am pleased to report that some vacancies have been filled in various departments. There is a new HR Manager, and a new Customer Services Manager, as well as two staff in housing.

Resources are still short in many departments. It was questioned whether a ‘benefits fayre’ could be facilitated, but due to staff shortages this would not be possible. However, the Department for Work and Pensions already have measures in place which they have informed the Council of.

Transformation has started and is going well. A report will be made available.”

42. Forward Plan

Resolved:

That the Forward Plan of Decisions for the period September to November 2024 (Item 5.1 - 5.3) be noted.

43. Value for Money Progress Report - Quarter 1 2024/25

Consideration was given to the report of the Head of Transformation and Assurance (Item 6.1 - 6.26).

Resolved:

That the progress at the end of quarter 1 2024-25 in the delivery of the value for money improvement plan, as set out in report appendix 1, be noted.

Reason for Decision:

The information allowed Cabinet to ensure that all appropriate steps were being taken to address the findings of the External Auditors and improve the Council’s governance arrangements.

44. Permission to Spend - Conversion to a Wireless Transmission Solution for Rugeley Town Centre’s Closed Circuit Television Cameras

Consideration was given to the report of the Head of Wellbeing Item 7.1 - 7.4).

Resolved:

That spend of up to £22,000 from the approved CCTV capital programme be approved for the conversion to a CCTV wireless transmission solution in Rugeley town centre.

Reasons for Decision:

The decommissioning of 13 BT circuits and conversion to a wireless transmission would present a saving of £12,5265.09 p/a, in perpetuity, based on current rates. However, as of April 2025, BT were increasing the cost of circuitry by 100%. As such, these works would present a saving of £25,052.18 p/a, moving forward.

The conversion would also future proof the service technologically. The existing circuits were an unsupported, end-of-life product.

There was no ongoing revenue costs associated with a wireless transmission solution.

45. Laburnum Avenue - Art Project

Consideration was given to the report of the Head of Operations (Item 8.1 - 8.11).

Resolved:

That:

- (A) Approval to proceed with the art delivery project to the public open space at Laburnum Avenue, Cannock, as set out in the report and the proposals at report appendix 1, be granted.
- (B) Council, at its meeting to be held on 9 October 2024, be recommended to increase the capital spend on Laburnum Avenue phases 2 and 3 by £7,500 and include the additional spend into the capital programme for 2024/25. This funding would be sourced from Cannock Longford and Bridgtown ward Community Infrastructure Levy funds, in order to deliver the proposed improvements as set out in report appendix 1.
- (C) Authority be delegated to the Head of Operations, in consultation with the Parks, Culture, and Heritage Portfolio Leader to enter in a formal agreement with Inspiring Healthy Lifestyles to agree the project details and take such actions as necessary to progress the above decisions within approved budgets.

Reasons for Decisions:

The project at Laburnum Avenue had already received Cabinet support via the Cabinet report dated 8 February 2023, when funds of £634,800 were approved. This project supported and underpinned work around collaborating arts, community engagement, and climate change awareness.

Laburnum Avenue had already seen improvements to the existing woodland pathways and installation of green gym equipment. The dilapidated wooden bridge was to be removed and replaced with a new steel one. A new play area and ball court were to be installed during the late summer of 2024. With this project, it would also include arts features and a woodland walk via an augmented reality arts trail and large art sculpture at the car park entrance.

Funding for the artwork would come from existing approved project funds of £7,500 and ward Community Infrastructure Levy funding of £7,500, culminating in an overall cost of £15,000.

Ward member support had been gained for this project and signed agreements by all previous ward members were attached to the report at appendix 2.

46. Housing Services Resident Involvement Strategy 2024-27

Consideration was given to the report of the Head of Housing and Corporate Assets (Item 9.1 - 9.22).

Resolved:

That:

- (A) The proposed Housing Services Resident Involvement Strategy 2024-27, as attached at report appendix 1, be approved.
- (B) That the engagement framework set out within the strategy be noted, along with the associated actions proposed within the action plan.

Reasons for Decisions:

The previous Housing Services Resident Involvement Strategy ran for the period 2017-20, and subsequently reached the end of its lifespan and required significant updating.

Regulatory changes had been brought in for Registered Providers to have a more tenant-centric approach to delivering housing services and communicating with their residents.

47. Housing Services Compensation Policy 2024-27

Consideration was given to the report of the Head of Housing and Corporate Assets (Item 10.1 - 10.21).

Resolved:

That:

- (A) The proposed Housing Services Compensation Policy 2024-27, as attached at report appendix 1, be approved.
- (B) The circumstances and levels that would guide officers in making compensation offers where deemed appropriate be noted.

Reasons for Decisions:

A previous unadopted Housing Services Compensation Policy was in place as an internal working document for the period 2021-2024. It subsequently reached the end of its lifespan, and a formal new policy was required.

Regulatory changes had been brought in for Registered Providers to comply with the Housing Ombudsman's Complaint Handling Code and have due regard to its guidance and best practice.

48. Local Development Scheme 2024

Consideration was given to the report of the Head of Economic Development and Planning (Item 11.1 - 11.15).

Resolved:

That Council, at its meeting to be held on 9 October 2024, be recommended to approve the revised Local Development Scheme as set out in report appendix 1, covering the period September 2024 to September 2027, and that it be brought into effect on 16 October 2024.

Reason for Decision:

Local Planning Authorities had a statutory duty to prepare an up-to-date Local Development Scheme (LDS) under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The LDS set out the Local Development Documents that would be prepared over the LDS timeframe, including details of the subject matter, geographical area referred to and timetable for production.

49. Cannock Chase Local Plan 2018-2040: Regulation 22 Submission

Consideration was given to the report of the Head of Economic Development and Planning (Item 12.1 - 12.273).

Resolved:

That:

- (A) Council, at its meeting to be held on 9 October 2024, be recommended to submit the Cannock District Local Plan Regulation 19 document (report appendix A) together with the policies map (report appendix B) and other prescribed documents and evidence base documents to the Secretary of State for examination in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- (B) Authority be delegated to the Head of Economic Development and Planning, in consultation with the Regeneration and High Streets Portfolio Leader to make additional non-substantial editorial changes to the submission documents, ahead of their submission to the Secretary of State.
- (C) Authority be delegated to the Head of Economic Development and Planning, in consultation with the Regeneration and High Streets Portfolio Leader to determine the date of submission.

Reasons for Decisions:

Current legislation required local authorities to produce Local Plans. Section 19(1B) - (1E) of the Planning and Compulsory Purchase Act 2004 required local authorities to identify the strategic priorities for the development and use of land in the authority's area and set these out development plan documents.

The current Local Plan (Part 1) was adopted in 2014. The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) introduced a statutory requirement under Regulation 10A, that from 6 April 2018, Local Planning Authorities (LPAs) must review their Local Plan every five years following the date of adoption. Work initially commenced on updating the Local Plan in 2018. However, this ceased on Local Plan (Part 2) following a Council resolution of 21 February 2018 to enable a full review of the Local Plan to proceed that would incorporate both Part 1 (strategic policies) and Part 2 (site allocations) in a new whole Local Plan. In addition, the Birmingham Development Plan had identified a shortfall to 2031 that required the authorities within the Greater Birmingham and Black Country Housing Market Area to work collectively under the Duty to Co-operate to address the shortfall through their respective Local Plan reviews.

The new Local Plan would better align with new corporate priorities, such as climate change mitigation and the move towards a zero-carbon future. The Plan positively identified sites to meet identified need for development. This would help the Council to maintain a five-year housing land supply which ensured housing was located in the most sustainable locations and enabled strategic infrastructure to be identified and delivered to support planned housing sites. It also identified strategic employment sites which would enable employment need to be met, providing the opportunity for local businesses to expand and grow and provide new jobs for the Districts' residents. In addition, it presented a range of up-to-date local planning policies which would assist the Development Management team to assess planning applications coming forward.

Cabinet agreed to publish the revised Local Development Scheme (LDS) on 14 December 2023, which presented a timetable for the production of the Local Plan in accordance with the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). A slight delay had occurred which meant that submission of the Local Plan was now projected for Autumn as opposed to Summer of this year. The LDS had subsequently been updated and was presented under the previous agenda item. Approval of the recommendations of this report would enable Council to meet the projected timetable.

The plan period had been extended since production of the plan started in 2018, and development in the draft plan was projected to the year 2040. For the plan to be in accordance with the National Planning Policy Framework (NPPF), strategic policies had to look ahead over a minimum 15-year period from adoption. It was therefore important to reach submission and examination in accordance with the timetable set out in the revised 2024 LDS to ensure that the right level of development was being planned for.

The Plan had been subject to four separate rounds of public consultation so far, which had helped shape the policies and sites in this final version of the plan. Officers and Members of the Local Plan Member-Officer Working Group had reviewed the responses to the recent pre-submission consultation. Whilst there were some outstanding issues to address, it was considered that these could be satisfactorily resolved through continued joint working, Statements of Common Ground and/or modifications to the plan. Alternative options were set out in the report, but all options carried some risk.

Whilst the intention to introduce a number of reforms to the plan making system at a national level had been announced, including the most recent consultation on revisions to the NPPF, there was still sufficient time to adopt the Local Plan prior to changes to plan making being introduced. At this point in time, the only definite and known change to plan making at a national level which had been introduced came through the revision of the NPPF in December last year. The former Government released a revised version of the NPPF in December 2023 which set out transitional arrangements for Local Plan which reached pre-submission consultation on or before 19 March 2024. As the Cannock Chase consultation started on 5 February 2024, it would be examined under the previous version of the Framework. Therefore, the amendments introduced in December 2023 were not applicable to the Cannock Chase Local Plan.

The newly elected Government had recently released a consultation on revising the NPPF directed at reversing some of the amendments introduced in December 2023, plus substantially increasing the delivery of new housing and seeking to secure 100% coverage of up-to-date Local Plans across the UK. This presented a number of options of how to proceed with the emerging Local Plan, as to align with the revised NPPF (after the end of the consultation and only when it was published), substantive amendments would be required for which there would be an 18-month window to make the changes. The other alternative was to cease production of this version of the Local Plan and to restart a new Local Plan.

There were a number of risks with all options, but this report recommended to continue to progress the emerging plan to submission and examination. This option would be the fastest route to adopting an up-to-date Local Plan, it was the only which could be delivered using the existing agreed budget and was also the only option which would not require the Council to identify sites for an additional 6,500 dwellings (approx.).

The NPPF consultation set out a chapter on the future of planning policy and plan making (chapter 12) which stated: 'local planning authorities should continue to progress their plans to adoption under the existing system without delay'. It appeared the main intention of the Government was to ensure up-to-date Local Plans were in place to increase housing delivery. The alternative options for the Council were to revise the emerging plan within 18 months to account for the higher housing target or to start the plan process again. Both options would delay housing delivery in the interim, and there was no guarantee that the plan strategy could be revised so substantively without revisiting earlier stages of consultation on options, or that the work around identification of sites, supporting infrastructure and mitigation of impacts on designated sites would be achievable within an 18-month window.

The main drawback of submitting the emerging plan was that the Government indicated in the consultation that Local Plans which were below the proposed new housing targets by at least 200 homes would have to commit to the immediate review of the plan upon adoption. This was a key consideration for the Council in progressing the existing plan to adoption, but until the NPPF was officially changed through publication it was not possible to fully assess these risks.

Other factors which influenced the recommendation was the continued requirement for the Council to maintain a 5-year land supply. This was at risk from this point forward due to age of the existing plan, lack of site allocations or forward supply of sites. Any option which delayed examination or adoption of the Local Plan was likely to increase the risk of speculative development applications and unplanned developments that were not supported by site specific planning policies or an assessment of cumulative impact on infrastructure, as they would be assessed in line with the presumption in favour of sustainable development.

Alternative options were presented in the report, but the key reasons for recommending submission of the plan were that this complied with legislation and current national guidance, the plan had been subject to public consultation and engagement over a 6-year period. It was the only option which had been budgeted for and it was the fastest route to delivering housing choice and economic growth for the District. Moving forward with the plan would ensure that the Council had up-to-date local planning policies for which to assess planning applications in the District which aligned with the Council's corporate agenda.

50. Community Infrastructure Levy Ward Funding - Proposed Allocation for Improvements within Chadsmoor Ward

Consideration was given to the report of the Head of Economic Development and Planning (Item 13.1 - 13.8).

Resolved:

That:

- (A) The allocation of £23,100.73 from the Chadsmoor ward Community Infrastructure Levy ward fund to fund environmental improvements to Chadsmoor 'high street' be authorised.
- (B) Authority be delegated to the Head of Economic Development and Planning to agree a timeframe to implement and complete the agreed works.

Reasons for Decisions:

The Council collected Community Infrastructure Levy (CIL) contributions from development within the District in line with the CIL Charging Schedule and the CIL Regulations 2010.

An element of these contributions was collected as neighbourhood funds to fund improvements within a parish or ward. The Council retained CIL monies collected for Chadsmoor and was responsible for the allocation of funds to eligible projects. The formal allocation of funds required Cabinet approval.

51. Proposed Charging Schedule for Invalid Planning Applications

Consideration was given to the report of the Head of Economic Development and Planning (Item 14.1 - 14.6).

Resolved:

That:

- (A) The implementation of a charging regime as outlined in report appendix 1 related to administrative fees for the processing of invalid applications be approved.
- (B) Authority be delegated to the Head of Economic Development & Planning and the Development Management Team Leader to waive or reduce the administrative fees in exceptional circumstances.
- (C) The date of implementation be delegated to the Head of Economic Development and Planning in consultation with the Regeneration and High Streets Portfolio Leader.

Reasons for Decisions:

The introduction of the invalid fee would provide a means to recoup a proportion of the costs associated with validating planning applications.

Currently the validation team spent a significant amount of time supporting customers who had not adequately prepared applications, which could mean repeated requests for information involving numerous exchanges requesting and clarifying the nature and detail of missing information.

The Council had invested resources in updating the planning information on its website to provide clear advice to applicants. In addition, further information was available on the Planning Portal. Often, the repeated requests for information may only relate to basic matters such as incomplete plans or a missing document intended to accompany the application. There may be occasions where applications did not progress to validation and progressed for consideration by a case officer.

The current approach prevented the continuous streamlining of the process, and it also meant that customers were receiving extra support they had not paid for which also risked affecting the service levels provided to other customers.

The charging schedule presented at report appendix 1 split the invalid fees into different bands subject to the nature of the planning application so that the approach was proportionate. This approach complied with section 93 of the Local Government Act 2003 that allowed for Planning Authorities to cover costs incurred.

52. Staffordshire Climate Emergency Shared Statement of Planning Policy Commitments

Consideration was given to the report of the Head of Economic Development and Planning (Item 15.1 - 15.10).

Resolved:

That:

- (A) Cannock Chase District Council becomes a signatory to the Staffordshire planning policy commitments shared statement as attached at report appendix A and supports the policy direction and future evidence requirements to support the transition toward achieving net zero carbon emissions by 2050.
- (B) The Regeneration and High Streets Portfolio Leader be authorised to be the signatory on the shared statement on behalf of Cannock Chase District Council.

Reason for Decisions:

The shared statement built upon and sought to implement measures identified in a study commissioned jointly by the Staffordshire Local Planning Authorities 'Climate Change Adoption & Mitigation Final Report 2020' ('the 2020 study').

The meeting closed at 7:14 p.m.

Leader

Forward Plan of Decisions to be taken by the Cabinet: October to November 2024

For Cannock Chase Council, a key decision is as an Executive decision that is likely to:

- Result in the Council incurring expenditure or making savings at or above a threshold of 0.5% of the gross turnover of the Council.
- Affect communities living or working in two or more Council Wards.

Representations in respect of any of matters detailed below should be sent in writing to the contact officer indicated alongside each item via email to membersservices@cannockchasedc.gov.uk

Copies of non-confidential items will be published on the Council's website 5 clear working days prior to the relevant meeting date.

Item	Contact Officer / Cabinet Member	Date of Cabinet	Key Decision	Confidential Item	Reasons for Confidentiality	Representations Received
October 2024						
Priority Projects for 2024-25	Deputy Chief Executive-Resources Head of Transformation & Assurance / Leader of the Council	24/10/24	No	No		N/A
2023-24 Housing Services Annual Report to Tenants	Head of Housing and Corporate Assets / Housing and Corporate Assets Portfolio Leader	24/10/24	No	No		N/A
Gambling Act 2005 - Statement of Principles	Head of Regulatory Services / Environment and Climate Change Portfolio Leader	24/10/24	No	No		N/A
Statement of Licensing Policy 2025-2029	Head of Regulatory Services / Environment and Climate Change Portfolio Leader	24/10/24	No	No		N/A
November 2024						
Quarter 2 Performance Report 2024/25	Head of Transformation & Assurance / Resources and Transformation Portfolio Leader	28/11/24	No	No		N/A
Transformation Strategy and Plan	Head of Transformation & Assurance / Resources and Transformation Portfolio Leader	28/11/24	No	No		N/A

Item No. 5.2

Item	Contact Officer / Cabinet Member	Date of Cabinet	Key Decision	Confidential Item	Reasons for Confidentiality	Representations Received
Strategic Risk Register	Head of Transformation & Assurance / Resources and Transformation Portfolio Leader	28/11/24	No	No		N/A
Risk Management Policy, Strategy and Risk Appetite Statement	Head of Transformation & Assurance / Resources and Transformation Portfolio Leader	28/11/24	No	No		N/A
Proposed Charging Schedule for Monitoring of S106 Agreements	Head of Economic Development and Planning / Regeneration and High Streets Portfolio Leader	28/11/24	No	No		N/A
Stile Cop Cemetery Lodge	Head of Housing and Corporate Assets / Housing and Corporate Assets Portfolio Leader	28/11/24	No	No		N/A
Housing Services Compliance Policies	Head of Housing and Corporate Assets / Housing and Corporate Assets Portfolio Leader	28/11/24	No	No		N/A
Housing Services Repairs & Maintenance / Housing Property Services Policies	Head of Housing and Corporate Assets / Housing and Corporate Assets Portfolio Leader	28/11/24	No	No		N/A
Revenues and Benefits Collection Report - Quarter 2 (2024/25)	Deputy Chief Executive-Resources / Resources and Transformation Portfolio Leader	28/11/24	No	Yes (Appendices only)	Information relating to any individual. Information likely to reveal the identity of an individual. Information relating to the financial or business affairs of any particular person (including the Council).	

Priority Projects for 2024-25

Committee:	Cabinet
Date of Meeting:	24 October 2024
Report of:	Deputy Chief Executive - Resources
Portfolio:	The Leader of the Council

1 Purpose of Report

- 1.1 This report sets out an up-date to the priority projects and key performance indicators that underpin the delivery of the Council's priorities and form the basis of the Council's performance management framework for 2024/25.

2 Recommendations

- 2.1 Cabinet is asked to approve the list of key strategic and operational priorities set out in paragraph 3.6.

Reasons for Recommendations

- 2.2 Prioritisation of the Council's work programme for 2024/25 is essential for the effective allocation of resources.

3 Key Issues

- 3.1 The Council is half-way through delivery of its corporate plan for 2022-2026. With a change in Administration following the local elections in May 2024, it is timely to undertake a mid-term review.
- 3.2 The overarching priorities set out in the current corporate plan will remain unchanged for the remaining two years; these are:
- (i) **Economic Prosperity** - To reinvigorate the economy and create a District that thrives.
 - (ii) **Health & Wellbeing** - To encourage and support residents to lead healthy and independent lives.
 - (iii) **The Community** - To ensure Cannock Chase is a place that residents are proud to call home.
 - (iv) **Responsible Council** - To be a modern, forward thinking and responsible Council.

The Corporate Plan also reflects the Council's commitment to tackling the worldwide challenge of climate change by reducing our CO2 emissions and protecting and enhancing our environment.

Climate change runs as a cross-cutting theme underpinning all of the Council's priorities and actions are embedded into all of our activities. For the purposes of this report, actions related to climate change are reported under the "Responsible Council" priority.

- 3.3 The Council is ambitious to deliver significant change to Cannock town centre, to deliver its Shared Services agenda and value for money (VFM) in service delivery. It is proposed that these three themes will be central to the delivery of Council's priorities going forward:
- (i) Delivery of the town centre regeneration schemes;
 - (ii) Delivery of the VFM improvement plan; and
 - (iii) Delivery of the shared services transformation programme.
- 3.4 The projects that underpin the delivery of the Council's priorities have been reviewed against the resources available, changes in local circumstances and to reflect the national agenda emerging from the new Government.
- 3.5 In common with many public sector organisations, the Council faces a number of challenges in terms of both funding and capacity, resulting from austerity measures imposed over recent years. Revenue budgets remain tight and future funding is uncertain, with settlements being given for 12 months at a time. Capacity is being impacted by a shortage of suitably qualified and experienced staff in key areas, including support services and the number of projects being supported.
- 3.6 In order to ensure that resources can be allocated effectively, a review has been undertaken of the projects and workstreams for each of the corporate priorities to prioritise them and inform the work programme for 2024/25 and 2025/26. The key projects for each of the 4 corporate priorities are set out below:

Corporate Priority 1 - Economic Prosperity

- 1. Economic Growth & Regeneration Projects
- 2. Local plan – respond to updated National Planning Policy Framework (NPPF) including evidence review
- 3. S106 – review of policy and process

Corporate Priority 2 - Health & Wellbeing

- 4. Full review of leisure offering and planning ahead for future delivery including contract procurement/ renewal
- 5. Health strategy and development of wider approach to health and wellbeing for both Councils

Corporate Priority 3 - The Community

- 6. Housing (HRA) recovery and improvement
- 7. Place Based Housing strategy and new council house building
- 8. Waste contracts including Food waste
- 9. Tree Management
- 10. Play area investment and rationalisation

Corporate Priority 4 - Responsible Council

11. VFM Improvement Plan
12. Closure of the Accounts, the audit and VFM review for 2023/24
13. Transformation of all services
14. Digital Strategy including IT systems replacements
15. Strategic asset management including the review of key assets
16. Climate change
17. Land Charges

Further details on the priority projects can be found in Appendix 1.

- 3.7 Priority Delivery Plans (PDPs) have been developed, setting out the key actions and milestones for 2024/25 and indicative actions for 2025-26. These are attached at Appendix 2. These will form the basis of the Council's work programme for 2024/25 and replace the existing indicative delivery plans for 2024/25 and 2025/26.
- 3.8 A separate delivery plan already exists for the VFM Improvement work and will continue to be performance managed outside of the delivery plans to avoid duplication.
- 3.9 Similarly, due to the scale and importance of the HRA Housing work, a Housing Improvement Plan is being developed and this will also be performance managed separately.
- 3.10 The Priority Delivery Plans are also accompanied by a set of key performance indicators (KPIs) which measure the delivery of operational services (Appendix 3).

4 Relationship to Corporate Priorities

- 4.1 The report sets out the priority projects for 2024/25 and these contribute to all of the Council's priorities.

5 Report Detail

5.1 Background & Context

- 5.1.1 Like many other Councils, the Council faces a range of opportunities and challenges which it must balance. The Council has successfully bid for significant regeneration funds which commits it to a wide-ranging project. Whilst offering significant benefits to the District, at the same time they create additional work for teams which are already experiencing capacity issues through recruitment difficulties, changes in demand/expectations and legislative changes. The Council also continues to face financial challenges, increasing costs and uncertainty around future settlements from the Government.
- 5.1.2 The Council is half-way through delivery of its corporate plan for 2022-2026. With a change in Administration following the local elections in May 2024, it is timely to undertake a mid-term review and reflect on changes over the last two years and to look ahead at anticipated changes. The review has included existing projects

and commitments, emerging work areas and service areas whose performance needs to be improved.

5.1.3 The review has also considered the change in national Government and the new opportunities and expectations this brings. For local government, these include:

- New House Building targets
- Creation of new towns and housing affordability
- Speed up and streamline the planning process
- Up-to-date local plans (national planning policy framework)
- Private rented sector – abolition of no-fault evictions
- Building Safety
- Ending homelessness
- Devolution proposals.

5.2 Priority Workstreams

5.2.1 There needs to be a focus on key workstreams in order to make the best use of the resources we have available.

5.2.2 Three key areas have been identified as being central to the Council's plan going forward. These are:

- (i) Delivery of the town centre regeneration schemes;
- (ii) Delivery of the VFM improvement plan; and
- (iii) Delivery of the shared services transformation programme.

