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SOUTH LAKELAND DISTRICT COUNCIL

South Lakeland House, Kendal, Cumbria LA9 4UQ

www.southlakeland.gov.uk



**You are summoned to attend a meeting of
the Council**

on Wednesday, 13 July 2022, at 6.30 p.m.

in the District Council Chamber, Kendal Town Hall, Kendal

**Note – For those who wish to attend, Prayers will be said
in the District Council Chamber at 6.20 p.m.**

Membership

Councillors

Caroline Airey
Giles Archibald
Robin Ashcroft
Rupert Audland
Pat Bell
Ben Berry
Roger Bingham
Jonathan Brook
Helen Chaffey
Stephen Coleman
Ben Cooper
Brian Cooper
Michael Cornah
Jonathan Cornthwaite
Tracy Coward
Philip Dixon
Pete Endsor

Judy Filmore
Alvin Finch
Gill Gardner
Fiona Hanlon
Tom Harvey
Eamonn Hennessy
Hazel Hodgson
Chris Hogg
Rachael Hogg
John Holmes
Kevin Holmes
Vicky Hughes
Helen Irving
Ali Jama
Andrew Jarvis
Janette Jenkinson
Dyan Jones

Helen Ladhams
Malcolm Lamb
Kevin Lancaster
Susanne Long
Pete McSweeney (Chairman)
Ian Mitchell
Suzie Pye
Doug Rathbone
Brian Rendell
Matt Severn (Vice-Chairman)
Peter Thornton
Heather Troughton
David Webster
Ian Wharton
Janet Willis
Mark Wilson
Shirley-Anne Wilson

Note – Where relevant, agendas for Members are labelled “Private Document Pack” and contain exempt information within the papers. Any relevant pages are marked as restricted within Agendas labelled “Public Document Pack”.

Tuesday, 5 July 2022

A handwritten signature in black ink, appearing to be 'Linda Fisher'.

Linda Fisher, Legal, Governance and Democracy Lead Specialist (Monitoring Officer)

For all enquiries, please contact:-

Committee Administrator: Adam Moffatt

Telephone:

e-mail: committeeservices@southlakeland.gov.uk



Roll Call : Apologies

AGENDA

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PART I

1 MINUTES

To authorise the Chairman to sign, as a correct record, the minutes of the Annual Meeting of the Council held on 18 May 2022.

7 - 18

2 PUBLIC PARTICIPATION

Any member of the public who wishes to ask a question, make representations or present a deputation or petition at this meeting should apply to do so by no later than 0:01am (one minute past midnight) two working days before the meeting. Information on how to make the application can be obtained by viewing the Council's Website www.southlakeland.gov.uk or by contacting the Committee Services Team on 01539 733333.

(1) Questions and Representations

To receive any questions or representations which have been received from members of the public.

(2) Deputations and Petitions

To receive any deputations or petitions which have been received from members of the public.

3 DECLARATIONS OF INTEREST

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

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

Members may, however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests which they have already declared in the Register, as well as any other registrable or other interests.

If a Member requires advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote, he/she is advised to contact the Monitoring Officer at least 24 hours in advance of the meeting.

4 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS

To consider whether the items, if any, in Part II of the Agenda should be considered in the presence of the press and public.

5 CHAIRMAN'S ANNOUNCEMENTS

To receive announcements by the Chairman (list of engagements recently attended attached).

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6	REVENUE AND CAPITAL OUTFURN 2021/22	21 - 54
	To note the Council's financial performance for 2021/22 and to approve movements to and from reserves and the carry forward of budgets to 2022/23.	
7	2021/22 ANNUAL TREASURY MANAGEMENT REPORT	55 - 68
	To consider the 2021/22 Annual Treasury Management Report.	
8	THE GAMBLING ACT 2005 - STATEMENT OF GAMBLING LICENSING POLICY	69 - 158
	To consider the Council's Statement of Gambling Licensing Policy.	
9	AMENDMENT TO THE COUNCIL'S CODE OF CONDUCT	159 - 178
	To consider an amendment to the Council's Code of Conduct.	
10	LEADER'S ANNOUNCEMENTS AND CABINET QUESTION TIME, INCLUDING THE COMPOSITE REPORT OF THE COMPOSITE REPORT OF THE CABINET (1 HOUR MAXIMUM)	
	Council is asked to receive the Executive Reports from the Leader and Cabinet and to deal with any questions raised by Members to the appropriate Cabinet Members on the contents of the reports.	
	To receive announcements from the Leader and, in accordance with Paragraphs 10.2 and 10.3 of the Council's Rules of Procedure, to deal with any questions to the Leader and/or Portfolio Holders on any topic which is within the jurisdiction or influence of the Council <u>and</u> is relevant to their Portfolio. Any Member who poses a question will be entitled to ask one supplementary question on the same topic.	
	<i>Members are encouraged to give 24 hours' written notice of questions to the Monitoring Officer of questions to be raised under the Agenda Item. If no notice is received, then the Portfolio Holder can reserve the right to give a written answer. Where written notice of questions has been given, these will be taken first. Should a Member wish to ask more than one question, questions should be listed in order of priority. If more than one Member sends in a question, these will be taken in alphabetical order of Members' names, alternated from meeting to meeting. Each question and each response is restricted to three minutes.</i>	
	a Climate Action and Biodiversity Portfolio Holder Report	179 - 184
	b Customer and Locality Services Portfolio Holder Report	185 - 194
	c Economy, Culture and Leisure Portfolio Holder Report	195 - 204
	d Finance & Assets Portfolio Holder Report	205 - 212
	e Health, Wellbeing and Poverty Alleviation Portfolio Holder Report	213 - 216
	f Housing Portfolio Holder Report	217 - 220
	g Promoting South Lakeland and Innovation Portfolio Holder Report	221 - 226
11	QUESTIONS TO CHAIRMAN OF THE COUNCIL OR CHAIRMAN OF ANY COMMITTEE OR SUB-COMMITTEE	
	To deal with any questions under Rule 10.6 of the Council's Rules of Procedure, of which due notice has been given and/or the Chairman allows as a matter of urgent business and which are in relation to any matter over which the Council has powers or duties or which affect the area.	