5.2.3 Economic growth and investment in the District is an existing priority project. The Council has been successful in securing substantial funding for a scheme to regenerate the town centre. The scheme is significant in scale, complexity and risk but present opportunities to bring in private sector investment to transform and revitalise the town centre. The scheme has to be delivered within a set timescale in accordance with the funding requirements.

5.2.4 Delivery of the Value for Money Improvement plan is a more recent priority project, following receipt of the External Auditor's VFM report earlier this year. The report relates to the VFM review covering the period 2021/22 and 2022/23. It includes a number of statutory recommendations and highlighted a large body of work that needs to be completed to improve the management of its housing stock and ensure that the Council has solid foundations to deliver the priority projects and workstreams as well as day to day activities and appropriate monitoring and governance. An action plan has already been prepared to address the findings of the report and work has commenced on delivering this.

5.2.5 There is an ambitious transformation agenda associated with the sharing of services with Stafford Borough Council. This is an existing priority project which needs to be developed and delivered to bring the two Councils' workforces together and maximise the benefits of shared services. Following completion of the restructuring at service manager level, we are now scoping out the transformation work programme. This work cuts across all service areas.

5.2.6 The full list of priority projects is summarised below split across each of the corporate priorities. The list also indicates whether the project is an existing priority or a new one.

Corporate Priority 1 - Economic Prosperity

1. Economic Growth & Regeneration Projects - existing priority project
2. Local plan – respond to updated National Planning Policy Framework (NPPF) including evidence review - existing priority project
3. S106 – review of policy and process - new priority project

Corporate Priority 2 - Health & Wellbeing

4. Full review of leisure offering and planning ahead for future delivery including contract procurement/ renewal - new priority project
5. Health strategy and development of wider approach to health and wellbeing for both Councils - existing priority project

Corporate Priority 3 - The Community

6. Housing (HRA) recovery and improvements - new priority project
7. Place Based Housing strategy - new priority project
8. Waste contracts including Food waste - new priority project
9. Tree Management - new priority project
10. Play area investment and rationalisation - existing priority project

Corporate Priority 4 - Responsible Council

11. VFM Improvement Plan - new priority project
12. Closure of the Accounts, the audit and VFM review for 2023/24 - new priority project
13. Transformation of all services - existing priority project
14. Digital Strategy including IT systems replacements - existing priority project
15. Strategic asset management including the review of key assets - existing priority project
16. Climate change - existing priority project
17. Land Charges - new priority project

5.3 Monitoring and Management of the Delivery of the Priority Projects

5.3.1 Delivery plans have been established for each of the priority projects. Performance in delivering these will be reported to Cabinet and the relevant Scrutiny Committee. The Delivery Plans are set out in Appendix 2.

5.3.2 A VFM improvement plan is already in place and progress is being reported to Cabinet and the Audit & Governance Committee. This will remain separate from the Delivery Plans to avoid duplication.

- 5.3.3 Due to the scale and importance of the Housing HRA Housing work, a separate Housing Improvement Plan is being developed rather than a delivery plan as part of this report. Progress in delivering this will be reported separately to the Housing Board, the Health, Wellbeing & Community Scrutiny Committee and the Cabinet.
- 5.3.4 The Transformation Strategy is to be reported to Cabinet separately and this will set out the proposed governance arrangements for managing the delivery of this work and reporting on this to Members.
- 5.3.5 Performance in the delivery of operational services will be monitored through the Key Performance Indicators set out in Appendix 4. These have been modified from those previously reported on, to reflect the changes made to the work programme for 2024/25. A further more in-depth review is planned as part of a wider review of the Council's performance management framework.
- 5.3.6 Housing KPIs have been included in Appendix 3 and will be reported on as part of the corporate performance monitoring until the Housing Improvement Plan has been approved. Once performance reporting has commenced for the Housing Improvement Plan, the Housing KPIs will be reported on as part of this.

6 Implications

6.1 Financial

Budgets will be required to deliver the corporate priorities listed above. As the projects are developed business cases will be prepared which detail the financial requirements and resource needs of each. These will then be presented for approval to Members, being clear where the funds are being allocated from. There may be competing demands for limited resources from the above projects which will lead to Members and officers needing to ensure that decisions on the allocation of resources are robust.

6.2 Legal

The Local Government Act 1999 requires local authorities to make arrangements to secure continuous improvement in the way in which their functions are exercised, having regard to a combination of economy, efficiency and effectiveness (the Best Value Duty). Regard must be had to the statutory guidance which advises authorities to set clear and achievable priorities, to review corporate plans to ensure they are current and realistic, and to ensure resources are used effectively having regard to any capacity constraints.

6.3 Human Resources

Capacity has been identified as an issue in the report. It is important that this is managed to protect the wellbeing of employees.

6.4 Risk Management

Capacity has been identified as a risk on the Council's strategic risk register. Prioritisation of key projects will assist in the management of this risk.

6.5 Equalities and Diversity

None

6.6 Health

None

6.7 Climate Change

Work on the climate change strategy has been identified as a priority

7 Appendices

Appendix 1: Priority Projects for 2024/25 and 2025/26

Appendix 2: Delivery Plans for Priority Projects

Appendix 3: Key Performance Indicators for Operational Services

8 Previous Consideration

None

9 Background Papers

VFM report and Improvement Plan

Contact Officer: Judith Aupers

Telephone Number: 01543 464 411

Report Track: Cabinet: 24/10/24

Key Decision: No

Priority Projects for 2024-25

Priority 1 - Economic Prosperity

1. Cannock Town Centre Regeneration (LUF scheme)

The first phase of the town centre scheme has been approved by both Cabinet and the Government.

As part of the first phase, the Council will progress the demolition of the former Multi-Storey Car Park, development of the Northern Gateway and refurbishment of Beecroft Road car park. Discussions are ongoing with the Ministry of Housing, Communities and Local Government (MHCLG) regarding the second phase of the project. Discussions have been positive, and they are supportive of the proposed plans for phase 2 of the scheme. The second phase has been approved by Cabinet, but confirmation of the Project Adjustment Request (PAR) extension is awaited.

MHCLG are encouraging the Council to spend the full LUF funding and add to the scheme; but there are concerns over capacity to deliver a wider scheme as well as potential financial liabilities to the Council for these wider more complex schemes, these concerns need to be set against the benefits of the project and the need for the regeneration of Cannock town centre.

2. Local Plan

The Council is currently producing a new Cannock Chase District Local Plan for the period 2018 to 2040 to replace the adopted Local Plan (Part 1) which was adopted in 2014. Subject to Cabinet and Council approval, it is intended to submit the Plan to the Secretary of State for examination stage in autumn 2024. It is anticipated that the Examination will be held in spring 2025 and could be adopted by the Council in winter 2025.

The new Government has announced reforms to the planning system and a new version of the National Planning Policy Framework (NPPF) is currently out to consultation. The new Government has announced its ambition to significantly increase the volume of housebuilding at a national level, particularly affordable and social housing. It is proposed that Local Planning Authorities (LPAs) will be set mandatory housing targets to help achieve the Government's housebuilding ambitions and the impact of this needs to be considered in the context of the Council's new Local Plan.

Of all the proposed changes, the amendment with the greatest potential impact for Cannock Chase is the revised methodology for calculating housing need. The current Cannock Chase regulation 19 plan housing requirement is 264 dwellings per annum. If the Government introduces the revised way of calculating housing need this would be set at 555 dwellings per annum.

As the new Government is seeking to considerably increase housing delivery, the consultation sets out that there are implications for any Local Plan which is delivering more than 200 dwellings below the proposed new targets. For plans at an advanced stage including Cannock Chase, the implication is that the Council would need to immediately embark on a new Local Plan after adoption (usually a review of a Plan would only require consideration after a period of 5 years from adoption). This will require consideration of resources and capacity required to prepare for a new Plan.

3. S106 – review of policy and process

Section 106 Agreements provide the infrastructure required to mitigate negative impacts of development. Planning obligations secured through a S106 Agreement can be used to address issues such as the provision of affordable housing, highway improvements, play provision. Cannock Chase Council also collects funding from developers via the Community Infrastructure Levy (CIL).

The Council has historically negotiated and collected significant sums of Section 106 and CIL funding and is required to publish an Annual Infrastructure Statement each year to show much funding has been collected and allocated / spent to projects. Although the Council has made progress in ensuring that effective monitoring systems are in place, and that funding is appropriately allocated to projects (Council priorities or local projects); there is a need to review the Council's Section 106 policy and procedures, to ensure that there is a decision making framework in place to increase the pace that funding is allocated to local priorities and that the Council can more effectively use S106 funding to deliver against its own priority projects.

There is also a need to procure and implement the necessary software to improve the effectiveness of monitoring and collection of payments from developers. The Council also will be looking to charge a Section 106 monitoring fee to cover the administration and monitoring of planning obligations, based on evidence and benchmark comparisons with other Local Planning Authorities.

Priority 2 - Health & Wellbeing

4. Review of Leisure Service Provision

Cannock Chase outsourced its Leisure, Culture and Heritage provision in 2011 to Wigan Leisure Trust, which was to become Inspiring Healthy Lifestyles (IHL). The initial 10-year contract term ended in 2020/2021, and a deed of variation extended the contract to March 2027. A strategic review is being carried out of all the facilities and services delivered by IHL to shape the future delivery of the services and to inform any future commissioning.

5. Health strategy and development of wider approach to health (SP3)

The newly formed Integrated Care Systems aim to improve health and care services with a focus on prevention, better outcomes and reducing health inequalities. Councils are well placed to support and influence this critical agenda through both core services and focussed activity. This workstream will set out the strategic direction and delivery plans on how we are going to make an impact in this area.

Priority 3 - The Community

6. Housing (HRA) recovery and improvements

The External Auditor's VFM report identified a number of compliance issues regarding the maintenance of the Council's housing stock. One of the actions to address these concerns was to commission a further more detailed review; this has identified additional work that needs to be undertaken. Problems with the IT system used to support delivery of both planned and responsive maintenance work have also been highlighted. Additional resources have been agreed by the Deputy Chief Executive - Resources / s151 Officer to support the work on the HRA issues. These include:

Appendix 1

- Additional resources to clear the outstanding responsive repair jobs with the focus on the category 1, 2 and 3 jobs.
- Funding for an external project manager and specialist to address the issues with the IT system as well as the secondment of an officer from the in-house Technology Team.

In response to the national housing crisis the Council has a key role in building homes that contribute towards meeting the District's housing needs, with 1,100+ applicants currently on the Council's housing register. The new homes will be built to a future homes standard that will enable the residents to live in a low-cost, energy efficient property.

Each year the Council sells approximately 30 properties through the Right to Buy. Therefore, it is essential that the Council continues with its successful house building programme to minimise these losses and, if possible, increase the housing stock. The housing development scheme will continue with the much-needed regeneration of the former Aelfgar School site which has been left derelict for a number of years.

The Council has also secured an award of £800,000 funding which has been match-funded to deliver carbon reduction measures to 112 council properties (through retrofitting). As well as linking to the Council's ambitions for climate change, it also links to our Health and Well Being priority by helping to address fuel poverty and reducing costs associated with achieving adequate levels of heat within in our homes. All of the properties selected have an EPC rating of D or below and the installed measures could save tenants between £220 and £400 a year on energy bills.

7. Place Based Housing strategy

One of the recommendations from the value for money report was for Cannock Chase to prepare a Place Based Housing Strategy. This priority will deliver that strategy and frame the direction of strategic housing in the district, pulling together all parts of the Council with responsibility for housing along with external partners and stakeholders.

8. Waste and Recycling (incl. Food Waste Collections)

All councils across England are being mandated to provide separate weekly food waste collections from April 2026 as part of central government's Resources and Waste Strategy 2018. While work has already begun, there is still much work to be undertaken before this can happen including, planning the new services, agreeing disposal points, negotiating with contractors, procurement of containers, and communications with residents. Although the Government is providing funding for the initial implementation and service delivery, ongoing funding may be an issue. While this is a statutory function, the manner that it is delivered gives the Council choices. These will need to be reviewed to ensure that they meet the statutory requirements.

The Council's kerbside waste and recycling collection contract comes to an end in March 2025. A new waste contract has been procured and although the incumbent contractor has been successful, implementation of the new contract requires mobilisation throughout the remainder of 2024/25 alongside the ongoing management of the current contract.

9. Tree Management

There are approximately 23,000 trees at CCDC on Council land that we have a statutory duty to inspect and maintain. The Council also has a statutory duty to manage tree protection orders across the district/borough, including in their issuing, registration, amendment, reapplication, and revocation. In order to ensure this is carried out correctly it is considered essential that the Council develops a work and investment strategy and plant well for the future.

Due to the large number of trees and amount of associated data involved, the Council also needs to update its electronic tree management system to aid the efficient management of trees and tree protection orders. It is intended the system should be accessible in part to the public to allow ease of access to tree management information, including tree protection order details and tree protection alteration applications.

This is a substantial piece of work and will continue into 2025/26. It will be undertaken jointly with Stafford Borough Council as part of the shared services transformation work.

10. Play area investment and rationalisation

The Council recognises the importance of good quality play areas and parks for its residents and visitors.

The Council has a multi-year play area improvement programme which now requires updating to consider the improvement works that have been undertaken within the last few years as a result of it.

It is also intended to review the play areas, especially in relation to the area they serve and their ongoing budgetary requirements for investment and maintenance over the coming years, in a bid to maximise best value.

Priority 4 - Responsible Council

11. Delivery of the VFM Improvement Plan - Finance and Transformation elements

The VFM improvement plan was produced in response to the External Auditor's Annual Report for 2021/22 and 2022/23. It is multifaceted and will be challenging to deliver, despite the investment that has been agreed as part of the budget process, as many of the officers involved with this work have other key workstreams to deliver.

Delivery of the VFM improvement plan is vital as it will improve our ability to deliver services, manage the running of the Council and make effective decisions. It is also essential that we are seen by stakeholders and the External Auditors to be making progress against the agreed improvement plan.

12. Closure of the accounts, the audit and VFM review for 23/24

Whilst the intention is to not proceed with the outstanding audits of accounts for 2021/22 and 2022/23, we will need to proceed with preparation of the 2023/24 accounts. At present it is anticipated that due to depleted resources coupled with the pressures on the Finance Team from the wider organisation, particularly regeneration, it will not be possible to prepare the 2023/24 accounts on time. This will have an impact on the VFM improvement plan and require a re-planning of the

Appendix 1

Finance Team work plan going forwards to ensure that this does not become a repeat of the current position with outstanding accounts and audits.

In addition to the closure of the accounts, considerable work will be involved in supporting the External Auditors to complete the audit of the accounts and the VFM review for 2023/24. As we will have new external auditors to work with, it is going to take more time in this first year for them to gain an understanding of the two Councils and we will be under close scrutiny given the VFM report covering the last two years.

13. Shared Services - Transformation of all Services

With the completion of the senior management restructure, work is now commencing on bringing the service teams together and planning for the transformation work that is needed. This will include team restructures and process redesign as well as software changes to deliver further savings and efficiencies. These will happen in phases to allow managers time to familiarise themselves with their new roles and according to service need.

A transformation programme of this scale is the first to be undertaken. It is estimated that it will take 2-3 years to deliver. It has the potential to deliver significant improvements for our customers, improve efficiency and deliver savings.

Whilst some additional resources have been agreed to fund setting up a corporate team to support and manage delivery of the programme, it is going to require significant input from the service areas directly affected and the corporate support services

14. Digital Strategy including IT systems replacements

There is a need to invest in and modernise the Council's IT infrastructure and service platforms. A digital strategy has been developed to support this work.

Investment has been approved by Council for new switches and to replace the platform that hosts our virtual machines. Installation of the new equipment is being planned for and is due to commence shortly.

A number of key systems are coming to end of support and are in need of replacing to both improve the efficiency of service delivery and our cyber security arrangements. There is a lack of clarity about the software and technology needs of the service areas and a patchwork of various software solutions has evolved organically which is complicated and does not meet the needs of the Council. This needs to be tied into the workforce and asset strategy as well as tied to the needs of the end users. The Technology Service will liaise with managers to work up a full understanding of the organisation and a review of contracts in place to ensure we are compliant.

Ongoing development of the new Customer Portal (Goss) will also be a key part of our transformation programme to improve customer service. We also need to invest in new software BI to support the development work on performance management etc as referred to in the VFM report.

15. Strategic Asset Management

A review of our approach to asset management is needed to set the strategic direction and rationalisation/estate usage. The review will include a clear approach to asset appraisal, determining its value to the authority not just on a financial basis but also for the delivery of outcomes.

As part of the review of the Council's assets, consideration is to be given to the future of the existing office accommodation and depots. The buildings are in need of refurbishment work and the costs of this will be significant. The move to hybrid working, though the final position on this has yet to be agreed, has resulted in under-occupancy of the building and letting vacant space is currently a competitive market. The sharing of services with SBC will also have an impact on both office and depot space requirements depending on the outcome of the transformation work.

The asset review is also to include researching, procuring and implementing a new IT system to provide a comprehensive record all of the Council's assets, valuation, maintenance schedules etc.

There is currently a proposal to adopt a Corporate landlord model, but this needs work to understand/reallocate budgets and set up guidance and processes. It also needs to be determined what the staffing structure and expertise required are to support this model.

16. Climate Change

As Climate Change mitigation is a significant priority, it is important for us to have a plan that lays out how we as a District work towards addressing the Climate Emergency. These strategic aspirations are supported by a Climate Change Action Plan to ensure we are working towards our net zero targets, and these are incorporated in operational delivery by all service areas. The strategy also puts in place a robust governance process chaired by the relevant Cabinet Member and or the Deputy Chief Executive for Place.

17. Land Charges

Part of the Land Charges Service is due to be transferred to His Majesty's Land Registry (HMLR). This on its own is a substantial piece of work. But in addition, the IT system used by the service needs to be replaced as a priority as it will not be supported by the supplier after 31 March 2025. The IT system is integral to successfully migrating the service to HMLR). The new IT system will need to be supported by transformation of the supporting processes to maximise efficiency benefits to the service and its customers.

Priority 1 - Economic Prosperity
Priority Delivery Plan for 2024/25 and Indicative Actions for 2025/26

Project	Actions and Milestones	Q1	Q2	Q3	Q4	2025/26
Delivery of major economic growth regeneration projects	Cannock Town Centre Regeneration - Phase One					
	• Acquire commercial interests to facilitate the development of the Northern Gateway		X			
	• Secure planning consents for demolition for phase 1 and Northern Gateway (reserve matters)			X		
	• Commence demolition works to facilitate phase one of Town Centre regeneration scheme			X		
	• Commence highway works as part of the Northern Gateway scheme				X	
	• Complete demolition works including former Multi-storey car park					X
	• Agree preferred development delivery option for cleared development sites					X
	Cannock Town Centre Regeneration - Phase Two (*subject to approval of PAR)					
	• Decision on whether to proceed with phase two of scheme, subject to approval of the Project Adjustment Request (PAR) from MHCLG			X		
	• Linked to above, conclude negotiations to acquire commercial interests to create regeneration opportunity for the town centre			X		
	UK Shared Prosperity Fund					
	• Implement and deliver the UKSPF projects in year 3 of the Council's approved Investment Plan, working towards full allocation of spend by 31 March 2025 and delivery of outputs.					X
	Investment and growth projects					
	• Refresh Economic Growth Strategy					X
• Develop pipeline of future projects					X	

Priority 1 - Economic Prosperity
Priority Delivery Plan for 2024/25 and Indicative Actions for 2025/26

Project	Actions and Milestones	Q1	Q2	Q3	Q4	2025/26
Local Plan	<ul style="list-style-type: none"> • Submit Local Plan to Examination • Complete Local Plan Evidence Base <ul style="list-style-type: none"> ○ Air Quality ○ Viability Update ○ Heritage Impacts Assessments 			X		
	<ul style="list-style-type: none"> • Revised Local Development Scheme 		X			
	<ul style="list-style-type: none"> • Local Plan Examination and adoption 					X
	<ul style="list-style-type: none"> • Local Development Documents/Policy Guidance / Procurement, Preparation, Consultation, Adoption: <ul style="list-style-type: none"> ○ Statement of Community Involvement ○ CIL Review + Examination ○ Design SPD 					X
Planning Obligations - Review of Policy and Allocations	<ul style="list-style-type: none"> • Charging schedules for Section 106 and Biodiversity Net Gain (BNG) monitoring fees <ul style="list-style-type: none"> ○ Cabinet approval ○ Implementation ○ Monitor Fees 		X	X		X
	<ul style="list-style-type: none"> • Planning obligations Working Group <ul style="list-style-type: none"> ○ Establish group and terms of reference ○ Agree governance and schedule of meetings ○ Project Identification, prioritisation and monitoring 		X X			X
	<ul style="list-style-type: none"> • Business case for Exacom system 			X		

Priority 2 - Health & Wellbeing
Priority Delivery Plan for 2024/25 and Indicative Actions for 2025/26

Project	Actions and Milestones	Q1	Q2	Q3	Q4	2025/26
Review of the Leisure, Culture and Heritage Contract	Commission strategic support to review the leisure, culture and heritage offer in Cannock Chase.		X			
	Commission technical support to carry out stock condition surveys of CCDC leisure, culture and heritage buildings.		X			
	Preparation of report setting out options.			X		
	Decision on Cannock Chase leisure, culture and heritage provision and scope of future commissioned service.				X	
Design and Deliver Cannock Chase District's approach to Health	Complete delivery of health inequalities funded projects.		X			
	Evaluation of health inequalities funded projects to inform future activity.			X		
	Extend the scope of the Cannock Community Safety Partnership to ensure health and wellbeing are fully integrated.				X	
	Complete Community Wellbeing Strategy, setting out priorities across community safety and health.					X
	Agree a delivery plan with the Community Wellbeing Partnerships, to guide the activity on health.					X

Priority 3 - Community
Priority Delivery Plan for 2024/25 and Indicative Actions for 2025/26

Project	Actions and Milestones	Q1	Q2	Q3	Q4		2025/26
Place based housing strategy	Prepare documents to commission Cannock Place Based Housing Strategy			X			
	Start procurement of the Cannock Place Based Housing Strategy				X		
	Cannock Place Based Housing Strategy completed						X
Waste & Recycling - Kerbside collection contract (2025-2032)	Complete procurement process and award contract		X				
	Complete preparation for mobilisation of new waste and recycling contract				X		
	New waste & recycling contract start						X
Waste & Recycling - Introduction of mandatory food waste kerbside collections [* denotes action subject to confirmation of government funding settlement]	Design of new service model and discussions with contractor			X			
	Consider and action revenue settlement offered by Government			X*			
	Cabinet approval for new service, start date, and permission to spend				X*		
	Prepare to tender for the procurement of food waste caddies				X*		
	Procure food waste caddies						X
	Distribute food waste caddies						X
Tree Management	Review current services & establish requirements (including Tree Protection Orders)				X		
	Prepare joint investment strategy and work programme						X
	Approval of joint investment strategy as part of budget process						X
	Procure joint tree management system (including Open Customer Facing Public Portal)						X
	Implement joint tree management system						X

Priority 3 - Community
Priority Delivery Plan for 2024/25 and Indicative Actions for 2025/26

Project	Actions and Milestones	Q1	Q2	Q3	Q4	2025/26
Play Area / Parks Improvements	Review and update current play area investment programme			X		
	Create potential rationalisation lists			X		
	Consult on potential rationalisation lists				X	
	Report to Cabinet on recommended rationalisations				X	
	Begin implementation of agreed rationalisations					X

Note re Housing

Currently the actions relating to Housing arising from the External Auditor's VFM review for 2021/22 and 2022/23 are set out in the VFM Improvement Plan approved by the Cabinet and Audit & Governance Committee on

7 February 2024 and Council on 21 February 2024. Delivery of the VFM Improvement Plan is being monitored separately by the Cabinet and the Audit & Accounts Committee on a quarterly basis.

Through actions identified from the VFM audit, an independent external review commissioned and undertaken by Savills (including findings) and other strategic & operational HRA priorities identified by the service, has been brought together and are being finalised into a single HRA Improvement & Delivery Plan (HRA IDP).

Due to the significant scale and importance of the HRA programme, the HRA IDP will have further dedicated performance and oversight from the Cabinet and other emerging structures being put in place - the Housing Board.

The HRA IDP will be submitted to Cabinet for approval and following this, progress will be monitored and reported on a quarterly basis to Cabinet, the Housing Board (when set up) and the Health, Wellbeing and Community Scrutiny Committee. There will also be a direct alignment and delivery between the HRA IDP & CCDC's priority projects.

Priority 4 - Responsible Council
Priority Delivery Plan for 2024/25 and Indicative Actions for 2025/26

Project	Actions and Milestones	Q1	Q2	Q3	Q4	2025/26
Closure of the Accounts	Closure of the accounts 23/24				X	
	Catch up on closure of previous years accounts			X		
	Audit of the Accounts for 2023/24					X
	VFM review 23/24					X
Transformation Strategy & Plan	Approval of the Transformation Strategy and Plan		X			
	Brief Senior Management Team on the strategy		X			
	Complete scoping work to support development of the Transformation work programme			X		
	Develop the Transformation work programme				X	
	Approval of the Transformation work programme					X
	Delivery of the Transformation work programme					X
Digital Strategy (inc replacement of IT Systems)	Finalise the digital technology strategy		X			
	Procurement of switches for Infrastructure Upgrade	X				
	Plan for installation of new switches		X			
	Installation of new switches			X	X	X
	Identify IT systems in need of replacing over next 3 years		X			
	Assessment and prioritisation of systems to be replace		X			
	Technology Board to approve systems to be replaced			X		
	SharePoint File Migration - development of business case and work plan					X
	Development of new Shared Services Intranet					X
	Project plans will be developed for each system once prioritisation has been agreed and the PDP will be updated accordingly					

Priority 4 - Responsible Council
Priority Delivery Plan for 2024/25 and Indicative Actions for 2025/26

Project	Actions and Milestones	Q1	Q2	Q3	Q4	2025/26
Climate Change Strategy	Revised Climate Change Strategy developed and in place			X		
	Recruitment of staff to support delivery of strategy and monitor operational delivery			X		
	New Governance Structure in place to track operational delivery			X		
	Review Climate Change Strategy					X
Land Charges	Full review of Land Charges Service to include a review of current processes and IT systems		X			
	Transformation of Land Charges scoped and timeline in place to drive this forward			X		
	Procure replacement IT System				X	
	Working towards transformed service				X	X
	Implementation of replacement IT system					X
Strategic asset management including the review of key assets	Building Condition Surveys					
	Appoint Interim Building Surveyor		X			
	Undertake Building Condition Surveys, including HRA Shops				X	
	Produce Asset Management Plans / Options Appraisals					X
	Corporate Assets ICT System					
	Research Systems		X			
	Draft specification for new system				X	
	Procure System					X
	Secure Staffing Resources for Systems Admin Officer					X
	Implement ICT System					X

Priority 4 - Responsible Council
Priority Delivery Plan for 2024/25 and Indicative Actions for 2025/26

Project	Actions and Milestones	Q1	Q2	Q3	Q4	2025/26
	Insurance Reinstatement Valuations					
	Secure Budget			X		
	Commission Service Provider to complete Valuations				X	
	Register all Council Owned Assets and undertake full reconciliation					X

Note Re VFM Improvement Actions

A separate delivery plan already exists for the VFM improvement actions. This was approved by the Cabinet and Audit & Governance Committee on 7 February 2024 and Council on 21 February 2024 and was subsequently updated following the preparation of the Annual Governance Statement for 2023/24 and was approved by the Audit & Governance Committee on 18 June 2024.

Delivery of the VFM Improvement Plan will continue to be monitored separately by the Cabinet and the Audit & Governance Committee on a quarterly basis.

CCDC Key Performance Indicators (KPIs) for 2024/25

KPIs for Priority 1 - Economic Prosperity
Planning
Major Planning Applications determined within time
Non-major Planning Applications determined within time
Major Planning Applications overturned at appeals as percentage of no. applications determined
Non-major Planning Applications overturned at appeals as percentage of no. applications determined
Building Control
Applications registered and acknowledged within 3 days of valid receipt
Full plans applications with initial full assessment within 15 days of valid receipt
Customers satisfied or very satisfied with the service
KPIs for Priority 2 - Health and Wellbeing
Leisure
Annual report from Inspiring Healthy Lifestyles setting out the performance of all facilities, including comparison to previous years as well as narrative on the wider wellbeing work and events they facilitate.
KPIs for Priority 3 - The Community
Operations - Waste & Recycling
% collections completed first time
Number of missed bin collections (including assisted) / quarter
% Household waste sent for re-use, recycling and composting
Amount of residual waste collected per household (Kgs)
Environmental Health
% of food businesses inspected
% of food businesses inspected which are broadly compliant (rating of 3 or better)
% of service requests responded to within target (all service areas)
% Environmental Protection Act permitted processes inspected in line with risk rating
% Taxi / PHV fleet inspected / compliant
Housing Assistance
No of DFGs completed
Strategic Housing & Homelessness
% households had a positive outcome and secured accommodation for 6 + months
Community Safety & Partnerships
Total value of financial outcomes achieved as a result of the CAB contract
Community Safety Partnership Hub referrals and case closures within 3 months

KPIs for Priority 3 - The Community (Housing)
Housing Repairs
% emergency repairs completed in time
% of non-emergency repairs completed in time
Building Safety/Decency
% of properties with a valid annual landlord Gas Safety Record
% of properties with a valid Electrical Certificate (within 5 years)
% of passenger lifts that have a valid 6 monthly thorough examination record
% of buildings that have a current Legionella risk assessment
% of buildings that have a current Fire risk assessment
Proportion of homes for which all required asbestos management surveys or re-inspections have been carried out.
Proportion of homes that do not meet the Decent Homes Standard at year end.
Tenancy Management
Housing Applications Processed within 28 days
% of Mutual Exchange applications determined (approved or refused) within 42 days
% of dwellings that are vacant and available for let (at period end)
Average re-let time for Voids
No. of tenants benefiting from disabled facilities work (major and minor)
No of tenants awaiting disabled facilities work (registered and work approved (major and minor))
Rent collected as proportion of rent due
% of Former Tenant Arrears (FTA) collected as a proportion of total FTA
Number of ASB cases opened per 1,000 homes by or on behalf of the registered provider during the reporting year
Number of ASB cases which involve hate incidents.
Housing Complaints
Stage one complaints received per 1,000 homes during the reporting year.
Proportion of Stage one complaints responded to within 10 days
Stage two complaints received per 1,000 homes during the reporting year.
Proportion of Stage two complaints responded to within 20 days
No. of escalations to the Ombudsman (LGO or Housing Ombudsman)

KPIs for Priority 4 - Responsible Council
Local Taxation and Benefits
Days taken to process new HB/CT Claims
Days taken to process new HB/CT change of circumstances
% of Council Tax collected annually
% National non-domestic rates (NNDR) collected
Transformation & Assurance
% of calls answered
Average call wait time
Law & Governance
FOI requests within time i.e. 20 working days
Corporate Assets
% of buildings with a valid annual landlord Gas Safety Record
% of buildings with a valid Electrical Certificate (within 5 years)
% of passenger lifts that have a valid 6 monthly thorough examination record
% of buildings that have a current Legionella risk assessment
% of buildings that have a current Fire risk assessment

2023-24 Housing Services Annual Report to Tenants

Committee:	Cabinet
Date of Meeting:	24 October 2024
Report of:	Head of Housing and Corporate Assets
Portfolio:	Housing and Corporate Assets

1 Purpose of Report

- 1.1 To approve the contents of the 2023-24 Housing Services Annual Report to Tenants as required by the regulatory framework for social housing in England, and its publication on the Council's website.

2 Recommendations

- 2.1 That the 2023 - 24 Housing Services Annual Report (attached as Appendix 1) is agreed for publication on the Council's website and circulated to tenants.
- 2.2 That if required the Head of Housing and Corporate Assets, following consultation with the Housing and Corporate Assets Portfolio Leader, is authorised to make amendments to the 2023-24 Housing Services Annual Report prior to publication.

Reasons for Recommendations

- 2.3 The Annual Report must be made available to all tenants and a copy of the final document will be placed on the Council's website, with hard copies circulated to tenants and leaseholders in conjunction with the next edition of the Tenants' Newsletter.

3 Key Issues

- 3.1 The Council is required to publish the 2023-24 Annual Housing Report as set out in the Regulatory Standards by the Regulator of Social Housing.
- 3.2 The Annual Report is attached as Appendix 1. Upon approval and any further amendment, it will be published on the Council's website and delivered to tenants.

4 Relationship to Corporate Priorities

- 4.1 This report supports the Council's Corporate Priorities as follows:
 - (i) Adhering to the Regulator's requirements to produce an Annual Report will assist Housing Services in helping to achieve the Council's 'Responsible Council' priority by delivering Council services that are customer centred and accessible - providing customers information on our performance for the year - and to be accountable for our performance and actions.

5 Report Detail

5.1 Registered providers of social housing in England must meet regulatory standards set by the Regulator of Social Housing. The standards are classified as either economic or consumer. The economic standards do not apply to local authorities. The current four consumer standards that the Council are required to meet are:

- Neighbourhood and Community Standard
- Safety and Quality Standard
- Tenancy Standard
- Transparency, Influence and Accountability Standard (including Tenant Satisfaction Measures)

5.2 The Transparency, Influence and Accountability Standard requires the provision of timely and relevant performance information to support effective scrutiny by tenants of their landlord's performance. Registered providers must provide tenants with accessible information about how they are performing in delivering landlord services and what actions they will take to improve performance where required, how they have taken tenants' views into account to improve landlord services, information and communication and how income is being spent.

5.3 The Standard also requires the Council to annually publish their performance against the tenant satisfaction measures. This was previously done on the website at the dedicated webpage

www.cannockchasedc.gov.uk/residents/housing/tenant-and-resident-engagement/tenant-satisfaction-measures-and-performance.

However, we need to ensure that the information is accessible and received by all tenants, therefore is included in the Annual Report, attached as Appendix 1.

5.4 The Annual Report must be circulated to all tenants. As a result, a copy will be placed on the Council's website and hard copies will be delivered to tenants in conjunction with the next Newsletter edition, which is hoped to go out before the end of December 2024. The cost of these actions can be accommodated within agreed budgets.

5.5 It is therefore recommended that the 2023 - 24 Housing Services Annual Report (attached as Appendix 1) is agreed for publication on the Council's website and circulated to tenants.

6 Implications

6.1 Financial

There are no financial implications arising directly from this report. All costs associated with compiling the Annual Report have already been met from existing budgets.

Any costs arising from recommendations contained within the draft Annual Report can be met from within existing budgets.

Delivery of the Annual Report to tenants can also be met from within existing budgets. It will be delivered alongside the Winter newsletter so costs are kept to a minimum m.

6.2 Legal

There are no direct legal implications arising from this report save the Council's statutory duty to issue an annual report in accordance with the regulatory framework.

6.3 Human Resources

None

6.4 Risk Management

The Regulatory framework requires the Council to publish performance information as included in an Annual Report. Failure to do so will be a breach of the framework.

6.5 Equalities and Diversity

Copies of the Annual Report will be provided in a variety of formats including audio and large print on request.

6.6 Health

None

6.7 Climate Change

None

7 Appendices

Appendix 1: 2023-24 Housing Services Annual Report to Tenants.

8 Previous Consideration

Tenant Services Authority Briefing Paper	Housing Policy Development Committee	24 February 2009
Consultation on the Housing and Regeneration Act 2008 (Registration of Local Authorities) Order 2009	Cabinet	17 September 2009
Consultation on the TSA Consultation - A New Regulatory Framework for Social Housing in England	Cabinet	21 January 2010

Item No. 7.4

Housing Services – Annual Report

Cabinet

16 September 2010

15 September 2011

20 September 2012

19 September 2013

18 September 2014

17 September 2015

20 October 2016

19 October 2017

8 November 2018

17 October 2019

10 December 2020

3 February 2022

26 January 2023

09 November 2023

9 Background Papers

None

Contact Officer: James Morgan

Telephone Number: 01543 464 381

Ward Interest: None

Report Track: Cabinet: 24/10/24

Key Decision: No



Annual Report for Tenants

2023/24



Introduction

Welcome to our Annual Tenants Report for the financial year 2023-2024. This report serves as a comprehensive overview of our performance over the past year, providing you with essential information on how we have managed our responsibilities as your housing provider.

At the heart of our service is a commitment to transparency and accountability. By sharing detailed insights into our performance, we aim to keep you well-informed about the progress we've made, the challenges we've faced, and the steps we're taking to improve your living experience.

The report includes information about how we invest in homes, repair and improve them and respond to the issues and complaints that you raise. It will tell you how the rent that we collect is used to maintain and raise the quality of council homes in the District.

We believe that your feedback is invaluable, and we have listened closely to your concerns and suggestions over the past year. We have also received feedback from external auditors who have challenged us to improve in specific areas - and you can find out more about our plans going forward on page 18.

The initiatives and changes reflected in this report are a direct response to the conversations we've had with you, and the recommendations from the auditors, ensuring that we are meeting your needs effectively and sustainably.

As we review the past year, we also look forward to building on these foundations in the year ahead. Our focus remains on delivering high-quality, reliable services while fostering a strong, collaborative relationship with our tenants.

We hope you find this report informative and that it gives you a greater insight into the work that we do for the benefit of all our tenants and leaseholders.



Cllr Sue Thornley

Portfolio Holder
for Housing



Nirmal Samrai

Head of Housing and
Corporate Assets

Quality Homes

We will be undertaking a stock condition survey during 2024/25 to determine exactly where we need to improve homes. We will continue to improve the quality of the Council's housing stock for the benefit of our tenants by ensuring that we continue to meet and exceed the Decent Homes standard.



Support and Engagement

We will make the best use of our stock, provide tenancy sustainment support, promote the provision of suitable accommodation, and provide information and advice to prevent and reduce homelessness. We will improve our engagement with tenants, leaseholders and other customers with a new Resident Involvement Strategy for 2024-27.



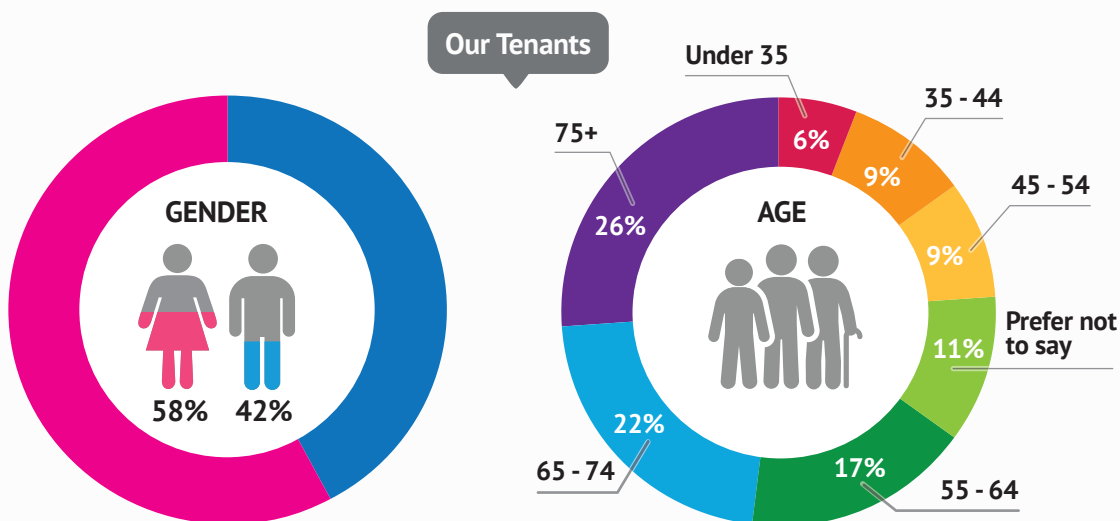
New Homes

We will continue working towards delivering further new council homes over the coming years using the Housing Investment Fund. A site in Rugeley on the former Aelfgar school site is currently progressing for start on site in Autumn 2024 and will deliver 58 homes comprising of 29 Council homes for rent and 29 for outright sale by Spring 2026/27.



Understanding and responding to your needs

Tenant Profile (from STAR survey 2023, based on lead respondent/main tenant)

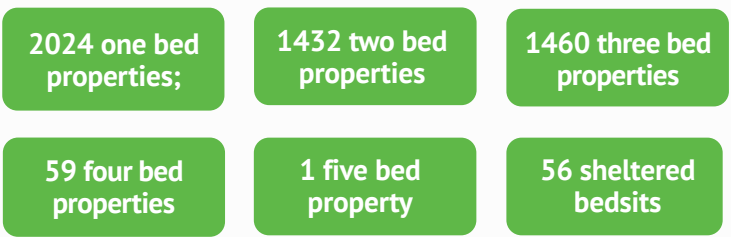


During 2023/24 we received around 28,000 calls through the Contact Centre on Housing related matters and 1,200 visits to the Council offices.

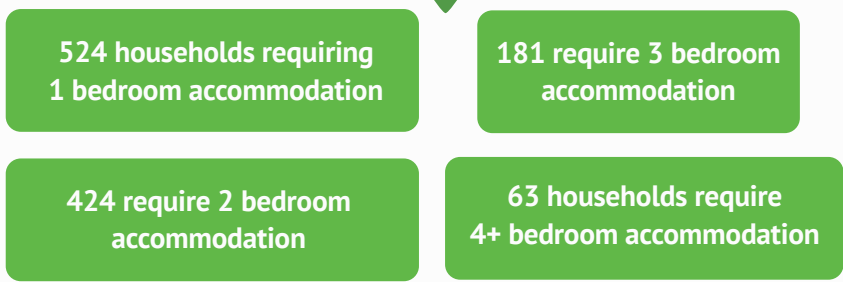
This is a decrease on last year for calls, but a slight increase in physical visits - perhaps shifting back slightly towards pre-pandemic customer interactions with more face to face interaction. We understand that some customers still want face to face interaction and we have maintained that offer and are continuing to work on improving our service to you.



The Council has 5032 properties for rent (as at 31/03/2024)



Tenants have on average held their tenancies for **13 years 5 months** (slightly higher than last year, so we are retaining tenancies longer). According to our records the longest tenancy held is an incredible **70 years!**



We have 296 leasehold properties.



We also manage 790 garages, of which 379 were occupied.



(as at 31/03/2024)

Complaints, Compliments and Feedback

Total complaints/service requests received - **259**

Stage 1 - **36**

Stage 2 - **7**

MP enquiries - **113**

Service Requests - **103**

Only **one** complaint was considered by the Ombudsman, however it was not taken on as it was not within the Ombudsman's jurisdiction.



Stage 1 Complaints by Service Area

Repairs and Maintenance - **15**

Housing Property Services - **10**

Allocations - **5**

Neighbourhoods - **5**

Rents - **1**

Complaints upheld

26 Stage 1 Complaints were upheld (fully or partially) - **72%**

Four Stage 2 complaints were upheld (fully or partially) - **57%**

Complaints escalated to Stage 2

Allocations - **3**

Repairs and Maintenance - **2**

Housing Property Services - **1**

Neighbourhoods - **1**

Response times

83% of Stage 1 Complaints were responded to within 10 working days.

100% of Stage 2 Complaints were responded to within 20 working days.

More information about our complaints procedure is available at:
www.cannockchasedc.gov.uk/residents/housing/housing-complaints-and-compliments

What we learned from the complaints received and what we did: Item No. 7.10



You said: “Worker turned up with no notice given.” - Mr J, Norton Canes



What we did: We now ensure that all tenants receive a text message notification prior to their appointment. The message gives confirmation of the appointment date and time, and an option to re-arrange the appointment if inconvenient.



You said: “Please consider doing the work earlier than February as I suffer with health conditions including COPD” - Mr L, Rugeley



What we did: We enquired with our Housing Repairs Team if this could be possible but due to the complexity of the works, the date could not be brought forward. However, we did complete a bio-check at the property which was a suitable temporary measure before the full works commenced. More importantly, the tenant was put at ease knowing his health was not at risk and he then submitted a compliment to our Repairs Team for the works carried out.



You said: “We are unhappy with the length of time taken for bathroom and kitchen upgrades to be completed, that the communication from the contractor and the Council was not good enough, and the finished work was not good enough.” - Several tenants.



What we did: We met with the Contractor at senior management level and expressed our concerns. Regular senior management strategic meetings take place to monitor performance now. The contractor changed its contract management team, introduced a Customer Liaison Manager position and reminded its staff about good customer care, communication and providing a high quality finish.



You said: “My housing application was not processed correctly and you did not answer my queries or follow-up on them.” - Ms G, Hednesford



What we did: We need to be sure to understand customer enquiries better and construct replies in a clear and understandable way, from the customer perspective. We reviewed the process as part of a wider Allocations process review, and made changes to the Policy to clarify the matter. Managers reinforced aspects of customer service with the team and performed sample checks of customer correspondence to ensure responses were clear.

A more detailed report on our complaints performance was presented to Cabinet on 12th June 2024 and can be accessed from www.cannockchasedc.gov.uk/council/meetings/agendas-reports-minutes/cabinet/2024-06-12

Compliments

As well as complaints, we also record compliments from tenants. Over the past year we have received over 65 compliments from tenants.

“
We would like to thank your maintenance team for their prompt help today. Two very polite men turned up and addressed the problem. Thank you again.

Mr & Mrs B”

“
I want to thank the council for completing my wet room for me. I really appreciate it and I am very pleased.

Mr B”

“
The Neighbourhoods Officer assisted me throughout the whole process, I am very appreciative of all the work that she has done for me.

Mr M”

“
The Council have been very courteous to me and my husband in the very short time since we became tenants. They have always helped us with everything, no complaints about being a Council tenant. Thank you ALL!

Mrs P”

“
Please pass on my appreciation for all of the extremely kind support received from your Housing Team, who provided critical advice and information during a stressful and upsetting time. You have a great team!

Ms C”

“
A sincere thanks and appreciation to all the repairs operatives that have attended my property during the first 12 months of my tenancy. All of the operatives have been polite, courteous, and respected the property.

Mrs B”

On 1 April 2024 the Regulator of Social Housing (RSH) launched revised standards for social housing. These new Consumer Standards for social housing providers, like the Council, aim to ensure you have a safe, secure, and well-maintained home with clear communication and support from your landlord.

What are the Consumer Standards?

There are 4 key standards:

- 1 Safety and Quality Standard:** This ensures your home is safe, well-maintained, and meets basic needs for warmth, dryness, and functionality. We will conduct regular checks, handle repairs promptly, and keep you informed.
- 2 Transparency, Influence and Accountability Standard (including Tenant Satisfaction Measures):**
We will treat you with respect, involve you in decisions, and be open about our performance. You'll have access to all tenancy information and a clear process for raising concerns.
Tenant Satisfaction Measures (TSMs): This system allows you to assess our performance in meeting the other standards. TSM results are published on the website, social media and newsletters, with clear explanations and videos. See page 10 for more details.
- 3 Neighbourhood and Community Standard:** We will work with local partners to create safe and well-maintained neighbourhoods, including addressing anti-social behaviour and supporting victims of domestic abuse.
- 4 Tenancy Standard:** We will offer fair tenancy procedures, support you in maintaining your tenancy, and provide guidance if you need to leave your home. We will also facilitate home swaps if desired.

What does this mean for you?

These standards aim to empower you as a tenant and ensure you have a positive experience living in a Cannock Chase Council property. You can expect better communication, improved service delivery, and a focus on creating safe and secure communities.

Impact on Cannock Chase Council

Local authorities have tried to prepare for this by ensuring their policies and procedures comply with these new provisions, including accurate and up to date record keeping, and comprehensive stock condition information.

Landlords must also establish the most appropriate methods for their tenants to communicate with them to ensure tenants have an effective opportunity to have their say.

We are classed as a large provider with more than 1,000 properties. That means we will be subject to a full inspection by the regulator, who plan to inspect providers every 4 years. The Regulator inspects each landlord on how they meet the required standards and has the authority to take actions against any social housing landlord who fails to do so.

More information about the Regulator of Social Housing and the role they play in supporting tenants visit www.cannockchasedc.gov.uk/residents/housing/regulator-social-housing and in more detail at: www.gov.uk/government/organisations/regulator-of-social-housing

Housing Services carried out a general satisfaction survey for housing tenants and leaseholders last year. This has become known as the Tenant Satisfaction Measures (TSM) Perception Survey and will now be undertaken each year.



The TSM perception survey results provide information around tenants' perceptions of the Council's housing service delivery to support effective scrutiny by tenants of our performance in managing their homes and neighbourhoods. The results are reported to the Regulator of Social Housing as part of their regulatory standards that all Registered Providers of Social Housing (including Local Authorities like Cannock Chase Council) are required to adhere to.