12 URGENT DECISIONS

In accordance with Paragraph 17.3 of the Access to Information Procedure Rules, to receive details of any urgent Executive Decisions, if any, taken since the last scheduled meeting of Council on 18 May 2022.

13 NOTICE OF MOTION

The following Notice of Motion has been given in accordance with Paragraph 11.1 of the Council's Rules of Procedure:-

“Council therefore supports Fair Game, a national campaign that seeks radical reform of the way football is managed and run, specifically its call for:

An Independent Regulator for the sport;

A refocus on ‘values’ rather than profit;

The establishment of a Sustainability Index, which will reallocate the payments made to clubs to reward those which are run well, respect equality standards and properly engage with their fans and their community; and

Fans to be given the final say on any proposed change to a club’s ‘crown jewels’, including the club’s name, nickname, colours, badge and the geographical location from where the club plays.

Council also notes that former Sports Minister Tracey Crouch MP has published a Government-commissioned fan –led review into football governance and that a vast majority of its findings mirror Fair Game’s aspirations.

Council therefore resolves to:

Declare its support for the Fair Game manifesto, ‘Solutions for our National Game’, and calls on other Councils to join us in our support;

Ask the Chief Executive to write to the Minister for Sport, our local Members of Parliament, and the Chair of the Local Government Association Culture, Tourism and Sport Board, asking them to support and work towards implementing Fair Game’s manifesto and the findings of the fan-led review led by Tracey Crouch MP; and

Ask the Council’s representatives to encourage other like-minded councils to support Fair Game.”

(signed by Councillor Jonathan Cornthwaite)

14 URGENT ITEMS

To consider urgent items of business, if any.

15 EMERGENCY DELEGATED EXECUTIVE DECISIONS

To note the following Emergency Delegated Executive Decision taken by the Chief Executive in accordance with the Leader’s decision noted by Cabinet at CEX/104 (2019/20):-

a 019 04/05/2022 - Council Tax Energy Rebate

PART II

Private Section (exempt reasons under Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, specified by way of paragraph number)

There are no items in this part of the agenda.

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SOUTH LAKELAND DISTRICT COUNCIL

Minutes of the proceedings at a meeting of the Council held in the Assembly Room, Kendal Town Hall, Kendal, on Wednesday, 18 May 2022, at 5.30 p.m.

Present Councillors

	Pete McSweeney (Chairman)	
	Matt Severn (Vice-Chairman)	
Caroline Airey	Philip Dixon	Ali Jama
Giles Archibald	Pete Endsor	Andrew Jarvis
Robin Ashcroft	Judy Filmore	Janette Jenkinson
Rupert Audland	Gill Gardner	Dyan Jones
Pat Bell	Tom Harvey	Helen Ladhams
Roger Bingham	Eamonn Hennessy	Ian Mitchell
Jonathan Brook	Hazel Hodgson	Suzie Pye
Helen Chaffey	Chris Hogg	Peter Thornton
Stephen Coleman	Rachael Hogg	Heather Troughton
Ben Cooper	John Holmes	David Webster
Brian Cooper	Kevin Holmes	Ian Wharton
Michael Cornah	Vicky Hughes	Janet Willis
Tracy Coward	Helen Irving	

Apologies for absence were received from Councillors Ben Berry, Jonathan Cornthwaite, Alvin Finch, Fiona Hanlon, Malcolm Lamb, Kevin Lancaster, Susanne Long, Doug Rathbone, Brian Rendell, Mark Wilson and Shirley-Anne Wilson.

Officers

Inge Booth	Legal, Governance and Democracy Specialist
Lawrence Conway	Chief Executive
Linda Fisher	Legal, Governance and Democracy Lead Specialist (Monitoring Officer)
Sean Hall	Principal Specialist (Health & Environment)
Julia Krier	Legal, Governance and Democracy Specialist
Simon McVey	Director of Strategy, Innovation and Resources
Adam Moffatt	Legal, Governance and Democracy Specialist
Simon Rowley	Director of Customer and Commercial Services
Helen Smith	Finance Lead Specialist (Section 151 Officer)
Danielle Walls	Legal, Governance and Democracy Specialist (Solicitor)

C/1

CHAIRMAN

It was proposed by Councillor Tom Harvey and seconded by Councillor Stephen Coleman that Councillor Pete McSweeney be elected Chairman of the Council for the ensuing year.

Following a vote, it was

RESOLVED – That Councillor Pete McSweeney be elected Chairman of the Council for the ensuing year.

C/2 CHAIRMAN'S ANNOUNCEMENTS

The Chairman congratulated those Members who had been elected to the new Westmorland and Furness Shadow Authority and reflected on a challenging period ahead for both Members and Officers.

The Chairman thanked Inge Booth for her service to the Council over the last 35 years and wished her well for the future.

C/3 VICE-CHAIRMAN

It was proposed by Councillor Chris Hogg and seconded by Councillor Andrew Jarvis that Councillor Matt Severn be elected Vice-Chairman of the Council for the ensuing year.

Following a vote, it was

RESOLVED – That Councillor Matt Severn be elected Vice-Chairman of the Council for the ensuing year.

C/4 MINUTES

RESOLVED – That the Chairman be authorised to sign, as a correct record, the minutes of the meeting of the Council held on 22 February 2022.

C/5 DECLARATIONS OF INTEREST AND DISPENSATIONS

No declarations of interest were raised.

C/6 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS

There were no excluded items on the Agenda.

C/7 LEADER'S ANNOUNCEMENTS

The Leader of the Council informed Members of a change to Cabinet Members, with Councillor Eamonn Hennessey replacing Councillor Philip Dixon as the Portfolio Holder for Customer and Locality Services. He noted that there had been no change to the Portfolio Holder responsibilities and that the other Cabinet Members would remain the same.

The Leader of the Council highlighted that the upcoming municipal year would be the last for South Lakeland District Council and emphasised the need to continue the good work of the Council in delivering services. He noted that the full work programme and ongoing casework meant that it was important to continue working hard for residents.

C/8 SHADOW EXECUTIVE

The Leader of the Conservative Group, Councillor Tom Harvey provided an update to Members on the Shadow Executive Members, noting that Councillor Helen Irving would be stepping down from her position as Shadow Health, Wellbeing and Poverty Alleviation Portfolio Holder and that her replacement would be announced following the meeting.

C/9 LOCAL GOVERNMENT REORGANISATION

The Leader of the Council thanked officers for their hard work in delivering a smooth and well run election and Westmorland and Furness Joint Committee meetings, which provided a series of recommendations to the Westmorland and Furness Shadow Authority and enabled the Shadow Authority to make a good start at its first meeting, held on 17 May 2022.

C/10 POLITICAL BALANCE, ALLOCATION OF COMMITTEE PLACES, APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN AND SCHEME OF DELEGATION

In accordance with the provisions of the Local Government and Housing Act 1989, Council gave consideration to the political balance of the Council and to the committees and size of committees for the forthcoming year. Prior to the commencement of the meeting, Members had been provided with a revised copy of Appendix 2 to the report (Size and Seats to be allocated to Political Groups on Committees), in addition to proposed committee memberships lists as agreed with the Group Leaders.

Members had formed into three groups for the purposes of allocating committee places. The groups and their number of Members were as follows:-

Liberal Democrats – 32 Members
Conservative – 14 Members
Labour – 3 Members

In addition, there was one Green Party Member and one Independent Member on the Council.

Members noted that paper copies of the updated Appendix 2 to the report had not been circulated prior to the meeting. The Legal, Governance and Democracy Lead Specialist (Monitoring Officer) informed Members that the updated Appendix 2 would be circulated and published alongside the agenda following the meeting.

The Legal, Governance and Democracy Lead Specialist (Monitoring Officer) to the Council asked Council to approve the list of the committee allocations, proportional to the Council membership, together with the nominations to each Committee, which were circulated to all Members before the meeting. Nominations received for Chairmen and Vice-Chairmen to each Committee were read out at the meeting. Nominations to the County Council's Health Scrutiny Committee, taken from the proposed membership of the Overview and Scrutiny Committee, had also been included.

Councillor Jonathan Brook seconded by Councillor Matt Severn, moved recommendations (1) to (7) and (9) to (12) as set out within the report.

With regard to recommendation (8) and the appointment of chairmen and vice-chairmen to committees, nominations had been received from the Liberal Democrat Group, no further nominations had been received. Councillor David Webster, seconded by Councillor Matt Severn moved the nominations, as read out at the meeting, namely:-

Committee	Chairman	Vice-Chairman
Audit	Stephen Coleman	Tracy Coward
Human Resources	Rachael Hogg	Ali Jama
Licensing/ Licensing Regulatory	Helen Ladhams	Ian Wharton
Overview and Scrutiny	Vicky Hughes	Doug Rathbone
Planning	Pete McSweeney	Malcolm Lamb
Standards	Chris Hogg	Matt Severn

With regard to recommendation (11), the Legal, Governance and Democracy Lead Specialist (Monitoring Officer) reminded Members of the need for four volunteers to form the Licensing Sub-Committee and a substitute. The following Members of the Licensing and Licensing Regulatory Committee volunteers to form the Sub-Committee:-

- Cllr Hazel Hodgson;
- Cllr Kevin Holmes;
- Cllr Helen Irving;
- Cllr Andrew Jarvis; and
- Cllr David Webster.