More information visit www.cannockchasedc.gov.uk/residents/housing/tenant-and-resident-engagement/tenant-satisfaction-measures-and-performance

In addition to the perception measures, the Council must also collect management performance measures, these have been collected and monitored over the last year and at year end 23/24 were as follows:

Tenant Satisfaction Measures 2023/24		Year End
CH01	Stage one complaints received per 1,000 homes during the reporting year.	7.15
	Stage two complaints received per 1,000 homes during the reporting year.	1.39
CH02	Proportion of Stage one complaints responded to within the Housing Ombudsman's Complaint Handling Code timescales (10 days)	83%
	Proportion of Stage two complaints responded to within the Housing Ombudsman's Complaint Handling Code timescales (20 days)	100%
NM01	Number of ASB cases opened per 1,000 homes by or on behalf of the registered provider during the reporting year.	9.94
	Above, of which involve hate incidents.	0.79
RP01	Proportion of homes that do not meet the Decent Homes Standard at year end.	0.28%
RP02	% of emergency repairs completed within provider timescales ¹	100%
	% of non-emergency repairs completed within provider timescales ²	82%
BS01	Proportion of homes for which all required gas safety checks have been carried out.	100%
BS02	Proportion of homes for which all required fire risk assessments have been carried out.	100%
BS03	Proportion of homes for which all required asbestos management surveys or re-inspections have been carried out.	100%
BS04	Proportion of homes for which all required legionella risk assessments have been carried out.	100%
BS05	Proportion of homes for which all required communal passenger lift safety checks have been carried out.	100%

¹ Emergency repairs completed within 24 hours

² Non emergency repairs: P2 (Urgent Repairs) completed within 3 working days; P3 (Essential Repairs) completed within 5 working days; and P4 (Routine Repairs) completed within 38 working days. See Repairs Handbook for more details.

Tenants Satisfaction Measures 2024/25

In the last Annual Report we presented the 2023/24 perception measures survey results, which are also available on the website. We can now bring you the early findings from the 2024/25 perception survey and comparison with last year's results.

		2023/24	2024/25
TP01	Proportion of respondents who report that they are satisfied with the overall service from their landlord.	76.4	77.1
TP02	Proportion of respondents who have received a repair in the last 12 months who report that they are satisfied with the overall repairs service.	75.6	78.2
TP03	Proportion of respondents who have received a repair in the last 12 months who report that they are satisfied with the time taken to complete their most recent repair.	72.3	69.7
TP04	Proportion of respondents who report that they are satisfied that their home is well maintained.	73.7	76.1
TP05	Proportion of respondents who report that they are satisfied that their home is safe.	80.6	80.1
TP06	Proportion of respondents who report that they are satisfied that their landlord listens to tenant views and acts upon them.	58.4	58.2
TP07	Proportion of respondents who report that they are satisfied that their landlord keeps them informed about things that matter to them.	65.3	66.4
TP08	Proportion of respondents who report that they agree their landlord treats them fairly and with respect.	75.5	75.8
TP09	Proportion of respondents who report making a complaint in the last 12 months who are satisfied with their landlord's approach to complaints handling.	41.5	48.8
TP10	Proportion of respondents with communal areas who report that they are satisfied that their landlord keeps communal areas clean and well maintained.	64.4	65.6
TP11	Proportion of respondents who report that they are satisfied that their landlord makes a positive contribution to the neighbourhood.	54.4	62.0
TP12	Proportion of respondents who report that they are satisfied with their landlord's approach to handling anti-social behaviour.	53.4	55.2

More details and analysis will be made available on the website:
www.cannockchasedc.gov.uk/residents/housing/tenant-and-resident-engagement/tenant-satisfaction-measures-and-performance

Support for Tenants

Support with Jobs and Training Opportunities

We are excited to announce a new initiative aimed at supporting people in their journey towards employment and personal development. As part of our Resident Involvement Strategy lies a commitment to not just providing engagement opportunities, but also empowering our tenants and residents with the skills and opportunities to prosper.

Whether you're just starting out in employment, or looking to return to work, our Resident Engagement Officer is available to assist you. In partnership with local providers, we can offer you courses in CV writing and interview preparation sessions to ensure you're ready to put your best foot forward.

In addition to this, we regularly collaborate with local employers who are keen to recruit from within our community. Through local job fairs and networking events, you'll have the chance to connect directly with potential employers, giving you a head start in securing your next role.



How to Get Involved

If you're interested in taking advantage of these opportunities, we encourage you to get in touch with our Resident Engagement Officer. They can provide more information on upcoming events, training schedules, and how to access personalised job support.

**Don't miss out -
take the first step
towards your new
career today!**

For more information call **01543 462621** or
email Residentengagement@cannockchasedc.gov.uk

Repairs during 2023/24

12,722 repairs (both emergency and non-emergency) were completed in 2023/24



100% of emergency repairs were completed within 24 hours

The average time taken to complete non-emergency repairs was **15.18 working days**

The average time taken to complete all repairs was **16 calendar days**

The total cost of maintenance and repairs during 2023/24 was **£7.5m**

99.72% of our homes meet the decent homes standard (excluding where tenants have refused remedial work).

During 2023/24 we continued our monthly repairs satisfaction surveys sent to a random selection of tenants who had required a repair job to be completed during the previous month. We have found that:



87% were satisfied with the quality of the work

82% were satisfied overall with the service they received

78% were satisfied the repair was done right first time

Whilst we carried out all of the emergency repairs within 24 hours and our overall satisfaction is relatively high, we have unfortunately not managed to maintain the level of performance from last year. There has been an increase in repair requests, alongside an increase in disrepair claims which has increased the need to comply with legal processes that takes up staff time. This has reduced our capacity to respond to 'day-to-day non urgent' repairs as quickly as we would normally and has increased the time taken to complete repairs, and ultimately impacted on your satisfaction levels. Measures are being put in place to rectify this and return with a better performance for 2024/25.

Improving the homes our residents live in



723 properties received electric upgrading works (wired in smoke detectors and provision of additional sockets)



214 properties benefitted from a central heating upgrade



170 properties benefitted from disabled facilities work (safe WC and showering, alterations to rooms; heating and power improvements; safety related works)



457 properties had bathroom upgrades

377 properties had kitchen upgrades

These capital programme improvements cost £7.2m

There were 22 disrepair claims brought to the Council during 2023/24 and these do take up a lot of time and money. 19 of the 22 were resolved and 3 have rolled over into 2024/25. Of the 19 resolved cases, 8 were proven and cost the service over £40k.



There were also 11 further cases which were submitted, but these were withdrawn as the cases were disproved due to a lack of disrepair evidence, or tenants ceasing to communicate/engage with us. As a result of these disrepair cases being disproved, we have saved approximately £55k.

In disrepair cases, for most tenants involved, the claim only slows the repairs process down. We believe that some of these solicitors and law firms may advise tenants to refuse access for repairs, which delays the repair being completed and could cost tenants money. In many cases, tenants may be liable to pay court costs even on a no-win, no fee basis. We have received reports of a number of firms operating in the area and touting for business with letters and phone calls. Please speak with our staff if you have any concerns before 'signing up' to a lengthy legal process that may not deliver what is promised.

If you have any outstanding repairs then in the first instance it is essential you call **01543 462621** to report these to the Housing Maintenance service who will raise the repair and get you booked in.

Repairs can be resolved much quicker this way and the cost of involving law firms means that the money you pay in rent is directly being paid to these firms for repairs that would have been completed if they were reported anyway. It also means other repairs and improvement work cannot be completed as the time and money is spent on dealing with disrepair claims.

If you are dissatisfied with any housing or repairs service you have received, or feel that you are entitled to compensation, there are a number of options available to you, both informal and formal. Our complaint procedure allows tenants to raise concerns and request that the service 'makes it right'. Tenants can log complaints by phone, in writing, by email or through the website at www.cannockchasedc.gov.uk/council/about-council/customer-feedback-help-us-get-it-right

More information is available at: www.cannockchasedc.gov.uk/residents/housing/housing-complaints-and-compliments

The Repairs Handbook is a useful guide for tenants that provides information on repairs, maintenance and safety within your home. A copy of the handbook can be downloaded from our website, by visiting www.cannockchasedc.gov.uk/residents/housing/maintenance-and-repairs/how-report-repair

Repairing Empty Homes (Voids)



We know our performance in turning around void properties has improved, but we still want to drive down the time it takes to relet properties further. We've made changes and are continuing to implement our Improvement Plan that includes a number of actions that we know will further speed up the process for repairing and re-letting our properties.

Your Rent

Taking into account the reduced inflation rate, Government guidance and the need to continue to improve our services to you, we increased your rent by 7.7% in April 2024. This was the rate of inflation (6.7%) in September 2023, plus 1%.

Current tenants were in arrears to the amount of **£198,536** at the end of the financial year. Those tenants in arrears were behind with their payments by an average **£213.71**.



Your average rent in 2023-24 was **£86.61 per week**.



We received **£21,584,396** in dwelling rent income during the year.



Unfortunately we evicted **8** households as a result of their rent arrears.

Support with heating this winter

Are you struggling with heating bills this winter? Then don't struggle in silence. Beat The Cold are here to help you with debt and to support with the cost of living. Our Neighbourhood Officers can refer you or you can refer yourself by visiting www.beatcold.org.uk/



87% of respondents to our monthly new lettings satisfaction survey said they were satisfied with the lettings and allocations process

40 Anti-Social Behaviour cases were investigated, of which **35** were closed as successfully resolved, with only **5** being closed unresolved.



We recovered **12** abandoned properties

Lettings 2023/24



98% of tenancies granted in the last two years lasted for more than 1 year, which shows our proactive approach to tenancy sustainment.



195 tenants received a new tenancy visit and **101** tenants were assisted by the tenancy sustainment service.



145 introductory tenancies were sustained for 12 months.

272 properties let throughout 2023/24, of which:



177 lettings were made to new social housing tenants.



78 lettings were to existing social housing tenants.



17 mutual exchanges took place during 2023/24.

Resident Engagement

Following the appointment of a dedicated Resident Engagement and Insight Officer at the start of 2024 and with the help of residents, we have now developed our Resident Involvement Strategy. We have developed six key aims for how we will engage with our tenants throughout the next three years.



How are we doing so far
(From April 2024 until December 2024):



Consultation with Tenants and Leaseholders

9 consultations

404 consultees



Home Newsletters

2 sent out in 2023/24

3 planned for 2024/25



Community Events

16 community events

258 Tenants

Social Media Interaction

8 Posts



For more information visit www.cannockchasedc.gov.uk/tenantparticipation if you would like to get more involved with Housing Service or have your say, then please email residentengagement@cannockchasedc.gov.uk

Looking forward to 2024/25

We will build on our resident engagement offer and look forward to working with you much more closely. The new Resident Engagement and Insight Officer and our new Resident Involvement Strategy and action plan will deliver positive change in this area.

We will continue improving and maintaining the quality of our housing stock beyond the Decent Homes Standard, and in order to better inform us as to where we need to focus stock improvements will be undertaking a Stock Condition Survey during 2024/25, so we may be surveying your property soon.

We will be sending out letters in the near future with more details about the Stock Condition Survey and your co-operation would be very much appreciated, when your home is selected for survey.

We will continue to work to drive down the turnaround times of our empty homes (voids) to reduce the time incoming tenants have to wait for a property to be ready and subsequently reduce our rent loss due to empty homes. We will continue to deliver safe, clean and tidy homes that are decent and conform to our lettable standard.

We will ensure we are compliant with the Social Housing Regulator's Consumer Standards so that we improve the standards of social housing, make sure tenants get quality accommodation, have choice and protection, and can hold us to account.

We are also looking at re-opening the Housing bungalow reception towards the end of the year. This will provide a dedicated reception area for tenants and other housing customers to visit us in person, which will improve our service offer to you.

We are working hard to put service improvements in place, we are listening to your views, learning from complaints and feedback, and aim to engage more closely with you to better provide the housing services you need and want.

Looking further ahead, we will be introducing a new Housing Board to ensure that the wider diverse voice and experience of tenants and leaseholders is considered and heard before the Council makes decisions about housing policies and strategies.



Nirmal Samrai

Head of Housing and
Corporate Assets

In 2024/25 your rent has been increased by 7.7% in accordance with Government's rent policy, so average rents per week in 2024/25 will be approximately:



1 bed =
£81.98



2 bed =
£93.63



3 bed =
£98.23



4 bed =
£109.09

Housing Revenue Account Budget 2024/25

£24.56m

£24.07m

HRA Income
2024/25

HRA Expenditure
2024/25

HRA Capital Programme - proposed spend for 2024/25

Kitchen Replacements	£2,175,000
Bathroom Replacements	£2,064,000
Disabled Facilities Work	£618,000
Central Heating Replacements	£1,002,000
Electrical Upgrades	£557,000
Replacement of Social Alarms	£141,000
Replacement of Vehicles	£421,000
Sheltered Schemes Improvement Works, Lift Replacements and Door Entry	£541,000
Electrical Inspection Condition Report	£323,000
External/Environmental Works	£147,000
New Affordable Housing (Aelfgar Site)	£3,300,000
Demolition of Garages	£16,000
Right to Compensation	£25,000
Communal Block Door Entry System	£109,000
Other Costs and Contingencies	£125,000
Total	£11,564,000



Contact us

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www.cannockchasedc.gov.uk
email serviceimprovements@cannockchasedc.gov.uk

 Search for 'Cannock Chase Life'  @CannockChaseDC  @CannockChaseDC

Gambling Act 2005 - Statement of Principles

Committee:	Cabinet
Date of Meeting:	24 October 2024
Report of:	Head of Regulatory Services
Portfolio:	Environment & Climate Change

1 Purpose of Report

- 1.1 To consider and recommend for adoption Cannock Chase District Council's revised Statement of Principles (Policy Statement) in respect of functions under the Gambling Act 2005 (the Act), following consultation on statutory review. The next review is due by January 2025.

2 Recommendations

- 2.1 That Cabinet recommend to Council that the Statement of Principles (Policy Statement) at Appendix 1 be adopted;
- 2.2 That the Head of Regulatory Services be authorised to make any amendments to the Policy Statement required due to changes in legislation or government guidance and minor variations to the Policy in the interests of operational efficiency.

Reasons for Recommendations

- 2.3 Cabinet is asked to approve and recommend for adoption the Policy Statement in order to ensure that the Council complies with its statutory responsibilities under the Act.
- 2.4 Authorising the Head of Regulatory Services to make amendments to the Policy Statement is in the interests of operational efficiency.

3 Key Issues

- 3.1 The Gambling Act 2005 came into effect on 1 September 2007. Section 349 of the Act requires the Council to prepare and consult on a Policy Statement setting out the principles the Council will apply in exercising its functions under the Act. The Act requires a review of the Policy Statement every three years.
- 3.2 The revised Policy Statement has been developed having regard to the Gambling Commission's revised *Guidance to Licensing Authorities* last updated in April 2023 and has been subject to a consultation process.
- 3.3 A summary of the changes made to the made to the Policy Statement prior to consultation is attached to this report as Appendix 2.
- 3.4 The Council's Licensing Unit received two responses to the consultation process but neither response required amendment to the final policy document.

4 Relationship to Corporate Priorities

4.1 The Policy Statement sets out how the Council will exercise its functions under the Act. The implementation of The Policy Statement and associated Environmental Health Enforcement Policy contributes to the Council's "Economic Prosperity and Health & Wellbeing priorities through:

- Implementing risk-based, proportionate regulation;
- Ensuring high standards of regulatory compliance;
- Tackling non-compliant businesses, so these do not gain unfair competitive advantage;
- Preventing gambling from becoming a source of crime and disorder, being associated with crime and 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.

5 Report Detail

5.1 The Gambling Act 2005 (the Act) came into effect on 1 September 2007 and contains the regulatory system to govern the provision of all gambling in Great Britain, other than the National Lottery and online betting.

5.2 The Gambling Commission (the Commission) is the unified regulator for gambling in Great Britain. The Commission has responsibility for granting operating and personal licences for commercial gambling operators and personnel working in the industry. It also regulates certain lottery managers and promoters.

5.3 Licensing authorities license gambling premises within their area, as well as undertaking functions in relation to lower stake gaming machines in clubs and miners' welfare institutes. In England and Wales local councils have these responsibilities.

5.4 The Council will carry out its functions under the Act and will aim to permit gambling in accordance with the three licensing objectives set out at Section 1 of the Act. The expectation is that gambling premises will ensure that the licensing objectives are met. The three licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime 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 Policy Statement explains in detail how the Council will ensure that licensed premises promote these objectives.

5.5 Section 349 of the Act requires the Council to prepare and consult on a Policy Statement and to review the approved, adopted document every three years to ensure its effectiveness in meeting the objectives of the Act.

5.6 A draft revised document was consulted on between 31 May 2024 and 30 June 2024. Every effort was made to bring it to the attention of everyone with an interest in gambling matters. A link on the Council's website also brought it to the attention of the wider public with details of how they could comment on it.

5.7 The Council's Licensing Unit received two responses to the consultation process. One response sought clarification on compliance and enforcement matters and the second response offered advice on harmful gambling. Neither response requires amendment the final policy document.

6 Implications

6.1 Financial

None identified; the fees for processing and issuing all licences are currently set by the Government.

6.2 Legal

The revised Policy ensures the Council discharges its statutory licensing functions effectively and that decisions made by Officers and Members are transparent, proportionate and comply with Human Rights and Equalities legislation. The policy provides assurances that decisions made are able to withstand challenge and scrutiny by outside bodies including the Courts.

6.3 Human Resources

None

6.4 Risk Management

The Policy ensures the Council is able to effectively discharge its statutory licensing functions. Failure to regularly review the Licensing Act Policy could leave the Council open to challenge or sanctions.

6.5 Equalities and Diversity

None. An Equality Impact assessment has been carried out for the Policy. The Policy Document will be made available in large print, Braille and as an audio version, on request.

6.6 Health

The policy confirms that the Council is committed to a Health in All Policies (HIAP) approach. This will help identify how best to tackle the health inequalities within our District and ensure that all our policies and services include consideration of the health impact that can be made.

6.7 Climate Change

None

7 Appendices

Appendix 1: Revised Statement of Licensing Policy

Appendix 2: Summary of changes to the Policy Statement prior to consultation

8 Previous Consideration

Review of Gambling Act, Statement of Principles	Council	28 November 2018
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Review of Gambling Act, Statement of Principles	Council	15 December 2021
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9 Background Papers

Guidance to Licensing Authorities , Gambling Commission, published April 2021 and amended in April 2023, available at:

www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities

Contact Officer: David Prosser-Davies

Telephone Number: 01543 464202

Ward Interest: All

Report Track: Cabinet 24.10.24 Council 04.12.24

Key Decision: No



CANNOCK CHASE DISTRICT COUNCIL

GAMBLING ACT 2005
STATEMENT OF PRINCIPLES

January 2025

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Contact details:

Licensing Unit, Civic Centre, Beecroft Road, Cannock, Staffordshire, WS11 1BG.
Phone: 01543 464244.

Email: licensingunit@cannockchasedc.gov.uk

POLICY AMENDMENT RECORD

Amendment No.	Date of Amendment	Revision made
1.	January 2019	3 year revision as required by the legislation and the introduction of the Local Area Profile and Local Risk Assessment.
2.	January 2022	Minor changes made during the 3 year revision required by legislation.
3.	January 2025	3 year revision as required by the legislation. Update to weblinks and statistical information related to the local population. Changes to small society lotteries and mention of the potential for a cumulative impact assessment of gambling premises.

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PART A – THE GAMBLING ACT 2005**1. The Licensing Objectives**

- 1.1 Under the Gambling Act 2005 (the Act), Cannock Chase District Council is the Licensing Authority. The Council licenses premises for gambling activities as well as granting various other gambling permits. In this document, unless otherwise stated, any references to the Council are to Cannock Chase District Council.
- 1.2 The Gambling Commission issues operators' licences and personal licences. Any operator wishing to provide gambling at certain premises must have applied for the requisite operators' licence and personal licence from the Gambling Commission before they approach the Council for a premises licence.
- 1.3 The Council is responsible for licensing premises where gambling activities are to take place. We are also responsible for a number of other matters which are listed in paragraph 12.1 below.
- 1.4 The Council will carry out its functions under the Act and will aim to permit gambling in accordance with the three licensing objectives set out at Section 1 of the Act. The expectation is that gambling premises will ensure that the licensing objectives are met. The three licensing objectives are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or being used to support crime;
 - Ensuring that gambling is conducted in a fair and open way;
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.5 More information on the licensing objectives can be found in Parts B and C of this document. It should be noted that the licensing objectives do not include ensuring public safety or the prevention of public nuisance.
- 1.6 When making decisions about applications for premises licences, the Council is bound by, and committed to, a statutory aim to permit gambling insofar as it thinks that any application is made:
- In accordance with any relevant Code of Practice issued by the Gambling Commission;
 - In accordance with any relevant guidance issued by the Gambling Commission;
 - Reasonably consistent with the licensing objectives; and
 - In accordance with the Council's Statement of Principles.
- 1.7 The licensing authority would emphasise that moral or ethical objections to gambling are not valid reasons for the rejection of premises licences applications.

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2. Introduction and Consultation Process

- 2.1 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions under the Act.
- 2.2 The Council consulted widely on the Statement of Principles before finalising and publishing. The list of those consulted during the 2024 consultation exercise is provided within paragraph 2.4 below.
- 2.3 The Council will continue to monitor the effectiveness of this policy and will consider changes to the policy in the light of any new legislation and/or developments affecting the local area. It will consult with stakeholders at the time it is considering any such changes. The Council must review and publish its statement of principles at least every 3 years.
- 2.4 List of persons and agencies consulted by this authority:
- Staffordshire Police
 - Staffordshire Social Services
 - Current licence holders and trade associations
 - Staffordshire County Council Trading Standards
 - Representatives of local businesses
 - Local residents and their representatives
 - Town and Parish Councils
 - Local Member of Parliament
 - National bodies representing the gambling trade
 - National charities concerned with the social impact of gambling
 - Representatives of existing licence holders
 - Community Safety Partnership
 - Director of Public Health
 - CCDC councillors, officers and departments
- 2.5 The Statement of Principles consultation process took place between 31 May 2024 and 30 June 2024 and followed the Cabinet Office Guidance on Consultation Principles March 2018. This document is available at: <https://www.gov.uk/government/publications/consultation-principles-guidance>
- 2.6 The Council approved and adopted this Statement of Principles at full Council on 4 December 2024. The finalised document is published on the Council's website at: www.cannockchasedc.gov.uk
- 2.7 The finalised document will also be available at the Civic Centre in Beecroft Road, Cannock, Staffordshire, WS11 1BG.

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3. Exchange of Information and Data Protection

- 3.1 Licensing authorities are required to include in their policy, the principles which are to be applied to the exchange of information between it and the Gambling Commission, as well as other persons listed in Schedule 6 to the Act. It may also share information with other bodies responsible for auditing or administering public funds for these purposes, e.g. UK National Fraud Initiative.
- 3.2 The information that you have provided will be used by Cannock Chase Council, who are the data controller, to allow us to carry out our statutory obligations in relation to the administration, compliance and enforcement of the licensing function within the District. We will only share your information with agencies involved in licence processing or licensing enforcement where the law requires or permits us to do so. For further information, please see:
<https://www.cannockchasedc.gov.uk/council/about-council/data-protection/data-protection-privacy-notice>

4. Equality and Diversity

- 4.1 Through policies and service delivery, the Council's main aims for ensuring equality and diversity are to:
- Eliminate unlawful discrimination
 - Promote equality of opportunity
 - Promote good relations between diverse communities

5. Crime and Disorder Act 1998

- 5.1 Under section 17 of the Crime and Disorder Act 1998 the Council is under a statutory duty to do all that it can to prevent crime and disorder within its area and is mindful of concerns over the use of licensed premises for criminal activity, for example money laundering and drug dealing.
- 5.2 The Council will work in partnership with licence holders, local businesses, responsible authorities, councillors and local people with the aim of promoting the licensing objectives.

6. The Licensing Framework

- 6.1 The Gambling Act 2005 changed the way that gambling is administered in the United Kingdom. The Gambling Commission is the national gambling regulator and has a lead role in working with Central Government and local authorities to regulate gambling activity.
- 6.2 The Gambling Commission issues operators' licences and personal licences. Any operator wishing to provide gambling at certain premises must have applied for the requisite operators' licence and personal licence from the Gambling Commission before they approach the Council for a

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premises licence. In this way, the Gambling Commission is able to ensure that applicants have the correct credentials to operate gambling premises.

- 6.3 The Council's role is to ensure premises are suitable for providing gambling in accordance with the three licensing objectives and any Codes of Practice issued by the Gambling Commission. The Council also issues various permits and notices for smaller scale gambling.
- 6.4 The Council does not license large society lotteries, the National Lottery or remote gambling through websites. These are regulated by the Gambling Commission.

7. Local Area Profile

- 7.1 By means of the web links given in paragraphs 8.14 - 8.16 below OK, the Council has provided wide ranging information on the local environment which should be taken into account by applicants who should explain within their local risk assessments, how they will address these areas of local concern. These weblinks are reviewed and updated on a regular basis so as to reflect changes to the local landscape.
- 7.2 There is no statutory duty on the licensing authority to complete an area profile; however, it is felt that both new applicants and existing operators would benefit from having a greater awareness of the local area and its associated risks. Importantly, "risk" in this context includes potential and emerging risks as well as actual risk.
- 7.3 Cannock Chase District Council is situated in the administrative area of Staffordshire County Council. The County contains 8 District Councils in addition, Stoke-on-Trent is a Unitary Authority. The Council area has a population of approximately **100,500 residents across 43,500 households**. In terms of area CCDC covers 7,887 hectares (approximately 30 square miles).
- 7.4 The district is mainly rural with 60% of it classified as Green Belt. There are 3 main urban areas: Cannock, Rugeley and Hednesford. The district has high population density with 1,274 people per square kilometre. A map of the area is attached to this statement of principles.
- 7.5 Cannock Chase experiences a number of socioeconomic and health inequalities. **Office for National Statistics** Census 2021 data indicates that the district has the highest proportion of residents economically inactive due to long-term sickness or disability across Staffordshire, as well as the highest proportion of residents providing unpaid care.
- 7.6 Cannock Chase had the highest proportions of residents reporting that they had no qualifications in 2021 (22%) and the lowest proportions with diploma/degree level qualifications (23% and 22%) (**Office for National Statistics, Census 2021**).

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- 7.7 Health inequalities across the district disproportionately impact vulnerable residents. Rates for depression prevalence as well as hospital admissions for intentional self-harm and alcohol-related conditions were above the regional and national averages between 2021 and 2023. Deaths from drug misuse and suicide in Cannock Chase have also been above regional and national averages in recent years. [Public Health Outcomes Framework - OHID \(phe.org.uk\)](https://phe.org.uk)
- 7.8 Cannock Chase District Council currently has approximately 15 gambling premises licences. Most of these are betting facilities situated within the high streets of the 3 town centres; another quarter are adult gaming centres and a small number are bingo premises.
- 7.9 The Council will proactively engage with all Responsible Authorities as well as other organisations to ensure any new applications or applications to vary existing licences are assessed by taking the local area profile risks into account. Applicants should therefore consider how they will address these risks.

8. Local Risk Assessment

- 8.1 The Gambling Commission's Licence Conditions and Code of Practice (LCCP) formalise the need for operators to consider local risks.
- 8.2 The Social Responsibility (SR) code requires applicants to assess the local risk to the licensing objectives posed by the provision of gambling facilities at each of their premises. It also requires them to have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, applicants must take into account any relevant matters identified within this statement of principles.
- 8.3 Applicants are required to undertake a local risk assessment when applying for a new premises licence. Further, their risk assessment must also be updated:
- When applying for a variation of a premises licence.
 - To take account of significant changes in local circumstances, including any identified within this policy statement.
 - Where there are significant changes at a premises that may affect the mitigation of local risks.
- 8.4 The Council encourages operators to keep a copy of the local risk assessment (LRA) at the premises at all times. The LRA must be provided to the Council when applying for a new premises licence or for a variation to the existing premises licence. Upon such application, the Council will seek to condition premises licences to require operators to keep a copy of the LRA on the premises at all times.

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- 8.5 The risk assessment should set out measures the applicant has in place to address areas of local concern. In broad terms, the risk assessment should include reference to any specified local risk, how the operator intends to mitigate any risks identified and how the operator will monitor those risks.
- 8.6 There are no particular geographical areas where ethnic or cultural differences are considered to be of significance. There are however, areas of the District where socio-economic factors may need to be considered when drafting the local risk assessment. These factors are referred to within the materials referred to in paragraphs 8.14 to 8.16. ok
- 8.7 Over 60% of the District is green belt and therefore, the 3 town centres are the focal points for our local communities. Under the Rural and Urban Area Classification (2004) almost all of the Cannock Chase population live in an urban area (91%), compared with 81% nationally and 76% of Staffordshire.
- 8.8 As a result, the urban town centres contain the vast majority of gambling facilities which are licensed by the Council. Each town centre also contains a large concentration of premises which are licensed to sell alcohol as well as other amenities.
- 8.9 Applicants should note that there are post-16 education providers in close proximity to the town centres of Cannock, Rugeley and Hednesford. It may therefore, be appropriate for applicants to provide information on the line of sight within the premises as well as whether any door warning system or door supervision might be in place.
- 8.10 Cannock is our largest town centre with the largest night time economy. Cannock contains a large market square, a Hospital and a drug and alcohol rehabilitation centre. It is also more likely that homeless people will visit and/or migrate to Cannock as the town centre contains both the Council's Civic Centre and the Government Department of Work & Pensions Office.
- 8.11 This makes it more likely that Cannock town centre in particular will attract homeless people and those who might suffer mental health issues. The proximity of these vulnerable people to gambling facilities should not be encouraged. The local risk assessment should demonstrate how vulnerable people, including those with gambling dependencies, will be protected. Therefore, any application for the provision of gambling facilities within Cannock town centre may require enhanced safeguards around both entry and exclusion.
- 8.12 With these challenges in mind, The Council will expect applicants to have an understanding of the local profile and address the Council's concerns in respect of protecting children and other vulnerable people by ensuring that the licensing objectives are met.

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- 8.13 The web links below are links to external documents which are intended to assist applicants in obtaining a greater understanding of the challenges which the Council face.
- 8.14 Public Health England, Cannock Chase District, Health Profile can be viewed at: https://fingertips.phe.org.uk/profile/health-profiles/area-search-results/E07000192?place_name=Cannock%20Chase&search_type=parent-area
- 8.15 Public Health Outcomes Framework At A Glance Summary for Cannock Chase can be viewed here: [Public Health Outcomes Framework - at a glance summary \(phe.org.uk\)](#)
- 8.16 Information about Cannock Chase including demographics and profiles of smaller geographies within the district can be found via the Council's website here: [District Profile and Ward Profiles | Cannock Chase District Council \(cannockchasedc.gov.uk\)](#)
- 8.17 Having considered the information provided above, applicants should provide the licensing authority with the policies and procedures they have in place, which are designed to prevent underage gambling. These policies and procedures should also take account of the structure and layout of the particular premises as well as any training provided to staff.
- 8.18 Upon new application or application to vary a premises licence, operators will be required to provide the licensing authority with any compliance testing results which relate to the premises concerned.
- 8.19 With respect to preventing vulnerable people from gambling, applicants must demonstrate how they intend to ensure that the licensing objective is met. This might include providing details about their own self exclusion schemes and their intentions towards the Multi Operator Self Exclusion Scheme (MOSES). Relevant information can be found here: <https://self-exclusion.co.uk/>
- 8.20 Details should also be provided of what responsible gambling information is made available to customers. This should include information from organisations such as Gambleaware <https://about.gambleaware.org/> and GamCare <http://www.gamcare.org.uk/>
- 8.21 Further information should be provided which detail what controls are in place for challenging excluded persons from entering into the premises and what arrangements are in place for monitoring the use of fixed odds betting terminals (FOBT). More information can be found here: <https://www.gamblingcommission.gov.uk/>

9. Declaration

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- 9.1 This Policy Statement will not override the right of any person to make an application, make representations about an application or apply for a review of a licence; these applications will be considered on their own merits and according to the statutory requirements of the Gambling Act 2005.
- 9.2 In producing the finalised Statement of Principles, the Council declares that it will have regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission and any responses from those consulted on the Policy Statement.

10. Responsible Authorities

- 10.1 The Act allows certain agencies to act as Responsible Authorities. Responsible authorities are able to make representations about licence applications or apply for a review of an existing licence. Responsible Authorities may also offer advice and guidance to applicants.
- 10.2 The Council is required by legislation to state the principles it will apply to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:
- The need for the body to be responsible for an area covering the whole of the licensing authority's area;
 - The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.
- 10.3 In accordance with the legislation, the Council designates the Staffordshire County Council, Local Safeguarding Children Board for this purpose. [Working with Children - Staffordshire Safeguarding Children Board \(staffsscb.org.uk\)](http://staffsscb.org.uk)
- 10.4 The contact details of all the responsible authorities under the Gambling Act 2005 can be found on the Council's website at: [gambling act 2005 responsible authorities.pdf \(cannockchasedc.gov.uk\)](http://cannockchasedc.gov.uk/gambling_act_2005_responsible_authorities.pdf)

11. Interested Parties

- 11.1 Interested parties are people or organisations that have the right to make representations about licence applications or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as set out below.
- 11.2 For the purposes of this part, a person is an interested party if, in the opinion of the licensing authority which issued the licence or to which the application is made, the person:
- (a) lives sufficiently close to the premises to be likely to be affected by the authorised activities;
 - (b) has business interests that might be affected by the authorised

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- activities, or
 (c) represents persons who satisfy paragraphs (a) or (b).

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

- Each case will be decided upon its merits. The Council will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission: Guidance to Local Authorities.
- In order to determine if an interested party lives or has business interests sufficiently close to the premises to be likely to be affected by the gambling activities, the Council will consider factors such as the size of the premises and the nature of the activities taking place.

11.4 The Council will consult with the Director of Public Health on all Gambling Act applications.

12. Licensing Authority Functions

12.1 Licensing authorities are responsible under the Act for:

- Licensing premises where gambling activities are to take place by issuing premises licences
- Issuing provisional statements
- Regulating members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issuing Club Machine Permits to commercial clubs
- Granting permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- Receiving notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of up to two gaming machines
- Granting Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises under the Licensing Act 2003, where more than two machines are required
- Registering small society lotteries below prescribed thresholds
- Issuing Prize Gaming Permits
- Receiving and endorsing Temporary Use Notices
- Receiving Occasional Use Notices (for tracks)
- Providing information to the Gambling Commission regarding details of licences issued (see section above on information exchange)
- Maintaining registers of the permits and licences that are issued under these functions

12.2 The Council does not license remote gambling. This matter falls to the Gambling Commission.

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PART B –THE LICENSING OBJECTIVES

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

- 13.1 The Gambling Commission takes the lead role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however encourage licensing authorities to pay particular attention to the proposed location of gambling premises in terms of this licensing objective.
- 13.2 Such association with crime may include: money laundering; counterfeiting; drug dealing or any similar involvement in organised crime.
- 13.3 Operators are also encouraged to consider child protection issues such as the risk of child sexual exploitation.

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

- 14.1 The Gambling Commission takes the lead role in ensuring that gambling is conducted in a fair and open way and addresses this via operating and personal licences.
- 14.2 The Council will take operator licence conditions into account and will communicate any concerns to the Gambling Commission about misleading advertising or any absence of required game rules or other information.
- 14.3 Examples of the specific steps the Council may take to address this area can be found in the various sections covering specific premises types in Part C of this document, and also in Part D which covers permits and notices.

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

- 15.1 This licensing objective seeks to prevent children from taking part in most types of gambling and where appropriate, the Council may require specific measures at particular premises which are designed to ensure that the licensing objectives are met.
- 15.2 Preventative measures may include the supervision of premises and machines and appropriate training for staff with regard to suspected truanting school children and how staff should deal in general with unsupervised children.
- 15.3 The Council will pay particular attention to any Codes of Practice which the Gambling Commission issues with respect to this licensing objective.

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- 15.4 The Council does not seek to offer a definition for the term “vulnerable people” but for regulatory purposes it will assume that this group includes elderly people, people who gamble more than they want to; people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, or because of the influence of alcohol or drugs.

PART C – PREMISES LICENCES**16. Introduction to Premises Licensing**

- 16.1 The Council will issue premises licences to allow those premises to be used for certain types of gambling. Premises licences may, for example, be issued to amusement arcades, bingo halls and bookmakers.
- 16.2 The Council has high expectations of all gambling premises. Operators will be expected to demonstrate that they have given careful consideration to the licensing objectives and employ appropriate measure to ensure they are secured.
- 16.3 Premises licences will be subject to the permissions/restrictions set out in the Gambling Act 2005 and regulations as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach other conditions, where it is believed to be necessary and proportionate.

Definition of ‘Premises’

- 16.4 Premises is defined in the Act as ‘any place’. Different premises licences cannot apply in respect of a single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact within any given circumstances.
- 16.5 The Council will take particular care when considering applications for multiple licences for a building and those relating to a discrete part of a building used for other non-gambling purposes. In particular, the Council will assess entrances and exits from parts of a building covered by one or more licences to satisfy itself that they are separate and identifiable so that the separation of different premises is not compromised and that people do not ‘drift’ into a gambling area.
- 16.6 The Council will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Issues that the Council will consider before

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granting such applications include whether children can gain access; compatibility of the two establishments and the ability to comply with the requirements of the Act. In addition, an overriding consideration will be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.

Location and cumulative impact

- 16.7 The Council is aware that demand issues (e.g. the likely demand or need for gambling facilities in the area) cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. The Council will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.
- 16.8 When considering the licensing objectives, the Council's may, upon receipt of any relevant representations, look at location as a specific issue. Location issues might include, but are not be limited to:
- The proximity of the premises to schools and vulnerable adult centres.
 - The proximity of the premises to residential areas where there may be a high concentration of families with children.
 - The size of the premises and the nature of the activities taking place.
 - The level of organised crime in the area.
- 16.9 Such information may be used to inform the decision the Council makes about whether to grant the licence, to grant the licence with special conditions or to refuse the application.
- 16.10 This policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant to show how any concerns can be overcome.
- 16.11 Stakeholders may wish to note that the government has a stated intention to align the regimes for alcohol and gambling licensing by introducing a formal system of cumulative impact assessments and consult on increasing the maximum fees for premises licences and permits. The Council will consider these matters should it becomes appropriate to do so.

Duplication with other regulatory regimes

- 16.12 The Council will seek to avoid any duplication with other statutory/regulatory systems such as planning. The Council will not consider whether a licence application is likely to be awarded planning permission or building regulations approval in its consideration of it. It will listen to and consider carefully any concerns about conditions which the licence holder cannot meet because of planning restrictions.

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Conditions

- 16.13 Applications will be granted subject only to the mandatory and default conditions. Such conditions are usually sufficient to ensure operation that is reasonably consistent with the licensing objectives. Additional conditions will only be imposed where there is evidence of a risk to the licensing objectives that requires that the mandatory and default conditions be supplemented. Conditions will only be attached to premises licences where there is evidence of a need to do so.
- 16.14 Any conditions attached to licences will be proportionate and will be:
- Relevant to the need to make the proposed building suitable as a gambling facility.
 - Directly related to the premises and the type of licence applied for, and/or related to the area where the premises is based.
 - Fairly and reasonably related to the scale and type of premises; and,
 - Reasonable in all other respects.
- 16.15 Decisions about individual conditions will be made on a case by case basis, although there will be a number of control measures which the Council may consider. These include the use of door supervisors, supervision of adult gaming machines and appropriate signage for adult only areas. The Council will also expect the applicants to ensure that the licensing objectives are effectively met.
- 16.16 There are conditions which the Council cannot attach to premises licences which are:
- Any condition on the premises licence which makes it impossible for the applicant to comply with an operating licence condition;
 - Conditions relating to gaming machine categories, numbers or method of operation;
 - Conditions which provide that membership of a club or body be required; and,
 - Conditions in relation to stakes, fees, winnings or prizes.

Door supervision

- 16.17 The Council may consider whether there is a need for door supervision in terms of the licensing objectives. Where door supervisors are required, it is the operator's responsibility to ensure that any persons employed in this capacity are fit and proper to carry out such duties.

17. Adult Gaming Centres and Licensed Family Entertainment Centres

- 17.1 Adult Gaming Centres (AGC's) are commonly found within town centre environments and are able to make category B, C and D gaming machines available to adults. Nobody under the age of 18 is permitted to enter an AGC.

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- 17.2 Licensed Family Entertainment Centres (LFECs) are those premises which usually provide a range of amusements such as computer games and penny pushers. They may have a separate section set aside for adult only gaming machines with higher stakes and prizes and are able to make available a certain number of category C and D machines. Clear segregation must be in place so children do not access the areas where the category C machines are located.
- 17.3 The Council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling in the above premises. The Council will expect applicants to satisfy the Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to adult gaming centres or adult only gaming machine areas within the LFEC.
- 17.4 The Council will expect applicants to offer their own measures to meet the licensing objectives. Appropriate measures/licence conditions may cover:
- Proof of age schemes (e.g. PASS schemes)
 - The use of Challenge 25 policy
 - The use of 'No ID No Entry' policy
 - CCTV
 - Door supervision
 - Supervision of machine areas
 - Physical separation of areas
 - Location of entry
 - Notices/signage
 - Specific opening hours
 - Staff training in the law and the provision of a named point of contact to help ensure compliance.
 - Measures/training for staff on how to deal with suspected truanting school children and how to recognise signs of potential child sexual exploitation
 - Clear policies that outline the steps to be taken to protect children from harm
 - Self-exclusion schemes and the provision of leaflets/helpline numbers to organisations such as GamCare, the Responsible Gambling Trust or GambleAware etc.
 - Ensure that there is a policy in place which addresses the Multi operator self-exclusion scheme (MOSES)

This list is not mandatory nor exhaustive and is merely indicative.

18. **Casinos**

- 18.1 The Council has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should this licensing authority decide in the future to pass such a resolution, it will

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update this policy statement with details of that resolution. Any such decision will be made by the Full Council.

19. Bingo Premises

- 19.1 Bingo is not statutorily defined within the Gambling Act 2005 but is essentially a lottery which is played as an equal chance game. Premises may provide cash and prize bingo. In addition, bingo premises are also able to provide a limited number of gaming machines in line with the provisions of the Act.
- 19.2 It is important that where children are allowed to enter Bingo premises, that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted then the operator must ensure that:
- All such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance
 - Only adults are admitted to the area where the machines are located
 - Access to the area where the machines are located is supervised
 - 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.
- 19.3 Other measures which applicants will need to consider in meeting the licensing objectives are outlined in paragraph 17.4 above.

20. Betting Premises

- 20.1 Betting premises are premises such as bookmakers where various types of gambling are authorised to take place. The Act contains a single class of licence for betting premises.
- 20.2 The Council is aware that Section 181 of the Act contains an express power for licensing authorities to restrict the number of self-service betting machines and the nature and circumstances in which they are made available by attaching a licence condition to a betting premises licence.
- 20.3 It is not possible to reduce the maximum of four £500 pay out gaming machines which may be made available by law within betting premises.
- 20.4 When considering whether to impose a condition to restrict the number of betting machines in particular premises the Council, amongst other things,

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will take into account the size of the premises, the number of counter positions available for person to person transactions and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people.

- 20.5 Measures which applicants will need to consider in meeting the licensing objectives are outlined in paragraph 17.4 above.

21. Tracks

- 21.1 Currently the licensing authority does not license any tracks which permit on-course betting. Where an application for a track premises licence is proposed, the applicant should contact the Council's Licensing Unit at the earliest opportunity. The Council's focus will be on the need to protect children and vulnerable persons from being harmed or exploited by gambling and the need to ensure that entrances to premises are distinct. Children must be excluded from gambling areas where they are not permitted to enter.

22. Travelling Fairs

- 22.1 Travelling fairs have the right to provide an unlimited number of category D gaming machines and/or equal chance prize gaming (without the need for a permit) as long as the gambling amounts to no more than an ancillary amusement at the fair.
- 22.2 The 28 day statutory maximum for the land being used as a fair is per calendar year. This applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. Where appropriate, the Council will liaise with neighbouring authorities to ensure that land which crosses its boundaries is monitored so that the statutory limits are not exceeded.

23. Provisional Statements

- 23.1 The provisional statement process provides an alternative to making a premises licence application. The process permits an applicant to examine the likelihood of whether a building which has yet to be constructed or is about to be altered for the purpose of gambling would be granted a premises licence when the building work is complete.
- 23.2 A provisional statement is not a licence and merely gives the holder some form of assurance that a premises licence would be granted so the project can be started. Once works are complete a full premises licence would still be required.
- 23.3 In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from Responsible Authorities or interested parties can be taken into account

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unless they concern matters which could not have been addressed at the provisional statement stage or they reflect a change in the applicant's circumstances. In addition, the Council may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

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

23.4 When determining a provisional statement application the Council will operate in accordance with the Act and will not have regard to any issues related to planning consent or building regulations, e.g. the likelihood that planning consent will be granted.

PART D – PERMITS, TEMPORARY/OCCASIONAL USE NOTICES AND SMALL SOCIETY LOTTERY REGISTRATIONS

24. Unlicensed Family Entertainment Centre Gaming Machine Permits

24.1 The term 'Unlicensed Family Entertainment Centre' is one defined in the Act and refers to premises which provide category D gaming machines along with various other amusements such as computer games and penny pushers. The premises are 'unlicensed' in that they do not require a premises licence but do require a permit to be able to provide category D machines. It should not be confused with a 'Licensed Family Entertainment Centre' which does require a premises licence because it contains both category C and D gaming machines.

24.2 In accordance with Gambling Commission guidance, the Council will carefully consider child protection issues when considering applications for permits. This consideration will generally engage two of the three licensing objectives: These are:

- Preventing Gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

24.3 The Council will expect applicants to show that there are policies and procedures in place to protect children from harm from gambling and to promote wider child protection issues as part of the crime prevention objective. Policies must include appropriate measures/training for staff regarding how staff would deal with unsupervised children being on the premises, or children causing problems on or around the premises.

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- 24.4 The Council will also expect applicants to demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs, that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act), and that staff are trained to have a full understanding of the maximum stakes and prizes
- 24.5 The Council is aware that an application for a permit may only be granted if the Chief Officer of Police has been consulted on the application.
- 24.6 In line with the Act the Council cannot attach conditions to this type of permit and the statement of principles only applies to initial applications and not to renewals.

25. Gaming Machine Permits in Alcohol Licensed Premises

- 25.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have two gaming machines of categories C and/or D. The premises merely need to notify the Council. The Council can remove the automatic authorisation in respect of any particular premises if:
- Provision of the machines is not reasonably consistent with the pursuit of the licensing objectives
 - Gaming has taken place on the premises that breaches a condition of Section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant Code of Practice issued by the Gambling Commission about the location and operation of the machine has been complied with)
 - The premises are mainly used for gaming; or
 - An offence under the Gambling Act has been committed on the premises.
- 25.2 If a premises wishes to have more than two machines, then application must be made for a permit. The Council must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission under Section 25 of the Gambling Act 2005, and 'such matters as it thinks relevant'. The Council considers that 'such matters' will be decided on a case by case basis, but generally regard will be given to the need to protect children and vulnerable persons from harm or being exploited by gambling. The Council will also expect the applicant to satisfy the Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines
- 25.3 Measures which may satisfy the Council that there will be no access could include the adult machines being situated in close proximity to the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18 years of age. Notices and signage may also help.

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Regarding the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as Gam Care.

- 25.4 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would need to be dealt with under the relevant provisions of the Act.
- 25.5 The Council can decide to grant the application with a smaller number of machines and/or a different category of machines from that applied for. Conditions (other than these) cannot be attached
- 25.6 The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.
- 25.7 A summary of gaming machine categories and entitlements can be found at Appendix B of the Guidance issued to licensing authorities by the Gambling Commission.
<https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities>

26. Prize Gaming Permits

- 26.1 The Council will expect the applicant to set out the types of gaming that he or she is intending to offer and be able to demonstrate:
- That they understand the limits to stakes and prizes that are set out in regulations;
 - That the gaming offered is within the law.
- 26.2 In making its decision on an application for prize gaming permits, the Council does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.
- 26.3 There are conditions in the Gambling Act 2005 with which the permit holder must comply, but the Council cannot attach conditions. The conditions in the Act are:
- The limits on participation fees, as set out in regulations, must be complied with
 - All chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated, and the result of the game must be made public in the premises on the day that it is played
 - The prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
 - Participation in the gaming must not entitle the player to take part in any other gambling.