Following a vote, it was subsequently

RESOLVED – That

- (1) the political balance of the Council, as set out in paragraph 3.2 and Appendix 1 to the report, be noted;
- (2) the committees, and Terms of Reference for those committees, as detailed in Table 2, Part 3 of the Council's Constitution, be approved for the forthcoming municipal year;
- (3) the delegation of Council functions and Proper Officer appointments be confirms, as set out in Part 3 of the Council's Constitution;
- (4) the size of the committees, and the seats of each committee to political groups be approved and allocated in accordance with the table set out below:-

	Liberal Democrats	Conservatives	Labour	Green Party Member	Independent Member
Committees (64 Places)	40	18	4	1	1
Audit (6)	4	2	0	0	0
Human Resources (9)	6	2	1	0	0
Licensing Regulatory (15)	10	4	1	0	0
Overview and Scrutiny (13)	8	4	1	0	0
Planning (14)	8	4	1	1	0
Standards (7)	4	2	0	0	1

- (5) seats of each committee be allocated to political groups in accordance with Appendix 2 to this report;

- (6) seats on those committees which are not subject to political balance rules be allocated as set out below:-

	Liberal Democrats	Conservative	Labour	Green Party Member	Independent Member
Committees (31 Places)	19	9	2	0	0
Lake Administration Committee (24 – 16 District Council Members)	10	5	1	0	0
Licensing Committee (15)	9	4	1	0	0

- (7) nominations of councillors to serve on each committee, which were read out at the meeting be received;
- (8) Consideration be given to the appointment of Chairmen and Vice-Chairmen of the committees read out to members during the meeting;
- (9) the delegation of executive functions, as confirmed by the Leader and set out in Part 3(4) of the Council's Constitution, be noted;
- (10) Councillor Vicky Hughes be appointed as representative and Councillor Ali Jama be appointed as substitute to the Cumbria County Council's Health and Scrutiny Committee for the forthcoming year;
- (11) it be noted that Cllr Hazel Hodgson, Cllr Kevin Holmes, Cllr Helen Irving, Cllr Andrew Jarvis and Cllr David Webster volunteered to form a Licensing Sub-Committee ahead of the 30 May 2022 meeting; and
- (12) Councillor Ali Jama be appointed as the second Human Resources Committee member on the Joint Consultative Panel for the forthcoming year.

C/11**DRAFT CALENDAR OF MEETINGS 2022/23**

Members gave consideration to the draft Calendar of Meetings for the period May 2022 to April 2023 and requested that any Full Council meetings scheduled during the school holidays be moved by officers.

RESOLVED – That, subject to the alterations highlighted at the meeting and outlined above being made, the Council's Calendar of Meetings covering the period May 2022 to April 2023 be approved.

C/12 CAPITAL PROGRAMME UPDATE

The Finance and Assets Portfolio Holder presented a report updating the Capital Programme and Capital Re-profiling requests relating to 2021/22, which would enable efficient delivery of capital schemes during 2022/23. The report set out three requests for amendments to the Capital Programme, for each scheme, a full report would be brought to future meetings of the Cabinet to consider the proposal in accordance with the current Forward Plan. It was noted that approval was being sought at the Annual Meeting of the Council, which was required to amend the Capital Programme as each request was for more than £100,000.

The Finance and Assets Portfolio Holder highlighted the first request, which was in relation to Glass Panels along Aynam Road, Kendal. The report sought approval for an increase in the Council's contribution towards the installation of the panels which would ensure the delivery of the Kendal Flood Alleviation Scheme. It was proposed that the additional costs were funded from the Cumbria Business Rate Pool reserve.

The second request set out in the report was regarding Section 106 (S106) Design Works at Stramongate, Kendal. The Finance and Assets Portfolio Holder informed Members that approval was sought to amend the Capital Programme to include expenditure of S106 monies, which had been received from the Sainsbury's development on Shap Road, Kendal. Receipt of the S106 monies would assist in the delivery of a public realm project that had been designed to increase visitor footfall to Stramongate and increase the accessibility of the area for pedestrians and cyclists.

The Finance and Assets Portfolio Holder informed Members of the final request to amend the Capital Programme, which was in relation to the Grange Lido and requested an increase in the Capital Budget of £265,000, which was to be funded from the Cumbria Business Rate Pool reserve.

The Finance and Assets Portfolio Holder referred to the Capital Programme Re-profiling and informed Members that variations on spending in the Capital Programme reflected changes in the progress of individual schemes. Appendix 1 to the report highlighted the Capital Schemes in the 2021/22, which showed those Capital Schemes where expenditure varied from the approved Capital Programme. The total for re-profiling was £2.4 million at 4 April 2022, any further amendments would be reported as part of the 2021/22 outturn to Cabinet in June 2022 and Council in July 2022.

Members raised a query regarding the current fleet of Road Sweepers, the Director of Customer and Commercial Services agreed to provide a written response. Members went on to thank the Finance and Assets Portfolio Holder for his work on the Section 106 Design Works for Stramongate, Kendal.

Note – At this stage in the proceedings, Councillor Janette Jenkinson raised a non-pecuniary interest for transparency due to the fact that she was a Director of Ulverston Community Enterprises (UCE) and a trustee of Ulverston Coronation Hall.

Members sought reassurance over the funds which had been available for the Coronation Hall in Ulverston. The Finance and Assets Portfolio Holder informed Members that he was unable to make any comments on the plans of the new authorities for the Coronation Hall as this would be a decision for the new authority. He added that South Lakeland District Council had been investing considerably in Ulverston Community Enterprises and the Coronation Hall.

Following a request from Members, the Finance Lead Specialist (Section 151 Officer) undertook to provide a written response to members regarding the development at Cross-a-Moor.

The Finance Lead Specialist (Section 151 Officer) also clarified that regarding the S106 Design Works at Stramongate, Kendal, clarification was being sought in respect of the precise figures in relation to this matter – she outlined that there may be minor amendment to the figures stated, which it was anticipated would be within existing delegations within the Constitution to the Section 151 Officer to agree and so proposing to deal with any such amendment to the precise figures in the report under delegation.