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27. Club Gaming and Club Machines Permits

- 27.1 Members' clubs and miners' welfare institutes (but not commercial clubs) may apply for a club gaming permit or a club gaming machines permit. The club gaming permit will enable the premises to provide gaming machines (three machines of categories B, C or D), equal chance gaming and games of chance as set out in forthcoming regulations. A club gaming machine permit will enable the premises to provide gaming machines (three machines of categories B, C or D).
- 27.2 To qualify for these special club permits, a members' club must have at least 25 members and be established and conducted wholly or mainly for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include workingmen's clubs, branches of the Royal British Legion and clubs with political affiliations.
- 27.3 Before granting the permit, the Council will need to satisfy itself that the premises meet the requirements of a members' club and that the majority of members are over 18 years of age.
- 27.4 The Council may only refuse an application on the grounds that:
- a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which they have applied
 - b) the applicant's premises are used wholly or mainly by children and/or young persons
 - c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities
 - d) a permit held by the applicant has been cancelled in the previous ten years; or
 - e) an objection has been lodged by the Gambling Commission or the Police.

28. Temporary Use Notices

- 28.1 Temporary use notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be useful for a temporary use notice would include hotels, conference centres and sporting venues.
- 28.2 The Act makes a special reference, in the context of temporary use notices, to a 'set of premises' to try and ensure that large premises which cannot reasonably be reviewed as separate are not used for more temporary use notices than permitted under the Act. The Council considers that the

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determination of what constitutes a 'set of premises' will be a question of fact in the particular circumstances of each notice that is given. In considering whether a place falls within the definition of a 'set of premises', the Council will look at, amongst other things, the ownership/occupation and control of the premises.

- 28.3 The Council will be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.

29. Occasional Use Notices (for Tracks)

- 29.1 There is a special provision in the Act which provides that where there is betting on a track on eight days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence. Track operators and occupiers need to be aware that the procedure for applying for an occasional use notice is different to that for a temporary use notice.

- 29.2 The Council has very little discretion regarding these notices apart from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The Council will however consider the definition of a 'track' and whether the applicant is entitled to benefit from such notice.

30. Small Society Lottery Registrations

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

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

- 30.3 To be 'non-commercial', a society must be established and conducted:
- For charitable purposes
 - For the purpose of enabling participation in, or supporting, sport, athletics or a cultural activity; or
 - For any other non-commercial purpose other than that of private gain.

- 30.4 The other types of exempt lotteries are 'incidental non-commercial lotteries', 'private lotteries' and 'customer lotteries'

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- 30.5 The Gambling Commission has introduced a new voluntary code which requires that lottery tickets may only be sold to those who are aged 18 and older. The Council will expect the promotor of small society lotteries to comply with this voluntary requirement unless there is good reason to depart from this agreement.

PART E – ENFORCEMENT

31. **Enforcement Principles**

- 31.1 The Council will work closely with other agencies in targeting known high risk premises. In doing so, we will follow Government guidance on better regulation.
- 31.2 The Council recognises that the Regulators Code applies to all activities under the Act. This will however, be most obvious in respect of the Councils inspection and enforcement duties and the powers to institute criminal proceedings. The Regulators' Code can be found at: <https://www.gov.uk/government/publications/regulators-code>
- 31.3 The Council will aim to be:
- Proportionate:
Regulators should only intervene when necessary. Remedies should be appropriate to the risk posed, and costs identified and minimised.
 - Accountable:
Regulators must be able to justify decisions, and be subject to public scrutiny.
 - Consistent:
Rules and standards must be joined up and implemented fairly.
 - Transparent:
Regulators should be open and keep regulations simple and user friendly.
 - Targeted:
Regulation should be focused on the problem and minimise side effects.
- 31.4 The Council's Enforcement Policy, which explains how the Council deals with non-compliance and unlawful gambling activity can be found at: www.cannockchasedc.gov.uk/ehenforcementpolicy
- 31.5 Known enforcement issues which the Council's Licensing Unit will address include illegal gambling machines in takeaways and poker in pubs.
- 31.6 The Council will endeavour to avoid duplication with other regulatory regimes.
- 31.7 The main enforcement and compliance role for the Council in terms of the Gambling Act 2005 will be to ensure compliance with the premises licence

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conditions and other permissions. The Gambling Commission will be the enforcement body for the operator and personal licences. Concerns about the manufacture, supply or repair of gaming machines will not be dealt with by the Council but will be notified to the Gambling Commission.

- 31.8 In circumstances where the Council believes a premises requires a premises licence for gambling activities and no such licence is in force, the Council will notify the Gambling Commission.
- 31.9 The Council will also have regard to any guidance issued and keep itself informed of developments regarding the work of the Regulatory Delivery Division of the Department of Business Innovation and Skills in its consideration of the regulatory functions of local authorities.
- 31.10 Since October 2013, the Primary Authority scheme, under the terms of the Regulatory Enforcement and Sanctions (RES) Act 2008, has been extended to include age-restricted sales of gambling in England. The Council is aware that Primary Authority Partnerships have been agreed with a number of national bookmaking companies. The Council will follow any 'age-restricted sales of gambling' national inspection plans that are published on the Primary Authority register when considering proactive age-restricted sales (gambling) activity, including test purchasing.

32. Reviews

- 32.1 A review is a process defined in the legislation which ultimately leads to a licence being reassessed by the Licensing Committee with the possibility that the licence may be revoked or suspended or that conditions may be amended or new conditions added.
- 32.2 Requests for a review of a premises licence can be made by interested parties or responsible authorities. However, it is for the Council to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is:
- In accordance with any relevant Code of Practice issued by the Gambling Commission
 - Reasonably consistent with the licensing objectives; and
 - In accordance with this Authority's Statement of Gambling Policy.
 - In accordance with any relevant guidance issued by the Gambling Commission
- 32.3 A link to the Gambling Commission's Guidance to Licensing authorities is here:

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<https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities>

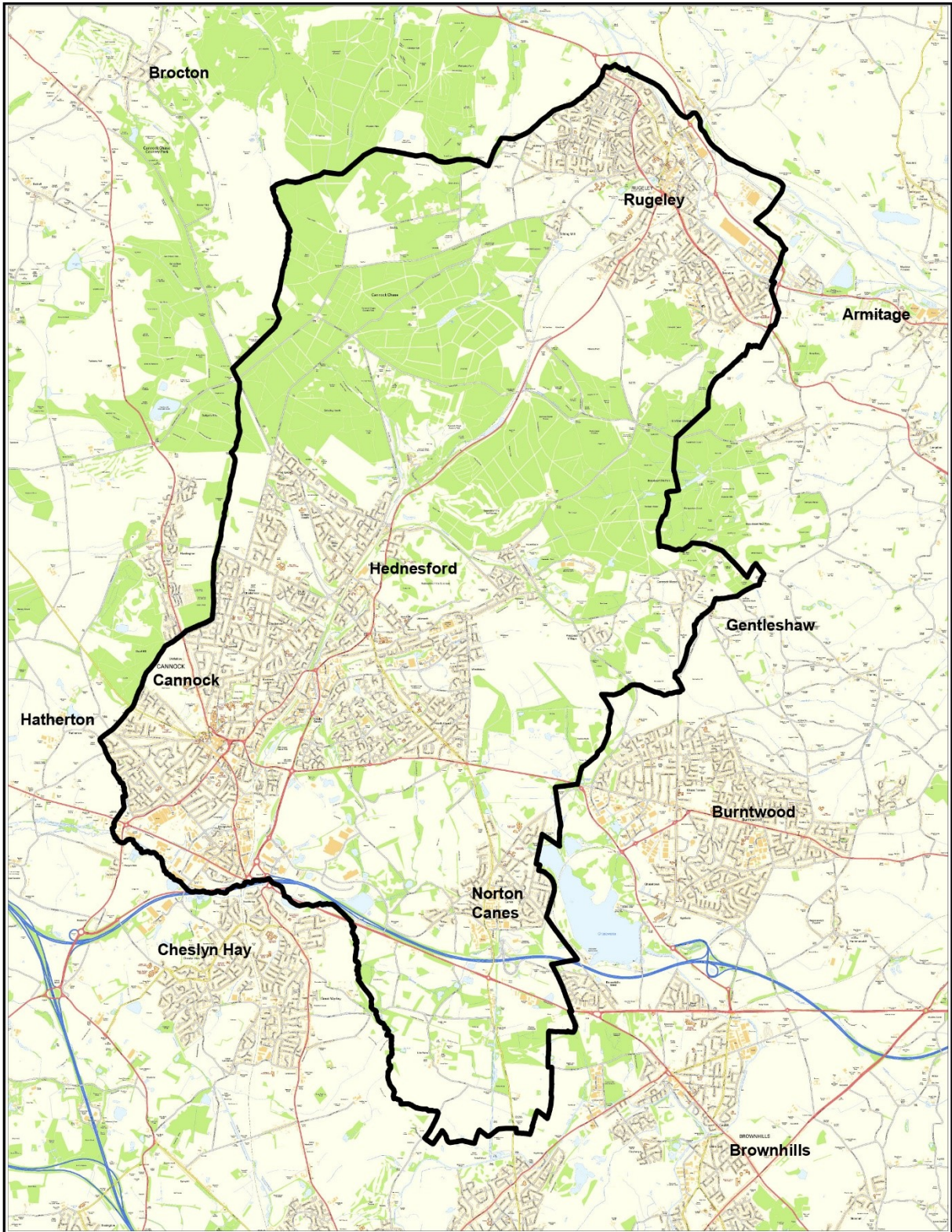
- 32.4 In addition the Council may also reject the application on the grounds that the request is frivolous, vexatious, will not cause the Authority to wish to alter, revoke or suspend the licence, or is substantially the same as previous representations or requests for review.
- 32.5 The Council can also initiate a review of a licence on the basis of any reason which it thinks appropriate. This may for instance follow a second failed compliance test at the premises.
- 32.6 Before sitting as a member of the Licensing Sub Committee, members will need to attend a Gambling Act 2005 training session with officers from Legal Services and Licensing. Members will need to attend refresher training every year that they remain a member of the Licensing & Public Protection Committee.

33. Functions and Delegations

A table showing the delegation of functions within the Council can be found at Appendix G of the Gambling Commission Guidance: <https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities>



Cannock Chase District Boundary



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**CHANGES TO CANNOCK CHASE DISTRICT COUNCIL'S GAMBLING ACT 2005
STATEMENT OF PRINCIPLES 2025**

PAGE/PARAGRAPH	AMENDMENTS TO EXISTING POLICY	REASON
Page 3.	Update of Policy Amendment Record to highlight the changes made.	For information and clarification.
Pages 7 & 8. Section 7, Local Area Profile.	Update to statistical information related to the local population as well as removal of redundant weblinks and replacement with new weblinks.	For clarification and the avoidance of doubt.
Pages 8, 9 & 10. Section 8, Local Risk Assessment	Update to statistical information related to the local population as well as removal of redundant weblinks and replacement with new weblinks.	For clarification and the avoidance of doubt.
Page 15. Paragraph 16.10.	Mention of the future potential for cumulative impact assessment of gambling premises.	To reflect Government's stated intention.
Page 25. Paragraph 30.5.	Mention of voluntary changes to the Gambling Commission's requirements of small society lotteries.	To reflect good practice and make stakeholders aware of Council expectations

Statement of Licensing Policy 2025-2029

Committee:	Cabinet
Date of Meeting:	24 October 2024
Report of:	Head of Regulatory Services
Portfolio:	Environment & Climate Change

1 Purpose of Report

- 1.1 To consider and recommend for adoption Cannock Chase District Council's revised Licensing Policy in respect of functions under the Licensing Act 2003 (the Act), following consultation on statutory five-year review.

2 Recommendations

- 2.1 That Cabinet recommends to Council that the revised Licensing Policy at Appendix 1 be approved and adopted.
- 2.2 That the Head of Regulatory Services be authorised to make any amendments to the Policy required due to changes in legislation or government guidance and minor variations to the Policy in the interests of operational efficiency.

Reasons for Recommendations

- 2.3 Cabinet is asked to approve and recommend for adoption the Policy to ensure that the Council complies with its statutory responsibilities under the Act.
- 2.4 Authorising the Head of Regulatory Services to make amendments to the policy is in the interests of operational efficiency.

3 Key Issues

- 3.1 The Act requires Licensing Authorities (LAs) to prepare and publish a Statement of Licensing Policy having regard to guidance issued by the Secretary of State. The Act also requires LAs to review their Statements of Licensing Policy whenever necessary and, in any case, every five years. The current Statement of Licensing Policy was last reviewed and approved in November 2020 and came into effect in January 2021.
- 3.2 The Policy explains how the Council administers licensing for the benefit of the local community, including residents, visitors, the trade, elected members, and officers. The Policy ensures that crime and disorder is prevented, people, particularly children, are kept safe and free from harm, and nuisance is minimised.
- 3.3 The new Statement of Licensing Policy has been produced in partnership with Stafford Borough Council, since both authorities share the same legal service, and the statutory and legal framework are the same.

4 Relationship to Corporate Priorities

4.1 Implementation of the Licensing Act Policy and the associated Enforcement Policy contributes to the 'Economic Prosperity' and 'The Community' priorities through:

- implementing risk-based, proportionate regulation.
- ensuring high standards of regulatory compliance.
- tackling non-compliant businesses, so these do not gain unfair competitive advantage.
- the prevention of crime and disorder.
- ensuring public safety.
- the prevention of public nuisance.
- the protection of children from harm.

4.2 The Policy aims to support local business growth and employment, through promoting advice on compliance with legislation and adopting a light touch with responsible operators. The implementation of a fair but robust Licensing Policy ensures responsible, compliant businesses are not disadvantaged by unfair competition from those who seek to undermine legal standards.

5 Report Detail

5.1 The Act gives Councils responsibility for controlling certain activities including:

- retail sales of alcohol.
- supply of alcohol by or on behalf of a club.
- provision of regulated entertainment (e.g. playing of music, dancing, indoor sporting events etc.).
- provision of late-night refreshment (sale of hot food or drink between 11.00 p.m. and 5.00 a.m. for consumption on or off the premises).

5.2 These activities are primarily controlled by the issuing of premises licences, with certain conditions attached to promote the licensing objectives (see below). There are around 500 premises licensed in the District, including restaurants, pubs, clubs, take-aways and cafes.

5.3 At the core of the Policy is the statutory requirement to promote the four Licensing objectives:

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

The Policy ensures equal consideration is given to each of these objectives when making decisions about licensing matters. The most important feature of the Policy is the balance to be struck between making sure alcohol is supplied and used responsibly, people are safe, and that businesses and the night-time economy are successful, creating revenue and employment in the District.

- 5.4 The Statement of Licensing Policy at Appendix 1 explains how the Council, as Licensing Authority, administers the legislation governing these issues.
- 5.5 The Council will take account of statutory guidance and use the Policy in making decisions under the Act. The Policy seeks to ensure the Council will take decisions that help to advance the following:
- improving the quality of life for local residents by reducing crime and disorder.
 - protection of children from sexual exploitation.
 - reducing anti-social behaviour in and around licensed premises.
 - encouraging responsible retailing and consumption of alcohol and preventing alcohol related health issues.
 - encouraging more family-friendly premises.
 - improving quality of life by bringing greater choice to residents, consumers, tourists, and businesses about where, when, and how they spend their leisure time.
 - developing a culture of live music, theatre, and sport.
 - encouraging a diverse range of premises for both the daytime and nighttime economy.
 - giving licence holders greater flexibility to meet their customers' needs and expectations.
- 5.6 The sale and supply of alcohol, because of its impact on the wider community and on crime and anti-social behaviour, carries greater responsibility than the provision of regulated entertainment or late-night refreshment. Sales of alcohol cannot be made unless the premises has a Designated Premises Supervisor (DPS). The DPS is responsible for the day-to-day management of the premises and must hold a personal licence. The Council has so far issued approximately 1500 personal licences.
- 5.7 Under the Act the Council is required to establish a Licensing Committee. Section 7 of the Act provides that most of the Licensing functions are to be carried out by this Licensing Committee. At Cannock Chase Council, this Committee is the Licensing & Public Protection Committee, though certain functions are delegated to the Licensing Sub-Committee.
- 5.8 An important feature of the Policy, and of legislation, is the facility for members of the public, police, trading standards, or indeed the Council itself (through for example Environmental Health) to apply for a review of a premises licence. Reviews are used where there are concerns that premises are not promoting the four objectives, for example by causing nuisance, anti-social behaviour, or selling to underage children.
- 5.9 The Licensing Authority, through the Licensing Sub-Committee, then considers the application for review at a Hearing. The Sub-Committee may then place further conditions on the licence (for example Challenge 25, introduction of CCTV), remove the DPS from the licence, or in extreme cases suspend or even revoke the licence.

5.10 The Policy has been subject to wide public consultation, involving a significant number of organisations and individuals including: other local authorities, trade bodies, licence holders, Police, Fire & Rescue and the other responsible authorities, Security Industry Authority, licensing solicitors, town and parish councils and Elected Members. The Policy was also published on the Councils website during this period. A full list of consultees is available within the Licensing Unit if required.

5.11 The Council's Licensing Unit received one response to the consultation process, but this response sought clarification which was offered without the need to amend the final policy document.

6 Implications

6.1 Financial

None identified; the fees for processing and issuing all licences are currently set by Government and have remained unchanged since 2005.

6.2 Legal

The revised Policy ensures the Council discharges its statutory licensing functions effectively and that decisions made by Officers and Members are transparent, proportionate and comply with Human Rights and Equalities legislation. The policy provides assurances that decisions made can withstand challenge and scrutiny by outside bodies including the Courts.

6.3 Human Resources

None

6.4 Risk Management

The Policy ensures the Council can effectively discharge its statutory licensing functions. Failure to regularly review the Licensing Act Policy could leave the Council open to challenge or sanctions.

6.5 Equalities and Diversity

An Equality Impact assessment has been carried out for the Policy The Policy Document will be made available in large print, Braille and as an audio version, on request.

6.6 Health

The policy confirms that the Council is committed to a Health in All Policies (HIAP) approach. This will help identify how best to tackle the health inequalities within our District and ensure that all our policies and services include consideration of the health impact that can be made; notwithstanding that Public Health is not a specific objective of the Licensing Act.

6.7 Climate Change

None

7 Appendices

Appendix 1: Revised Statement of Licensing Policy

Appendix 2: Summary of Policy changes prior to consultation

8 Previous Consideration

Review of Licensing Policy Council 18 November 2015

Review of Licensing Policy Council 25 November 2020

9 Background Papers

Statutory Guidance issued to Licensing Authorities published December 2023, available at:

https://assets.publishing.service.gov.uk/media/65a8f578ed27ca00d27b1f9/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_-_December_2023.pdf

Contact Officer: David Prosser-Davies

Telephone Number: 01543 464 202

Ward Interest: All

Report Track: Cabinet: 24/10/24; Council 04/12/24

Key Decision: No



Statement of Licensing Policy for Licensing Act 2003

January 2025

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1. Foreword by Councillor Lisa Wilson

I am pleased to introduce Cannock Chase Council's Licensing Policy 2025-2030. This Policy has been prepared in accordance with the Licensing Act 2003 and Guidance issued under Section 182 of the Act.

The Policy sets out how the Council administers its licensing functions under the Act and how decisions will be made. The Policy is valid for five years and will be subject to review and further consultation prior to any substantial changes.

The Policy focuses on the Licensing Act's four objectives:

- prevention of crime and disorder,
- ensuring public safety,
- prevention of public nuisance,
- protection of children from harm.

Whilst promoting public health is not a specific licensing objective, the Council is committed to adopting a Health in All Policies approach and recognises that the Licensing function has a role to play in reducing the harms caused by excessive alcohol consumption. The Council will work with partners and operators wherever possible to achieve better local health outcomes.

We want to encourage businesses to come to our District. We want to give them clear support and advice so they know what their responsibilities are. We want to make sure that all businesses, new and established, maintain the standards required of them by law. In doing this we can help businesses flourish while protecting our residents and visitors.

This document will inform the work of the Council for all matters related to the Licensing Act 2003. It should be considered by all those carrying out licensable activities in the District.

I am confident the Policy will contribute to the prosperity of our communities, the success of local businesses, and the safety and quality of life for residents and visitors.



Councillor Lisa Wilson
Cabinet Member for Environment & Climate Change

2. Introduction

Consultation

- 2.1 A licensing policy consultation process took place between 28 June 2024 and 28 July 2024 and followed the Cabinet Office Guidance on Consultation Principles first published in July 2012 and last updated in March 2018.

This document is available at:

<https://www.gov.uk/government/publications/consultation-principles-guidance>

- 2.2 The Council will consult widely on this Licensing Policy before finalising and publishing. A list of persons and agencies consulted during the 2024 consultation exercise is provided within paragraph 3.6 below.
- 2.3 The Council approved and adopted this Licensing Policy at full Council on 4 December 2024. The finalised document will be published via the Council's website at: www.cannockchasedc.gov.uk
- 2.4 Should you have any comments on this Licensing Policy, please email licensingunit@cannockchasedc.gov.uk or write to the Council's Licensing Unit address:

Licensing Unit
Cannock Chase District Council
PO Box 28
Beecroft Road
Cannock
Staffordshire
WS11 1BG.
Phone 01543 462621

- 2.5 The Council will continue to monitor the effectiveness of this policy and will consider changes to the policy in the light of any new legislation and/or developments affecting the local area. It will consult with stakeholders at the time it is considering any such changes. The Council must review and publish this statement of principles at least every 5 years.

Commencement

- 2.6 This policy will come into force on 1 January 2025.

Future Changes

- 2.7 The Council will continue to monitor the effectiveness of the policy in promoting the licensing objectives and will consider further reviews as and when appropriate.

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- 2.8 The Council will also consider changes to the policy in the light of new legislation and developments affecting the local area and will consult with stakeholders at the time it is considering such changes.

Data Protection

- 2.9 The Licensing Authority will exchange information with bodies responsible for auditing and administering public funds and for the prevention and detection of crime, such as the Home Office, other Government agencies, public bodies such as the Staffordshire Police and Staffordshire Fire & Rescue Service, other Council departments and Enforcement agencies when appropriate and the National Fraud Initiative.
- 2.10 Information held by Cannock Chase Council (the data controller), to allow it to carry out its statutory obligations in relation to the administration, compliance and enforcement of the licensing function within the District, may be shared with agencies involved in licence processing or licensing enforcement where the law requires or permits us to do so. For further information, please see the Council's Fair Processing Notice at Annex 1 of this document or:
<https://www.cannockchasedc.gov.uk/council/about-council/data-protection/data-protection-privacy-notice>
- 2.11 While certain information may be disclosed under the Freedom of Information Act, and some information will be held on a publicly available register, and may be posted onto the Council website, personal data will be protected unless it is also official business data (e.g. a trader whose registered business address is also his home).

Equality and Diversity

- 2.12 Through policies and service delivery, the Council's main aims for ensuring equality and diversity are to:
- Eliminate unlawful discrimination
 - Promote equality of opportunity
 - Promote good relations between diverse communities
- 2.13 A link to the Council's Equalities and Diversities Policy can be found here-
[Equality, Diversity and Inclusion | Cannock Chase District Council \(cannockchasedc.gov.uk\)](https://www.cannockchasedc.gov.uk/equality-diversity-and-inclusion)

Crime and Disorder Act 1998

- 2.14 Under section 17 of the Crime and Disorder Act 1998 the Council is under a statutory duty to do all that it can to prevent crime and disorder within its area and is mindful of concerns about criminal activity such as fraud and money laundering and modern slavery.
- 2.15 The Council will work in partnership with licence holders, local businesses, responsible authorities, councillors and local people with the aim of promoting

awareness of such matters.

- 2.16 The Council will look to the Police as the main source of advice on crime and disorder. The Council will also liaise with our Partnerships and Community Safety Team in respect of issues related to anti-social behaviour and crime and disorder.

3. The Licensing Objectives, Responsible Authorities & Licensable Activities

The Licensing Act 2003

- 3.1 The Licensing Act 2003, its explanatory notes and any statutory instruments made under it may be viewed online at www.legislation.gov.uk. The statutory instruments include regulations setting out the content and format of application forms and notices.

Statutory Guidance Published Under Section 182 Licensing Act 2003

- 3.2 The Home Office publishes statutory guidance for the Licensing Act 2003, which is updated from time to time and can be found by searching for “section 182 guidance” at:
https://assets.publishing.service.gov.uk/media/65a8f578ed27ca000d27b1f9/Rvised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_-_December_2023.pdf

Licensing Objectives

- 3.3 Whenever the Council acts as the Licensing Authority it must ensure it promotes the four licensing objectives of the Act. These objectives are:-
- the prevention of crime and disorder
 - ensuring public safety
 - the prevention of public nuisance
 - the protection of children from harm
- 3.4 The Act makes it clear that none of these objectives are to be given priority over the others. All four objectives should be considered to have equal importance.
- 3.5 Further details on the Licensing Objectives can be found in the statutory guidance for the Licensing Act at:
https://assets.publishing.service.gov.uk/media/65a8f578ed27ca000d27b1f9/Rvised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_-_December_2023.pdf

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Responsible Authorities

3.6 The following organisations are Responsible Authorities (RAs), and may make representations where appropriate in cases where licensable activities may impact on the promotion of the licensing objectives -

- The Council as Licensing Authority
- Staffordshire Police
- Staffordshire Fire & Rescue Service
- Staffordshire County Council Trading Standards
- The Council as Local Planning Authority
- The Council's Environmental Protection Team
- The Council's Health & Safety Team (or the Health & Safety Executive)
- Staffordshire County Council Children Services
- Director of Public Health
- Home Office Immigration Service

3.7 A number of these organisations meet on a regular basis as part of the Council's Responsible Bodies Group. At times, they will also meet as the core members of the Council's Event Safety Advisory Group (SAG).

3.8 Contact details for all of the authorities can be found at:

[Licensing Act 2003 \(cannockchasedc.gov.uk\)](http://cannockchasedc.gov.uk)

Licensable Activities

3.9 The definition of the "licensable activities" is set out in the Act. The Council is required to regulate all licensable activities, and such activities will require the benefit of an appropriate authorisation obtained from the Council - either a Premises Licence, a Club Premises Certificate or a Temporary Event Notice.

3.10 Licensable activities are defined by the Act as:

- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club;
- the provision of late night refreshment between 11pm and 5am.
- the provision of regulated entertainment

3.11 A further explanation of licensable activities is available at-

<https://www.gov.uk/alcohol-licensing>

4. How to Use This Policy Statement

Licensing Act 2003

- 4.1 Licensing is about regulating licensable activities on licensed premises, including qualifying clubs and at temporary events within the terms of the 2003 Act. The Licensing Act 2003 and the statutory guidance issued under section 182 of the Act provide for fundamental principles of licensing. The Council's Statement of Licensing Policy is intended to add to these fundamental principles and to give general guidance as to how it will approach issues arising under the Act. No part of the Council's Statement of Licensing Policy is intended to be inconsistent with or to undermine the provisions of the Licensing Act 2003.

Decision Making

- 4.2 This policy is to be taken into account when the Council makes decisions relating to the Act, although the Council will also have regard to the Act and the guidance issued by the Secretary of State under Section 182 of the Act. The Policy is intended to show how decision making will be approached, and how the Council will work with others to promote the Licensing Objectives. The Policy is taken into account when decisions are made by the Licensing Committee, the Licensing Sub Committee and authorised officers.
- 4.3 Nothing within this Policy is intended to remove the discretion of the Licensing Sub Committee once engaged. Any application, review or representation will be considered on its own merit.

Applications and Representations

- 4.4 Applicants, Responsible Authorities and other parties should refer to this policy when making applications or representations under the Act. A Glossary of terms, and their definitions, is included at Section 11 of this Policy.

Contents of This Policy

- 4.5 The first part of this policy details the Council's approach, and explains some of the matters that have to be considered when applications are made under the Licensing Act 2003. The policy then goes on to explain how to make applications and how people can raise concerns. The latter part of the Policy explains how certain issues are to be considered, including the admission of children to premises, the licensing of petrol stations and the licensing of premises that provide adult entertainment. The last two parts of the Policy address some wider licensing considerations and explain how the Council delegates responsibility for the functions it has to carry out under the Act.

5. Our Approach

The Licensing Authority

- 5.1 Under the Licensing Act 2003 the Council is called the “Licensing Authority”. As the Licensing Authority, the Council is responsible for the licensing of restaurants, pubs, cafes, and takeaways etc. Throughout this document, all references to “Licensing Authority” mean the Council.

Responsibilities for Functions

- 5.2 The Licensing Authority’s functions are carried out by the Licensing Committee, the Licensing Sub Committee and authorised officers of the Council. Some of the most important functions and details of the persons with responsibility for the functions and decision making are set out in Section 10 of this Policy.

Training of Members

- 5.3 Before sitting as members of the Licensing Sub Committee Council members will need to attend a Licensing Act 2003 training session with officers from Legal Services and the Licensing Unit. Members will need to attend refresher training every year that they remain as a member of the Licensing & Public Protection Committee.

Decision Making

- 5.4 In carrying out its functions under the Act, the Licensing Authority will seek to ensure that any decision it makes is evidence based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.
- 5.5 It should be noted that licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned.
- 5.6 Nonetheless, licensing law is a key aspect of such control and will always be part of a holistic approach to the management of the evening and night-time economy.
- 5.7 The Council will take account of the statutory guidance when it makes decisions under the Act. The Council will also seek to take decisions that help to advance the following issues –
- Improving the quality of life for local residents through a reduction of the crime and disorder
 - The protection of children from sexual exploitation
 - Reducing anti-social behaviour in and around licensed premises

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- Encouraging responsible retailing and consumption of alcohol and preventing alcohol related health issues
- Encouraging more family-friendly premises
- Improving quality of life by bringing greater choice to residents, consumers, tourists and businesses about where, when and how they spend their leisure time
- Developing a culture of live music, theatre and sport
- Encouraging a diverse range of premises for both the day time and night time economy
- Giving licence holders greater flexibility to meet their customers' needs and expectations
- Encouraging responsible retailing and consumption of alcohol by helping to prevent underage sales and alcohol related health issues

5.8 The Council recognises that its decisions can have significant effects on local businesses, local communities and individuals. The Council will often have to assess competing interests and will have to try to make a decision that is balanced and fair to all parties involved.

5.9 The Council is therefore keen to encourage a dialogue not only with local licence holders, Pubwatch and Responsible Authorities, but also with community groups and individuals. The Council supports local partnership working and is keen to encourage regular liaison between the licensed trade, local communities and Responsible Authorities. If there is a regular forum for discussion between these groups of people, then it is more likely that people will have their voices heard.

Licensed Venues and Local Communities

5.10 Whilst it is important to support a vibrant economy, the balance has to be struck between an uncontrolled expansion of licensed premises and the need to ensure public safety and quality of life for local people

5.11 The Licensing Policy will respect the individual characteristics of all premises and recognise that pubs, nightclubs, restaurants, hotels, theatres, and other clubs may all wish to sell alcohol and serve food to patrons with contrasting characteristics and different styles of entertainment. Proper regard will be given to those differences and the differing impact they are likely to have on the promotion of the licensing objectives.

5.12 The Licensing Authority will seek to encourage the provision of a wide range of high quality and well-managed venues in the Cannock Chase District. The Licensing Authority will seek to ensure that premises are safe, vibrant meeting places for people who live, work and visit the area.

5.13 The Council recognises that a thriving well managed night time economy can bring many benefits and wishes to create a vibrant prosperous economy that encourages growth as well providing a safe and healthy environment that people want to be a part of.

Appendix 1**Links With Other Policies**

- 5.14 This Licensing Policy is intended to help ensure the proper integration of the licensing policy with local crime prevention, planning, transport, tourism, equality schemes, cultural strategies and any other plans introduced for the management of town centres and the night-time economy.
- 5.15 The Council is committed to a Health in All Policies approach which helps to identify how best to tackle the health inequalities in our District and ensures all our policies and services include consideration of the health impact that can be made, notwithstanding that Public Health is not a specific objective of the Licensing Act.
- 5.16 The Council will ensure that from time to time it is kept informed on issues relating to all these matters in order that they can be reflected within their considerations.

6. How to Make An Application

Applications

- 6.1 Applicants cannot assume that their applications will be successful as applications under the Licensing Act 2003 have to be considered in terms of whether the Operating Schedule contained with the application is appropriate and that the Licensing Objectives are promoted. In many cases the suitability of an applicant and the suitability of premises are part of such considerations.

On Line Applications

- 6.2 Applications can be made using the forms on the Home Office website.

<https://www.gov.uk/alcohol-licensing>

- 6.3 Online applications can also be made via the government website

www.gov.uk.

- 6.4 The Council's web site has links to these government web sites

www.cannockchasedc.gov.uk

On Line Payments

- 6.5 In order to fulfil its obligations under the Provision of Services Regulations 2009 (and the EU Services Directive) the Council supports and encourage applications and payments made online.

Appendix 1**Personal Licences**

- 6.6 Applicants for personal licences must be free from police objection and be able to demonstrate that they have the right to live and work in the UK.
- 6.7 Between 2005 and 2015, personal licences were issued for a period of 10 years. However, in 2015 the law was changed so as to ensure that personal licences no longer expire. In consequence, personal licences no longer need to be renewed.
- 6.8 Licence holders must however, contact the Licensing Unit for a replacement licence where there has been a change of circumstances in respect of the licence holders name or address, or they have committed a relevant offence. It is also necessary to replace an old or lost licence. More information on relevant offences can be found here:

<https://www.legislation.gov.uk/ukpga/2003/17/schedule/4>

Minor Variations

- 6.9 Licence holders can apply to make small changes to premises licences or club premises certificates through the minor variation process. This process is cheaper, easier and quicker than the full variation process.
- 6.10 A minor variation is defined as one that will not impact adversely on any of the four licensing objectives. Examples might include an amendment to the layout of the premises or the removal of outdated or obsolete licence conditions
- 6.11 The Minor Variations process cannot be used to add the sale or supply of alcohol to a licence.
- 6.12 The minor variation application form and further guidance on minor variations can be found on the Home Office website at:

<https://www.gov.uk/government/publications/minor-variations-to-premises-licence-application-form>

Temporary Event Notices

- 6.13 The Licensing Act 2003 provides that a Temporary Event Notice (TEN) can temporarily authorise licensable activities upon premises, such as the sale or supply of alcohol, the provision of regulated entertainment or the supply of late night refreshments which are not already authorised by either a premises licence or a club premises certificate. The TEN process is one of notification to the licensing authority and the police by the giver of the notice.
- 6.14 It should be noted that temporary event notices (TEN's) do not seek permission to carry on licensable activity and nor do they make application for it. TENs are a system of notification which the s182 guidance confirms is a light touch process.

Appendix 1

- 6.15 There are two types of TEN: a standard TEN and a late TEN. These are subject to different processes: a standard notice is given no later than ten working days before the event to which it relates; a late notice is given not before nine and not later than five working days before the event.
www.gov.uk/government/collections/alcohol-licensing-temporary-events-notices
- 6.16 If a TEN event is intended to take place outside, and on land which contain a building such as a clubhouse or public house etc., then you may require planning permission for your event. Further information can be obtained from the Council's Planning Department. They can be contacted on:
DevelopmentControl@cannockchasedc.gov.uk

Standard Temporary Event Notices

- 6.17 "Ten working days" (and other periods of days which apply to other requirements in relation to TENs) exclude the day the notice is received and the first day of the event. A notice that is given less than ten working days before the event to which it relates, when the premises user has already given the permitted number of late TENs in that calendar year, will be rejected and the activities described in it will not be authorised.
- 6.18 The Police and the Council's Environmental Health Service (EHS) are the only bodies that can object and make representations regarding standard temporary event notices.
- 6.19 The Police and the EHS have a period of three working days from when they are given the notice to object to it on the basis of any of the four licensing objectives. At any time before a hearing is held or dispensed with, the Police or Environmental Health Service may, with the agreement of the premises user, modify the temporary event notice by making changes to it.

Late Temporary Event Notices

- 6.20 Late TENs are intended to assist premises users who are required for reasons outside their control to, for example, change the venue for an event at short notice. However, late TENs may, of course, be given in any circumstances providing the limits specified are not exceeded. There is no right of appeal in respect of Police or EHS objections relating to a late TEN.

Event Management

- 6.21 It is the policy of Cannock Chase District Council to provide a forum within which the local authority and other agencies may develop a co-ordinated approach to public safety when the local authority becomes involved in, or is made aware of, certain large scale or high risk events. In liaison with the Council's Parks & Open Spaces Manager, this may include events which take place on land owned by the Council.

Appendix 1

- 6.22 The local authority will maintain the Safety Advisory Group (SAG) with the intention of upholding reasonable standards of public safety and to encourage the wellbeing of the public, operatives and competitors.
- 6.23 Determining whether or not to refer an event to a SAG requires a risk-based approach and be determined by considering a combination of:
- Numbers attending (at any one time);
 - Levels of risk with the event: and
 - Events of an unusual nature
 - Other events at the same time that may increase the impact and risk
- 6.24 Events which include White Collar Boxing are of concern to the SAG and organisers must advise the Council's Licensing Unit in good time of any proposed event. The owners of the venue, even if it is hired out to the promotor of the event, also have a duty to assess the risk of the event and ensure that it can take place safely.

7. How to Raise Concerns

Contact the Council

- 7.1 Anyone with concerns about premises or a particular event can contact the Council's Licensing Unit. It may also be advisable to speak to their local councillor if they have such concerns.
- 7.2 If you have concerns regarding premises, or a new application for a specific event or premises you should contact the Council's Licensing Unit, who will be able to advise you.

Advice for Residents

- 7.3 Government have published a Factsheet for local residents concerned about problem premises. The Factsheet can be found at:
www.gov.uk/government/uploads/system/uploads/attachment_data/file/118372/advice-local-residents.pdf

Child Sexual Exploitation

- 7.4 Licensing authorities must consider the need to protect children from sexual exploitation when undertaking licensing functions. If members of the public have concerns about child sexual exploitation in connection with premises licensed under the Act then they should contact the Police in the first instance, also notifying the child protection department of Staffordshire County Council.
- 7.5 The local Safeguarding Board also provides advice on how to prevent child sexual exploitation. The Staffordshire Safeguarding Children Board web site provides safeguarding information for the public, parents and cares and is at:
[Home - Staffordshire Safeguarding Children Board \(staffsscb.org.uk\)](http://Home - Staffordshire Safeguarding Children Board (staffsscb.org.uk))

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Problem Premises

- 7.6 The expectation of the Council is that licensed premises shall be well run and well managed. The emphasis of the policy is on ensuring the promotion of the licensing objectives and proper management and control of licensable activities.
- 7.7 The focus of the policy is:-
- to ensure that the licensing objectives are met;
 - to ensure individual licensees have proper control over the premises;
 - on the suitability of premises or places being used for licensable activities;
 - on the direct impact of licensable activities on those living, working or otherwise engaged in the area concerned; and,
 - on the impact of those activities on the amenity of the immediate residential area and the wider community.
- 7.8 The transfer of a Premises Licence from one operator to another is a simple and inexpensive process. However, the prospective licence holder must be aware that an original Premises Licence was tailored for the business activity of the previous operators and may not accurately reflect the new operator's requirements.
- 7.9 Licence holders must ensure that a simple change of management does not lead to a change in the complexion of the premises. Intensification of the use of the premises or of the licensable activities may lead to complaint and a possible breach of the licence conditions.

Enforcement Principles

- 7.10 The Council will engage with the licensed trade both as individual premises, and through forums such as Pubwatch in tackling under age sales and we will help to ensure that there are robust age verification schemes in place at venues that sell alcohol, tobacco or provide adult entertainment. The Council will discourage irresponsible advertising and drinks promotions, in a way that is consistent with the mandatory conditions referred to in Chapter 10 of the statutory section 182 guidance.
- 7.11 In carrying out its enforcement duties with regard to the licensable activities and the powers to institute criminal proceedings under the above Act, the Council will have regard to the Regulators' Code. <https://www.gov.uk/government/publications/regulators-code>
- 7.12 In accordance with the Regulators' Code, Council will aim to be:

Proportionate:

Regulators should only intervene when necessary. Remedies should be appropriate to the risk posed, and costs identified and minimised.

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Accountable:

Regulators must be able to justify decisions, and be subject to public scrutiny.

Consistent:

Rules and standards must be joined up and implemented fairly.

Transparent:

Regulators should be open and keep regulations simple and user friendly.

Targeted:

Regulation should be focused on the problem and minimise side effects.

- 7.13 The Council will endeavour to avoid duplication with other regulatory regimes.
- 7.14 The Council will also have regard to any guidance issued and keep itself informed about the work of the Office for Product Safety and Standards (OPSS) and the Department for Business and Trade in its consideration of the regulatory functions of local authorities.
- 7.15 The Council's Enforcement Policy, which explains how the Council makes decisions in the event of non-compliance and criminal offences can be found at: www.cannockchasedc.gov.uk/ehenforcementpolicy
- 7.16 The Council will continue to monitor the effectiveness of this policy and will consider changes to the policy in the light of any new legislation, case law, statutory guidance and best practice. It may consult with stakeholders at the time it is considering any such changes.

Risk Based Inspections

- 7.17 Although the Act does not require premises inspections to be undertaken, they will take place at the discretion of the licensing officers charged with this role as judged necessary using a risk based approach.
- 7.18 This will ensure that the Licensing Authority manages its resources efficiently and that effective enforcement is directed at problem premises.

Reviews

- 7.19 Ready access to the review process provides a key protection for the local community where a licensed premises is undermining the licensing objectives. This essential safeguard can allow the licensing authority to apply a light touch bureaucracy to the grant or variation of a licence or certificate but sanction a more robust approach if problems arise at a later date.
- 7.20 At any stage following the grant of a premises licence or a club premises certificate, a Responsible Authority, or any other person, may ask the Licensing Authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives. Licensing Unit contact details are provided in Paragraph 2.4 of this Policy.

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- 7.21 When dealing with applications for review of a premises licence, the Licensing Authority will accept initial email applications from responsible authorities. This does not however, negate the requirement for them to serve paper copies on all parties, including the licensing authority.

Powers of Licensing Sub Committee on a Review

- 7.22 The Licensing Sub-Committee must, under section 52(4) of the LA03 having had regard to the representations, take such steps as it considers appropriate for the promotion of the licensing objectives namely;

- a) to modify the conditions of the licence
- b) to exclude a licensable activity from the scope of the premises
- c) to remove the Designated Premises Supervisor
- d) to suspend the licence for a period not exceeding 3 months
- e) to revoke the licence.

- 7.23 It should be noted that there are certain criminal activities that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- For the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
- For the sale and distribution of illegal firearms;
- For the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- For the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- For prostitution or the sale of unlawful pornography;
- By organised groups of paedophiles to groom children;
- As the base for the organisation of criminal activity, particularly by gangs;
- For the organisation of racist activity or the promotion of racist attacks;
- For employing a person who is disqualified from that work by reason of their immigration status in the UK;
- For unlawful gambling; and
- For the sale or storage of smuggled tobacco and alcohol

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- 7.24 Where sanctions have been imposed by the Council following review of the Premises Licence and the same operator applies some time later for the grant of a new premises licence or a variation to an existing licence, the applicant must be able to demonstrate that there has been a significant change to the management structure of the business operation or that the application includes significant positive steps that will improve the promotion of the licensing objectives and effectively prevent the recurrence of the problems that arose previously. If the applicant cannot demonstrate such changes or improvements, then the application may be refused.
- 7.25 Any conditions offered by the applicant in support of their application must also demonstrate that sufficient changes have been made to the business operation and where there has been a previous revocation of the premises licence, that the new applicant is not associated with the holder of the previous premises licence. If the applicant cannot demonstrate such changes, or improvements then the application may be refused.
- 7.26 In serious cases of crime or significant mismanagement of premises, the licensing authority and their responsible authorities are also likely to require that the premises has a new designated premises supervisor and new licence holder who are not associated to the previous licence holder.
- 7.27 The Licensing Act 2003 defines associate as:
- A relative or business partner;
 - The spouse or civil partner of that person;
 - A child, parent, grandchild, grandparent, brother or sister of that person;
 - An agent or employee of that person; or
 - The spouse or civil partner of a person listed in either of the two preceding bullet points.

Adjournments of Sub Committee Hearings

- 7.28 On occasion, applications are made to the Council that have particularly pressing time limits – for example temporary event notices and premises licence review applications.
- 7.29 In some cases, a party will ask for additional time to consider their position and sometimes all parties make a request for an adjournment of the Licensing Sub Committee hearing.
- 7.30 In consequence the Council's Head of Law and Administration in consultation with the Chairman of the Licensing & Public Protection Committee, has delegated powers to make certain decisions where it is in the public interest to do so. These are:
- To adjourn hearings
 - To extend time limits

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- To dispense with the need for some hearings where all parties have agreed to this ; and
- To take steps to address any irregularities arising from failure to comply with regulations made under the Act.

7.31 For the avoidance of doubt, a High Court judgement in the case of *Walk Safe Security Services Ltd v London Borough of Lewisham [2024] EWHC 1787 (Admin)*, the Court decided that under the Licensing Act 2003 and the Licensing Act (Hearings) Regulations 2005, licensing committees in England may hold licensing hearings remotely.

8. Premises Licences and Club Premises Certificates

Conditions

- 8.1 The licensing regime, established by the Licensing Act 2003, concerns itself with regulating licensable activities on licensed premises such as public houses, restaurants, qualifying clubs and with temporary event notices.
- 8.2 As the Licensing Authority, the Council wishes to emphasise that any conditions that are attached to an authorisation should be focussed on matters which are within the control of individual licence holder. The Council will seek to avoid attaching blanket conditions or conditions which duplicate other regulatory regimes. The Council will seek to ensure that conditions applied to licences are appropriate, necessary and proportionate.
- 8.3 Premises that hold a Club Premises Certificate under the Act must ensure that they comply with their own club rules; the statutory general conditions in respect of qualifying clubs and general admissions to the premises.

The general conditions are outlined in the legislation as follows:

- (1) The general conditions which a club must satisfy if it is to be a qualifying club in relation to a qualifying club activity are the following.
- (2) Condition 1 is that under the rules of the club persons may not—
 - (a) be admitted to membership, or
 - (b) be admitted, as candidates for membership, to any of the privileges of membership,

without an interval of at least two days between their nomination or application for membership and their admission.

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- (3) Condition 2 is that under the rules of the club persons becoming members without prior nomination or application may not be admitted to the privileges of membership without an interval of at least two days between their becoming members and their admission.
- (4) Condition 3 is that the club is established and conducted in good faith as a club (see section 63).
- (5) Condition 4 is that the club has at least 25 members.
- (6) Condition 5 is that alcohol is not supplied, or intended to be supplied, to members on the premises otherwise than by or on behalf of the club.

Mandatory Conditions

- 8.4 The Licensing Act 2003 states that there are certain mandatory conditions. These have to be included in every licence and/or club premises certificate in specified circumstances. Some of the mandatory conditions relate to premises licences that authorise the sale of alcohol, while others relate to conditions for SIA registered door supervisors and the exhibition of films. Details of these mandatory conditions can be found at:

<http://www.legislation.gov.uk/ukxi/2014/2440/resources> and

<http://www.legislation.gov.uk/ukxi/2014/1252/schedule/made>

Licensing Hours

- 8.5 The Licensing Authority acknowledges that different licensing approaches may be appropriate for the promotion of the licensing objectives in different areas. The Licensing Authority will consider the individual merits of any application or representation. It is clear that longer licensing hours with regard to the sale of alcohol may be an important factor in avoiding a concentration of customers leaving premises simultaneously, however, it must also be recognised that even smaller numbers of patrons leaving licensed premises over a longer period of time, may still lead to significant and persistent problems of disorder and/or public nuisance.
- 8.6 The Licensing Authority acknowledges that greater consumer choice and flexibility is an important consideration when it comes to encouraging a thriving night time economy. This is important for local investment and employment opportunities. However longer licensing hours should not be permitted if evidence demonstrates that there would be an adverse impact upon the promotion of the licensing objectives.
- 8.7 In some circumstances flexible licensing hours for the sale of alcohol can help to ensure that large numbers of customers do not leave various premises simultaneously. This can also help to promote the Licensing Objectives.

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Capacity within Licensed Premises

8.8 Capacity and fire safety issues are covered in a useful guide found at:

- Fire Safety Risk Assessment - Small to Medium Places of Assembly
<https://www.gov.uk/government/publications/fire-safety-risk-assessment-small-and-medium-places-of-assembly>

- Fire Safety Risk Assessment - Larger Places of Assembly
<https://www.gov.uk/government/publications/fire-safety-risk-assessment-large-places-of-assembly>

- Fire Safety Risk Assessment - Theatres, cinemas and similar places
<https://www.gov.uk/government/publications/fire-safety-risk-assessment-theatres-cinemas-and-similar-premises>

- Fire Safety Risk Assessment - Open air events and venues
<https://www.gov.uk/government/publications/fire-safety-risk-assessment-open-air-events-and-venues>

Spiking

8.9 Many licensed premises work incredibly hard to ensure that their customers can enjoy a night out safely and deter perpetrators.