RESOLVED – That

- (1) the capital programme requests set out in paragraphs 3.2 to 3.5 of the report be approved;
- (2) the re-profiling of expenditure and associated budgets for capital schemes between 2021/22 and 2022/23 in Appendix 1 approved by Cabinet on 13 April 2022 be noted; and
- (3) the revised Capital Programme at Appendix 2 be noted.

C/13

THE LICENSING ACT 2003 - REVIEW OF STATEMENT OF LICENSING POLICY

The Chairman of Licensing Committee and Licensing Regulatory Committee introduced the Review of Statement of Licensing Policy report. The purpose of the report was to inform members of the review of the Council's Statement of Licensing Policy which had been completed in line with the statutory timetable set out in the Licensing Act 2003.

The Statement of Licensing Policy (Appendix 1 to the report) had been through a consultation period which was detailed in the report and had been considered by the Licensing Committee and Overview and Scrutiny Committee. The Statement set out the basis on which decisions under the Licensing Act 2003 should be made and strived to achieve a local balance between the commercial interest of the licensing trade and the communities they serve and affect.

As no key changes had been made to existing licensing legislation, the changes recommended in the review had been updated to reference Local Government Reorganisation at paragraph 1.15 of the policy, an updated best practice guide at appendix 3 and an updated list of consultees at appendix 4. The report noted that the impending changes brought about by Local Government Reorganisation within Cumbria would mean it was likely to require further review and consolidation of respective authorities existing Statement of Licensing Policies in due course.

RESOLVED – That:-

- (1) the consultation undertaken with stakeholders during the period of 29 November 2021 to 9 January 2022 be noted;
- (2) the recommendation from the Licensing Committee and Overview and Scrutiny Committee that the Policy proceed to Council for adoption be noted; and

- (3) the revised Statement of Licensing Policy as attached at appendix 1 to the report, be adopted.

C/14 CORPORATE TRUSTEESHIP BOARD

The Finance and Assets Portfolio Holder presented a report on the Corporate Trusteeship Board. He informed Members that the establishment of a Corporate Trusteeship Board would provide the necessary governance in the Council's management of property matters related to land it holds on trust as well as assisting in preparation for Local Government Reorganisation on a 'safe and legal' basis.

The report highlighted that the Council held a number of properties in trust with terms and deeds of trust varying from property to property. The common factor of these lands was sharing a history of a benefactor transferring the land to SLDC's predecessor councils through a deed of trust. It was the role of the Council to act as trustee, working in the interest of the trust to protect the public benefits sought through the original establishment of the trust and in all cases, the Council acts as a corporate trustee, carrying the risks of the liabilities associated with the property and public use.

The proposal was to establish a Corporate Trusteeship Board to determine matters related to the management of the lands held in trust and acting in the Trust's best interests. For expediency of establishing and conducting a Board, it was proposed that Cabinet be given authority to appoint seven Councillors to the Board. In practice, the appointed Board would be made up of the current membership of the Cabinet, enabling the Board to be held on the rising of Cabinet with the Board adopting rules of procedure similar to the Cabinet unless the trust deed specifies otherwise.

Members raised a question regarding the possibility of an independent person being involved on the Board to provide a different perspective on the decisions. The Legal Governance and Democracy Lead Specialist (Monitoring Officer) noted that the members of the Board could invite others to the meetings if appropriate to do so and further, informing members that Cabinet members would receive training on the role as Board Member as this would be separate from their role as a Cabinet Member.

A query regarding Ward Councillors and Town/ Parish Councils being part of the consultation on individual reports was raised. The Legal Governance and Democracy Lead Specialist (Monitoring Officer) agreed and added that this consultation would form part of the consultation process for each report going to the Corporate Trusteeship Board.

Members expressed understanding for the need to have a Corporate Trusteeship Board but questioned how communication would work between the Board and officers. The Legal Governance and Democracy Specialist (Solicitor) informed Members that there was a reporting line to the Council and that the purpose of the Board was that it should act independently of Council business.

RESOLVED – That:-

- (1) the establishment of a Corporate Trusteeship Board as described in paragraphs 3.6 and 3.7 of the report be agreed;
- (2) Cabinet appoint seven Councillors to the Board;

18.05.2022

Council

- (3) the Legal, Governance and Democracy Lead Specialist (Monitoring Officer) be authorised to make the necessary amendments to the Council's constitution; and
- (4) it be noted that as part of the preparation for Local Government Reorganisation a comprehensive list of properties held in trust will be prepared.

C/15 ANNUAL REVIEW OF THE CALL-IN AND URGENCY PROVISIONS 2021-22

In accordance with paragraph 16 (j)(ii) of the Council's Overview and Scrutiny Procedure Rules, a report on the operation of the provisions relating to call-in and urgency during the municipal year 2021/22 was presented to Council by Councillor Vicky Hughes, chairman of the Overview and Scrutiny Committee.

Councillor Hughes reported that the urgency procedure had been used four times in the previous twelve months, with all reports being taken to Cabinet and Council and distributed to all Members.

Councillor Hughes moved the recommendation contained within the report and was seconded by Councillor Jarvis.

RESOLVED – That the contents of the 2021/22 Annual Review of the Constitution's Call-in and Urgency Provisions be noted.

C/16 OVERVIEW AND SCRUTINY ANNUAL REPORT 2021/22

The Chairman of the Overview and Scrutiny Committee, Councillor Vicky Hughes, presented the Scrutiny Annual Report 2021-2022. The report was required by the Council's Constitution, and provided an opportunity for the Committee to demonstrate the work that it had undertaken during the past year, and to outline the work planned for 2022/23.

Councillor Hughes moved that the report be received and was seconded by Councillor Jama.

RESOLVED – That the Scrutiny Annual Report 2021-22 be received

C/17 CHAIR OF THE AUDIT COMMITTEE'S ANNUAL REPORT 2021/22

The Annual Report from the Audit Committee, which summarised the activities of the Committee during 2021/22, was presented by Councillor Stephen Coleman the Chairman of the Committee.

Councillor Coleman informed Council that the Committee continued to provide robust challenge with regard to the Council's activities and thanked the Finance Team for their hard work to keep the Audit Committee working effectively.

Councillor Coleman moved that the report be received and was seconded by Councillor Coward

It was unanimously

RESOLVED – That the 2021/22 Audit Committee Annual Report be received.

C/18 ANNUAL REPORT OF STANDARDS COMMITTEE 2021-2022

Council considered the Annual Report of the Standards Committee for the municipal year 2021/22, which was presented by Councillor Chris Hogg the Chairman of the Committee. He thanked the Independent Person, Members of the Committee and officers for their work throughout a challenging period. Councillor Hogg thanked Parish Councillors of the district for their service and added that he felt that South Lakeland District Council offered a high level of standards and again thanked officers for delivering an impressive service.

It was unanimously

RESOLVED – That the 2021/22 Standards Annual Report be received.

C/19 ANNUAL REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES 2021/22

Further to Minute EX/015 (2006/07), annual reports for 2021/22 from Council representatives on outside bodies which had been submitted for inclusion on the agenda were presented.

Councillor Vicky Hughes wished to record her condolences following the death of Mike McKinley (Chairman of Lake District National Park Authority).

Members thanked those who had submitted annual reports adding that the reports received provided a comprehensive picture of the outside bodies.

A query was raised regarding information on the Cumbria Pensions Forum and a request was made for officer feedback from the outside body.

Members requested information on the GlaxoSmithKline (GSK) Task Force and its decision making. The Legal Governance and Democracy Lead Specialist (Monitoring Officer) informed Members that the GSK Task Force had been set up by local Ministers for Parliament. The Economy, Culture and Leisure Portfolio Holder added that although the GSK Task Force was not an outside body, he was more than happy to discuss the details of the Task Force's work with Members.

RESOLVED – That the annual reports for 2021/22 from Council representatives on outside bodies be received.

C/20 REPRESENTATION ON OUTSIDE BODIES 2022/23

Further to EX/017 (2006/07), Council was asked to consider appointments to/ appoint representatives to serve on outside bodies.

It was proposed and seconded that Councillor Pete McSweeney be re-appointed to the Cumbria Police and Crime Panel.

It was proposed and seconded that together with the Leader of the Council, Councillor Andrew Jarvis be appointed as the Council's representative on the Local Government Association General Assembly.

It was proposed and seconded that Councillor Rachael Hogg be re-appointed as the Council's representative to North West Local Authorities Employers' Organisation, with Councillor Ali Jama being appointed as the Council's substitute on the Organisation.

It was proposed and seconded that Councillor Robin Ashcroft be re-appointed as the Council's representative on the Local Enterprise Partnership (LEP) Management Board.

The current terms of appointment for the Members of the Council on both the Lake District (two places) and Yorkshire Dales (one place) Parks Authorities had not yet expired.

Voting having been taken, it was subsequently

RESOLVED – That appointments to/ appointment of representatives to serve on outside bodies for 2022/23 (or for terms otherwise state) be made as follows:-

- (1) Cumbria Police and Crime Panel – Councillor Pete McSweeney;
- (2) Local Government Association General Assembly – Councillor Jonathan Brook (Leader of the Council) and Councillor Andrew Jarvis;
- (3) North West Local Authorities Employers' Organisation – Councillor Rachael Hogg, with Councillor Ali Jama as substitute Member; and
- (4) Local Enterprise Partnership (LEP) Management Board – Councillor Robin Ashcroft.

C/21 MINUTES OF MEETINGS

RESOLVED – That it be noted that no comments or question had been received in respect of the minutes of committee meetings held between 22 November 2021 and 28 January 2022.

C/22 QUESTIONS TO CHAIRMAN OF THE COUNCIL OR CHAIRMAN OF ANY COMMITTEE OR SUB-COMMITTEE

RESOLVED – That it be noted that no questions had been received.

C/23 TOAST BY CHAIRMAN

The Chairman toasted, the memory of the former district authorities now incorporated in the South Lakeland District, namely:-

- Kendal Borough Council;
- Grange Urban District Council;
- Lakes Urban District Council;
- North Lonsdale Rural District Council;
- Sedbergh Rural District Council;
- South Westmorland Rural District Council;
- Ulverston Urban District Council; and
- Windermere Urban District Council; and

The honourable memory of the County of Westmorland.

The meeting ended at 6.57 p.m.