8.10 To support licensed premises, several industry associations produced a factsheet which includes recommendations and some resources for the hospitality sector on how to respond to and prevent spiking. The fact sheet can be found here: <https://www.local.gov.uk/publications/lga-guidance-note-drink-spiking-prevention>

8.11 Within the said document, there are some recommended actions for licensed premises:

- Ensure all reports of spiking are acted upon and that all incidents of alleged spiking are recorded and reported to the police. It is also helpful to the police if staff:
 - obtain full details of the affected person reporting the incident, including a description of what they are wearing as officers will want to track them on CCTV
 - can provide as detailed a description of the suspected perpetrator as possible, if known, including clothing
 - can provide an approximate time of the incident and the location within the premises where they believe it occurred
 - can secure the drinking vessel(s) that is suspected as containing the 'drug' so this can be tested at a later time.

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- can seize any drinking vessel that the suspect may have been using.
- Ensure the health and safety of the customer, which could be by calling emergency services, ensuring they are with trusted friends who will look after them, offering assistance if needed, and providing a safe space for the customer.
- Ensure appropriate training is provided to relevant members of staff.
- Review searching procedures and amend as necessary, as well as reviewing how often toilets are inspected, as victims of spiking have been found in there. Premises should also review the functionality of any CCTV and ensure it is not obscured.
- Consider providing information (such as posters) regarding drink spiking in the premises.
- Consider if it would be useful to provide anti-spiking bottle stoppers and protective drink covers. It may also be helpful to see if drug testing kits have been made available in your area by the police or council.

Ask For Angela Campaign

- 8.12 The Ask for Angela initiative aims to ensure that anyone who is feeling vulnerable or unsafe is able to get discreet support. This could be on a night out, on a date or meeting friends. The initiative works by training staff in vulnerability management and what to do when someone 'Asks for Angela'.
- 8.13 The Council expects that when a trained member of staff hears the code-phrase they should understand that the person is in need of support and will be able to respond in an appropriate, discreet way. This could be offering them an alternative way out of the venue, calling them a taxi or in a more serious situation, altering venue security and/or the Police. More information can be found here: [Ask for Angela - Violence Reduction Alliance](#)

Counter terrorism

- 8.14 The licensing authority requires that applicants for premises licences and variation to those licences, to pay particular attention to possible terrorist threats in relation to security and health care provision at appropriate premises and events applying for a licence.
- 8.15 Where appropriate applicants should consider appropriate access for emergency services and vehicles such as ambulances; good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts and ensuring

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the presence of sufficient trained first aiders on the premises and appropriate first aid kits.

- 8.16 Guidance on counter terrorism measure and information on further security planning and health care provision in the aftermath of a particular type of incident can be found in an annex at the rear of the S182 statutory guidance. This can be found here:
https://assets.publishing.service.gov.uk/media/65a8f578ed27ca000d27b1f9/R_evised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_-_December_2023.pdf
- 8.17 Applicants for premises licences and variation to those licences should also consider:
- That certain members of staff must have completed the free of charge Action Counter Terrorism (ACT) Awareness e-learning training in order that the premises has sufficient members of staff who are trained and available to promptly identify and respond to any terrorist incident.
 - Counter-terrorism awareness training session for their Designated Premises Supervisor (DPS). This will be separate to the training mentioned above and may be available through the Council and other providers.
 - A documented security assessment, which incorporates counter terrorism measures for the premises
 - Within 28 days of the grant or variation of the licence, the premises licence holder shall evaluate any risks and take prompt steps to reduce the risk as far as is reasonably practicable. Business development support is available at: [ProtectUK | Home](#)
 - Whether the premises must have a documented security plan, which sets out counter measures to be implemented in response to a terrorist attack at or near your premises . This may be particularly relevant at high profile or large premises or events or where there are factors which may increase attractiveness to attacks, and in particular when in receipt of relevant advice from police counter terrorist staff. More information and support is available at: [ProtectUK | Home](#)
- 8.18 Further advice is available about risk reduction during ingress and egress to premises from the National Protective Security Authority.
[Mitigation of Terrorist Threats at Venues during Ingress and Egress Guidance | NPSA](#)

Alcohol Sold for Consumption at “Off Licence” Premises

- 8.19 Licence holders and DPS’ with particular responsibility for town centre Off Licence premises are reminded of their responsibility in ensuring that sales of

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alcohol from their premises do not create a direct link to town centre anti-social behaviour or crime and disorder.

- 8.20 In particular, the sale of single cans of alcohol to those who have a tendency to drink alcohol in the street or within our town centres should be avoided. Where a direct link can be established between sales of alcohol from a premises and any anti-social behaviour or crime and disorder caused by those to whom the alcohol has been sold, then formal action may be taken against the licence holder.
- 8.21 Licence holders and DPS are also reminded that it is an offence under Section 141 of the Act to knowingly sell alcohol or allow alcohol to be sold to a person who is drunk.

Pavement Licences

- 8.22 Pavement Licences are granted by the Local Authority, or deemed to have been granted, which allows the licence holder to place removable furniture over certain highways adjacent to the premises. Licences that are deemed to have been granted should remain in place for such period as the local authority may specify in the licence with a maximum limit of 2 years.
- 8.23 The Levelling Up and Regeneration Act 2023 makes permanent the provisions set out in Business and Planning Act 2020 that streamlined the process to allow businesses to secure these licences quickly.
- 8.24 Businesses that are eligible include public houses, cafes, restaurants and bars, coffee shops, snack bars and ice cream parlours which use, or proposes to use, premises for the sale of food or drink for consumption (on or off the premises) can apply for authorisation and a licence.
- 8.25 A licence allows the business to place removable furniture such as tables and chairs on the highway adjacent to their premises to sell or serve food or drink and/or allow it to be used by people for consumption of food or drink supplied from, or in connection with the use of the premises.
- 8.26 Guidance on Pavement Licences can be found here: [Licensing & Permits | Cannock Chase District Council \(cannockchasedc.gov.uk\)](https://www.cannockchasedc.gov.uk/permissions-and-licences/permissions-and-licences/permissions-and-licences)
- 8.27 More information on the Business and Planning Act 2020 can be found here:
[Guidance: pavement licences \(outdoor seating\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/pavement-licences-outdoor-seating)
[Alcohol licensing: guidance on temporary off-sales permissions - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/alcohol-licensing-guidance-on-temporary-off-sales-permissions)

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Children in Premises

- 8.28 The Council recognises the great variety of premises for which a Premises Licence may be sought and wishes to make it clear that there are a range of alternatives available for limiting the access of children where that is appropriate for the objective of the protection of children from harm.
- 8.29 Measures that may assist in the promotion of the objective relating to the protection of children from harm include:-
- restrictions on the hours when children may be present; restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place
 - restrictions on the parts of the premises to which children may have access; age restrictions (under 18)
 - restrictions or exclusions when certain activities are taking place
 - requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and,
 - full exclusion.
- 8.30 The admission of children into licensed premises will normally be at the discretion of the licence holder/management and this should be reflected in the operating schedule submitted to the Council upon application.
- 8.31 The Council will not seek to limit the access of children to any premises unless it receives representations to that effect. However, where premises give film exhibitions, the licensing authority will expect licence holders or clubs to include in their operating schedules arrangements for restricting children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification, or the licensing authority itself.
- 8.32 Through the local Pubwatch sessions, the Council will engage with the licensed trade in tackling under age sales and we will help to ensure that there are robust age verification schemes in place at venues that sell alcohol, tobacco or provide adult entertainment. The Council will discourage irresponsible advertising and drinks promotions, in a way that is consistent with the mandatory conditions referred to in Chapter 10 of the statutory guidance.

Live Music

- 8.33 As a result of recent changes made to the Act no licence is required for the following activities -
- A performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - A performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

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- A performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
- A performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- A performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

Adult Entertainment

- 8.34 Adult entertainment is only authorised where the Premises Licence or Club Premises Certificate (CPC) clearly states that such entertainment is permitted. New applicants must make clear on the application form that adult entertainment may take place at the premises.
- 8.35 Existing licence holders should be aware that if adult entertainment is not mentioned within their current Premises Licence or CPC, then a variation to the licence or a Temporary Event Notice (TEN) will be required before adult entertainment can take place. The TEN form makes specific reference to the provision of adult entertainment.
- 8.36 The Council has adopted a Sex Establishment Policy which deals with the interface between the adult entertainment and the Licensing Act 2003. The provision of adult entertainment within the Licensing Act 2003 licensed premises can only take place in accordance with the exemptions stated within the Council's Sex Establishment Policy.
- 8.37 This exemption permits adult or "relevant entertainment" to take place only on an "infrequent basis". "Infrequent" means on no more than 11 occasions in any 12 month period; is no more frequently than once a month and with each event lasting no longer than 24 hours.
- 8.38 An explanation and definition of sexual entertainment can be found in the Council's Sex Establishment Policy here:
[sev_policy_document_final.pdf\(cannockchasedc.gov.uk\)](http://sev_policy_document_final.pdf(cannockchasedc.gov.uk))

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Suspension of Licence/Certificate

- 8.39 Premises Licence or Club Premises Certificate annual fees are due to be paid to the Licensing Authority on the anniversary of the grant of the said authorisation.
- 8.40 When annual fees fail to be paid, the Licensing Act 2003 requires licensing authorities to suspend the Premises Licence or Club Premises Certificate.
- 8.41 The Premises Licence or Club Premises Certificate is to be suspended unless the holder has failed to pay the fee at the time it became due because of an administrative error, or before or at the time the fee became due, the licence holder notified the authority in writing that the licence holder disputed liability for, or the amount of, the fee.
- 8.42 The suspension can only take place after a 21 day period of grace is afforded to the licence holder which begins on the day after the fee became due. After that 21 day period expires a suspension notice will be served by the licensing authority giving at least two working days' notice of the suspension.
- 8.43 The suspension notice will be lifted on the day that the annual fee is paid.

<http://www.legislation.gov.uk/ukpga/2011/13/section/120/enacted>

Petrol Stations s176

- 8.44 Where a licence application is made which may be affected by the "excluded premises" section 176 of the Act, the Council will determine the application in accordance with the information and evidence provided by the applicant.
- 8.45 All premises licences issued to petrol station forecourts will have the following statement included within the licence:
- "This premises licence has no effect to authorise the sale by retail or supply of alcohol on or from an excluded premises under section 176 of the Licensing Act 2003. 'Excluded premises' means premises used primarily as a garage or which forms part of a premises which is primarily so used. Premises are used as a garage if they are used for... the retailing of petrol or retailing of derv (section 176(4) (c) (i) and (ii))"*
- 8.46 Where the applicant provides little or no evidence that the premises is not "excluded premises" under section 176 of the Act, then the Premises Licence may be granted, issued with the above statement endorsed upon it and monitored for compliance by the licensing authority and / or Police.
- 8.47 In the event of representations being made in respect of this type of application by responsible authorities then the application will be referred for determination by the Licensing Sub Committee at a hearing.

9. Wider Licensing Considerations

Reduction of Alcohol Harm

- 9.1 Health bodies have been able to act as responsible authorities under the Licensing Act 2003 since April 2012. Since the health reforms in April 2013 which saw the formal transfer of public health responsibilities to Local Authorities, health bodies are Directors of Public Health (in England) and they have unique access to data not available to other responsible authorities which may inform licensing decisions.
- 9.2 Public Health is not currently a licensing objective and there is not a specific licensing objective related directly to health within the current legislation but Health, Wellbeing & Leisure (HWL) at Staffordshire County Council has much to add in reducing health harms within the current licensing framework.
- 9.3 This licensing authority envisages an effective working relationship with the Director of Public Health (DPH) and HWL, working together to ensure that the health impacts of alcohol licensing is considered. Although the DPH will be notified of all licence applications, it is acknowledged not every application will need a response from HCS. However, any representations must be considered relevant by the licensing authority and relate to one or more of the licensing objectives.
- 9.4 Health bodies when making representation are most likely to relate such representations to the objectives on public safety and protecting children from harm but any health evidence will need to relate to a specific premises.
- 9.5 The role of the DPH is to help promote the health and wellbeing of the local populations they serve and in the DPHs annual report '*Reducing alcohol-related harm: everyone's responsibility*' 3 strategic priorities were identified:
- i) Prevention and early intervention
 - ii) Treatment and recovery
 - iii) Regulation and enforcement
- 9.6 The above three objectives are also underpinned by the cross cutting theme of 'taking responsibility' in that individuals, families, communities and organisations will all need to take various forms of responsibility if alcohol problems are to be reduced.
- 9.7 The health reforms along with the publication of '*The Government's Alcohol Strategy*' in 2012 and the development of local structures, lends itself to a joined up approach in taking the right action locally to tackle alcohol related harm. Given this, an Alcohol Strategy for the District has been developed which focuses on the harm associated with alcohol misuse to individuals, families and communities in Cannock Chase and the collective cross cutting efforts put in place to reduce these harms and improve health and wellbeing outcomes of local residents. [Alcohol strategy - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Appendix 1**The Licensing Authority as a Responsible Authority**

- 9.8 Although the Licensing Authority is a responsible authority, it will not usually need to duplicate representations or applications made by other responsible authorities and other persons. However, if these parties are unable to respond because they, as a single authority, have insufficient grounds to do so, the licensing authority may, where it has relevant grounds to do so, make a representation in its capacity as a responsible authority.
- 9.9 The Licensing Authority may sometimes be in a better position than other responsible authorities position to “see the full picture” and connect apparently unrelated reports from different sources.
- 9.10 Where appropriate, the licence authority may seek to impose licence conditions onto applications for new premises licences or to amend or replace conditions on existing premises licences which are considered insufficient to deal with issues which arise at the premises. In most cases the changes to existing premises licences will be by means of Minor Variation and the Licensing Authority will encourage and support the licence holder in making such a minor application.

Planning Decisions

- 9.11 Licensing & Planning are discrete regulatory systems.
- 9.12 There are several key differences between licensing and planning control, and their respective approaches to applications. It could be said that the consideration of a planning application involves looking into how land or buildings are to be used, whereas licensing considers the behaviour of people in terms of the proposed use of the buildings or land and the impact on the licensing objectives.
- 9.13 In some cases, a premises may have different hours of operation (in particular closing times) upon its planning permission and premises licence. This is because the considerations for obtaining planning consent are different from those for obtaining an authorisation under the Licensing Act 2003.
- 9.14 The distinction between planning and licensing functions needs to be clear, but it is also important that the functions are aligned operationally to provide a joined up and customer focussed service to businesses
- 9.15 Councils are already exploring opportunities to improve customer service for businesses in this area, for example by joining up planning, licensing and other advice at an early stage through pre-application advice services.

Cumulative Impact

- 9.16 In some areas where the number, type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or

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some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport.

- 9.17 A cumulative impact assessment (CIA) may be published by a licensing authority to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. CIAs relate to applications for new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates in a specified area.
- 9.18 The Council has not considered it necessary to publish a cumulative impact assessment (CIA). However, the matter will be kept under regular review and the Council will undertake a CIA should it be appropriate to do so.

Early Morning Alcohol Restriction Orders (EMRO)

- 9.19 Under Section 172 A to E of the Act, the licensing authority has the power to make an EMRO prohibiting the sale of alcohol for a specified period between the hours of 24:00 and 06:00. They are designed to address recurring problems with licensed premises, serious public nuisance and other instances of alcohol-related anti-social behaviour which is not directly attributable to a specific premises.
- 9.20 It is acknowledged by the licensing authority that an EMRO may be restrictive, whilst also being a powerful tool to address recurring problems of alcohol-related crime and disorder, serious public nuisance and alcohol-related anti-social behaviour. Prior to making an EMRO the Licensing Authority will consider whether any other measures (implemented by themselves or with partners) may address the problems that have been identified.
- 9.21 In taking any decision to make an EMRO, the licensing authority will follow the statutory process and will invite representations. An EMRO could only be made if the evidence demonstrated that it was justified as appropriate for the promotion of the licensing objectives.
- 9.22 Chapter 17 of the Section 182 statutory guidance deals with EMROs. See https://assets.publishing.service.gov.uk/media/65a8f578ed27ca000d27b1f9/R_evised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_-_December_2023.pdf

Late Night Levy

- 9.23 Under Section 125 of the Police Reform and Social Responsibility Act 2011 the Council can adopt a Late Night Levy, following a consultation process, outlined by the Home Office.

Appendix 1

- 9.24 The Late Night Levy allows the Council to charge an additional fee to any licensed premises that has a licence for the sale of alcohol (on and off sales) between 24:00 and up to 06:00 in order to cover the additional costs associated with late night alcohol trading.
- 9.25 Legislation allows the prescribed time to start from midnight but it is up to the Council to decide when they wish to apply it.
- 9.26 The Council will consider implementing a Late Night Levy if this is shown to be justified as appropriate for the promotion of the licensing objectives.

Town Centres and Public Spaces

- 9.27 The Council has licensed some of its public spaces in order to encourage a wide range of licensable activities, subject to prior notification and agreement by the Council.
- 9.28 The public spaces which are currently licensed by the Council are listed below:
- Cannock Town Centre
 - Cannock Park
 - Rugeley Town Centre
 - Elmore Park, Rugeley
 - Ravenhill Park, Brereton, Rugeley
 - Hednesford Town Centre
 - Hednesford Park
- 9.29 Performers or entertainers who wish to use land which is licensed by the Council, will need to obtain permission to do so by contacting the Council's Licensing Unit. There is no fee payable but it will be necessary to complete a simple application form. If the proposed land is not already licensed then it may be necessary for the performers to authorise licensable activities by means of a Temporary Event Notice for which a fee may be payable.

10. Functions and Decision Making

Matters to be dealt with	Sub Committee	Officers
Application for personal licence	If a police objection	If no objection made
Application for personal licence with unspent convictions	If a police objection	If no objection made
Application for premises licence / club premises certificate	If a relevant representation made	If no relevant representation made
Application for provisional statement	If a relevant representation made	If no relevant representation made
Application to vary premises licence / club premises certificate	If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor	If a police objection	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a police objection	All other cases
Applications for interim authorities	If a police objection	All other cases
Application to review premises licence / club premises certificate	All cases	
Decision on whether a representation is irrelevant frivolous vexatious etc.		All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application	All cases	
Determination of an objection to a temporary event notice	All cases	
Determination of application to vary premises licence at community premises to include alternative licence condition	If a police objection	All other cases
Decision whether to consult other responsible authorities on minor variation application		All cases
Determination of minor variation application		All cases

11. Glossary

'Responsible authorities'

are public bodies, including the police and fire service etc., that must be made fully aware of applications and are entitled to make representations to the Licensing Authority in relation to the application for the grant, variation or review of a premises licence or club premises certificate.

'Licensing Authority'

is Cannock Chase District Council

'Designated Premises Supervisor'

is the person designated as such and who is responsible for the day to day running of the premises and responsible for the sale of alcohol at the premises concerned.

'Premises Licence'

is a licence granted under the Act, in respect to any premises, which authorises the premises to be used for one or more licensable activities.

'Club Premises Certificate'

means a Certificate granted under the Act in respect of a premises which is compliant with section 62 of the Act and is habitually used for the purposes of a Club.

'Personal Licence'

is a licence granted to an individual by the Licensing Authority that authorises that individual to sell or supply alcohol in accordance with the premises licence.

'Drink spiking'

is when someone puts drugs or alcohol into a person's drink without their consent. It can include putting alcohol into a non-alcoholic drink, adding extra alcohol to an alcoholic drink or slipping prescription or illegal drugs into an alcoholic or non-alcoholic drink. Substances used for spiking usually have no taste, odour or colour.

'Needle spiking'

is when someone injects a victim with a substance using a hypodermic needle (or other form of administration such as a combi-pen).

'EMRO'

An early morning alcohol restriction order (EMRO) can apply to any period on each day beginning at or after 12am and ending at or before 6am. It does not have to apply on every day, and can apply for different time periods on different days. An EMRO can apply to the whole or any part of the licensing authority's area.

Appendix 1

The EMRO will apply to premises licences, club premises certificates and temporary event notices in relation to premises situated in the specified area. An EMRO can apply for a limited or unlimited period of time. For example, an EMRO may apply for a few weeks in relation to a specific event or apply for an indefinite period.

'Late Night Levy'

The late night levy is a power, conferred on licensing authorities by provision in Chapter 2 of Part 2 of the Police Reform and Social Responsibility Act 2011. This enables licensing authorities to charge a levy to persons who are licensed to sell alcohol late at night in the authority's area, as a means of raising a contribution towards the costs of policing the late night economy.

'CIA'

A Cumulative Impact Area is a designated zone where evidence has indicated that the number, type or density of licensed premises is impacting adversely on the licensing objectives, namely, crime and disorder, public safety, public nuisance and the protection of children from harm.

FAIR PROCESSING NOTICE

How we use your personal information:

At Cannock Chase District Council we take your privacy seriously and will only keep and use your personal information for reasons that the law requires or allows. We are a data controller for the personal information we hold about you in relation to the processing and renewals of your Licenses. In order to comply with data protection legislation, we want to be sure you understand how we use this information.

The purpose for which your data will be used is to establish your identity and other necessary information about you which will help us determine your fitness, propriety and suitability to hold a licence or other authorisation with this authority.

The following is a generic, non-exhaustive list of relevant legislation which may apply to your particular licensing application or renewal. The information we collect about you will permit us to process your application in compliance with the legislation.

- Licensing Act 2003
- Gambling Act 2005
- Animal Welfare Act 2006
- The Local Government (Miscellaneous Provisions) Act 1976 & 1982
- The Town Police Clauses Act 1847
- Dangerous Wild Animals Act 1976
- Zoo Licensing Act 1981
- House to House Collections Act 1939
- Scrap Metal Dealers Act 2013

Cannock Chase District Council is required by law to protect the public funds it administers. We may share information provided to us with other agencies involved in licence processing or licensing enforcement where the law requires or permits us to do so.

We may share information about you for the purposes of auditing and administering public funds, preventing and detecting fraud and the prevention and detection of crime. Otherwise, we will only share your data if you ask us to.

We only keep this data for the time specified in our retention schedule or as required by law. Data protection law provides you with certain rights, however not all of these rights will be available to you in all situations, particularly where we process your information as part of one of our statutory duties. Where we are under a legal duty to use data for a particular purpose you will not have the right to prevent it being used in that way.

A full list of the rights you may have, under data protection law, is given in the 'Your Rights' section of this webpage. For specific enquiries regarding personal data which we process you can contact the Data Protection Officer on email: infomanager@cannockchasedc.gov.uk or at Civic Centre, PO Box 28, Beecroft Road, Cannock, Staffordshire, WS11 1BG.

If you wish to complain about how your personal information has been handled by Cannock Chase District Council, then please contact the Data Protection Officer in the first instance using the details above. If you are not satisfied you can submit a formal complaint to the Council via our website <http://www.cannockchasedc.gov.uk/council/about-council/customer-feedback-help-us-get-it-right>

Finally you can complain to the Information Commissioner's Office at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, Tel: 0303 123 1113 or you can visit their website at ico.org.uk. You can also find details of how we handle your personal information by visiting www.cannockchasedc.gov.uk/DataProtection



CHANGES TO THE CANNOCK CHASE DISTRICT COUNCIL LICENSING POLICY, 2025

PAGE/PARAGRAPH	AMENDMENTS TO EXISTING POLICY	REASON
Page 11, Paragraph 6.16.	Addition information in respect of the possible need to obtain planning permission following service of a Temporary Event Notice (TEN).	For clarification and compliance with the legislation.
Page 17, Paragraph 8.3.	Removal of outdated reference to the Institute of Licensing's advice on premises licence conditions.	For clarification and compliance with the legislation.
Page 19, Paragraph 8.10.	Additional information and guidance relating to the spiking of drinks.	For clarification and compliance with good practice and statutory guidance.
Page 20, Paragraph 8.13.	Additional information and guidance relating to vulnerable women in licensed premises.	For clarification and compliance with good practice and guidance.
Page 20, Paragraph 8.15.	Additional information and guidance relating to Counter Terrorism measures.	For clarification and compliance with good practice, statutory guidance.
Page 22, Paragraph 8.22.	Additional information and guidance relating to Pavement Licences.	For clarification and compliance with legislation, good practice and guidance.
Page 31, Section 11 Glossary.	Explanation in respect of terminology used within the policy document.	For clarification and avoidance of doubt.