19 May 2022 to 13 July 2022

Official engagements undertaken by the Chairman

Date	Engagement
19 May 2022	Mayor Making Ceremony, Kendal Town Hall
1 June 2022	Queen's Platinum Jubilee Green Canopy Oak Tree Planting Ceremony, Queens Park, Windermere
20 June 2022	Armed Forces Day Flag Raising, Kendal Town Hall

Official engagements undertaken by the Vice Chairman

Date	Engagement
2 June 2022	Queen's Platinum Jubilee Beacon Lighting Event, New Road, Kendal
5 June 2022	Kendal Salutes the Queen Service, Kendal Parish Church
3 July 2022	Mayor of Carlisle Sunday Service, St Cuthbert's Church

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South Lakeland District Council Council 13 July 2022 Revenue and Capital Outturn 2021/22

Portfolio:	Finance and Assets Portfolio Holder
Report from:	Section 151 Officer
Report Author:	Helen Smith, Finance Lead Specialist (Section 151 Officer) Claire Read, Finance Specialist and Deputy Section 151 Claire Chouchoulas, Finance Specialist
Wards:	(All Wards)
Forward Plan:	Not applicable

Links to Council Plan Priorities: This report sets out how the Budget, set to enable the delivery of the Council's priorities, was spent in 2021/22. Setting a sound framework for budget preparation, monitoring and reporting assists in the delivery of all corporate outcomes. The budget was developed within the context of the Medium Term Financial Plan (MTFP) and supports all Council Plan priorities (working across boundaries; delivering a balanced community; a fairer South Lakeland; and addressing the climate emergency) through ensuring financial resources to deliver each priority.

1.0 Expected Outcome and Measures of Success

1.1 To note the Council's financial performance for 2021/22 and to approve movements to and from reserves and the carry forward of budgets to 2022/23. As a result of sustained performance and financial management during 2021/22 the overall underspend for 2021/22 including the impact of Covid-19 is £533k and, net of planned used of working balance, has resulted in £515k being transferred to General Reserve.

2.0 Recommendation

2.1 It is recommended that Council:-

- (1) approve the amended contributions to and from reserves detailed in Appendix 1a; and**
- (2) approve the virement of £2,109,829 for the Covid Additional Relief Fund as set out in paragraph 3.10; and**
- (3) approve the amended Capital Programme at Appendix 3.**

3.0 Background and Proposals

3.1 The Council's budgets for the financial year 1 April 2021 to 31 March 2022 were approved by Council in February 2021. An earlier version of this report was considered by Cabinet on 4th July 2022. Since then, it has been realised that the outturn needs to be amended to correctly account for the carry-forward of Customer Connect budgets which had been incorrectly carried-forward twice. This amendment of £510,000 increases the overall underspend from £23k to £533k and increases the contribution to General Reserve by £510k from £5k to £510k.

General Fund Revenue Expenditure and Outturn

- 3.2 **Appendix 1a** shows the final overall General Fund outturn against budget for 2021/22 and **Appendix 1b** shows service expenditure and income variances against budget. Explanations are included in **Appendix 1b** where variances are over £10k and have been split between variances relating to Covid-19 and variances relating to business as usual (BAU).
- 3.3 The overall net General Fund had a net underspend of £510k for 2021/22 including Covid-19, and resulted in a net contribution of £515k to reserves rather than the use of £18k of reserves as budgeted. **Table 1** shows the majority of the variance relates to running costs, mainly due to additional payments relating to Covid-19 grants which are offset by additional grants and other Covid-19 related underspends, as shown in **Appendix 1b** and **Table 4** below.

Table 1: Summary of service variances by type of expenditure

	2021/22 Working Budget £000	2021/22 Actual £000	2021/22 Variance £000
Employees	17,608	17,691	83
Running Costs	31,612	68,331	36,719
Capital	11,022	11,014	(8)
Gross Expenditure	60,242	97,036	36,794
Income	(37,745)	(76,769)	(39,024)
Net Service Variances	22,497	20,267	(2,230)
Non-Service Net Expenditure (see table 3 for details)	(22,479)	(20,782)	1,697
Net Underspend transferred to General Reserve	18	(515)	(533)

- 3.4 Although the impact of Covid-19 mainly hit the Council's income and expenditure in the 2020/21 financial year the medium to long-term financial impact is still to be fully understood. The largest single impact on revenue income in 2020/21 was from reductions in car parking income while car parks were closed to visitors during lockdown. Budgets for 2021/22 included a contingency budget for reduced income of £697.5k, partially offset by Sales, Fees and Charges Grant of £65k reflecting the grant only covered the first quarter of the financial year. However, during the year, income from car parks recovered and ended the year only £23k lower than budgeted so the contingency was not required.
- 3.5 Excluding the exceptional grant schemes relating to Covid-19 the largest single element of expenditure for the Council relates to employee costs, mainly salaries but also pension contributions and the cost of agency and contract staff. Additional employee costs were incurred on agency and temporary staff to ensure continuity of services while staff were redeployed to Covid-19 related tasks. £359k of employee costs were reimbursed through Covid-19 related grants and contributions from partners, the largest single item of which related to staff assisting with Test and Trace and compliance activities.

Table 2: Summary of employee budgets and variance

	2021/22 £000
Employee working budget	17,608
Actual employee expenditure	17,691
Overspend on employees before adjustments	83
Employee costs relating to Covid-19 offset by grants	(359)
Carry-forward of training and salary budgets	262
Underspend on employees after adjustments	(14)

3.6 Service variances over £50k, after carry-forward requests and contributions to and from reserves, are:

	Variance £000
Car Parking: Underspend on salaries (£43k), premises (£51k), overspend £43k overspend on credit card commission due to greater use of pay by card and pay by phone at car parks, shortfall in income for car parks £23k	(63)
Caravan Site: Lower income due to Covid-19 restrictions, delay signing lease until there was further clarity on the impact of Covid-19 and planned closedown to allow for works at site.	189
Housing Standards: Shortfall relating to DFG admin levy income due to very large backlog of applications as a result of Covid-19 restriction on working in homes.	68
Rent Allowances: Lower housing benefit payments and subsidy income relating to these payments reducing since the introduction of Universal Credits and movements with housing benefit overpayments £160k o/s). The admin grant received for Housing Benefit has also reduced due the reduction in case load resulting (£33k)	193
Leisure Centres: Mainly due to financial support to leisure operator for 20/21 due to Covid-19 lower than original estimate	(70)
Building Control: Mainly surplus on building control income	(54)
Development Control: Mainly due to high number of smaller planning applications throughout the year where income is lower than what would be received for a major property development but costs are higher.	111
Human Resources: Staffing and underspend on corporate training budget	(80)
Community Grants: Mainly underspend on debt advisory growth bid	(57)
Storm Arwen: Unbudgeted costs of arboriculture works, making play areas safe and overtime. Requests for Government support under Bellwin Scheme unsuccessful	87
Covid-19: Much lower than expected income losses, especially from car parking where additional income in the Lake District National Park has largely offset reduced income from other town centre car parks. Also additional income from Sales, Fees and Charges grant to offset losses in first quarter of the year and £266k of New Burdens funding for administration of Covid-19 responsibilities.	(628)

3.7 The General Fund working balance includes a number of transactions made to reflect statutory accounting practices. Contributions to and from reserves and corporate interest payments and receipts are shown in **Appendix 1a**. The net impact of these will be a net increase in the contribution to General Fund working balance of £515kk. Major variances included:

- a. The Council retains a share of income from business rates (properly known as National Non-Domestic Rates or NNDR). The amount retained has increased although there are some very large variations mainly due to additional Covid-19 reliefs, how these are funded by Government and timing of when the Council is required to account for this income and expenditure. The Council joined a Cumbria Business Rates pool from 1 April 2014 which aimed to reduce NNDR levy paid to the Government under the new process. The actual saving due to the Council as a result of the pool for 2021/22 was £1.1m.

- b. Slightly higher than budgeted contributions to capital programme, detailed in **Appendix 1a**, this is mainly due to timing of capital expenditure originally budgeted in 2020/21.
- c. There have been a number of changes to the budgeted transfers to and from reserves. These are detailed in **Appendix 1a** and mainly relate to differences in timing between the recognition of income and expenditure between years.

3.8 The resulting movement on the General Fund working balance is shown in the following table:

Table 3: Summary General Fund variances

Description	Variance £000	£000
Carry forward requests	(1,416)	
Other service variances	<u>(946)</u>	
		(2,362)
Reduced Minimum Revenue Provision		(213)
Support to capital programme		78
Additional income from Non-Domestic Rates after contribution to pool		4,193
less transfer to/from NNDR surplus reserve for timing differences		(4,182)
Accounting for Collection Fund and Council Tax		(55)
Reduced Grant		146
Accounting for Pensions and other Employee Adjustments		(131)
Net adjustments to reserves relating to carry forwards		1,416
Other net increases in contributions to reserves		595
Net Underspend transferred to General Reserve		<u>(515)</u>

3.9 Although the Council has received and distributed significant sums of Covid-19 relief through grants, the overall impact on the Council's finances have been much less significant than for 2020/21. Total grants received and distributed during 2021/22 are shown in **Table 4** below. Variances relating to Covid are shown in **Appendix 1b**.

Table 4: Covid-19 Grants received and distributed 2021/22

	Balance 31 March 2021 £000	Funding Received 2021/22 £000	Distributed 2021/22 £000	Unused Grant Returned 2021/22 £000	Balance 31 March 2023 £000	Number of individual grants distributed
Closed Business Grants	(608)		86	0	(522)	54
Local Restrictions Support Grant Closed			0			0
Tier4 Closed Business Grant			16			65
January Local Restrictions Support Grant Closed	(2,111)	(36)	136	0	(1,860)	64
February Local Restrictions Support Grant Closed			136			73
Christmas Support Payments	(36)	(45)	72	9	0	1
Closed Business Lockdown Payment	(1,764)	0	219	0	(1,545)	64
Restart Grants	0	(32,682)	29,339	3,335	(8)	3,678
Omicron Hospitality & Leisure	0	(9,961)	7,129	0	(2,832)	2,361
Total processed as agent	(4,519)	(42,724)	37,132	9	(6,767)	321
Coronavirus Discretionary Grant Fund	0	0	0	0	0	0
Test and Trace Support Payments	(104)	0	747	0	643	1,500
Additional Restrictions Grant	(343)	0	1,733	0	1,390	637
Local Government Support Grant Open	133	(2,326)	2,174	0	(19)	3,252
Total processed as principal	(314)	(2,326)	4,654	0	2,014	5,389
Grand Total	(4,833)	(45,051)	41,786	9	(4,752)	5,710

In addition, £16.6m of Covid business rate relief was awarded in 2021/22, all funded from Government grant, and £2.11m was received in March 2022 for the Covid-19 Additional Relief Fund. This has been accrued into 2022/23 as grant received in advance to match against payments for this scheme

- 3.10 As reported on the Cabinet agenda for 4th July 2022, funding was received in 2021/22 to administer the Covid Additional Relief Scheme but due to timing it was not included in the budgets for 2022/23. The grant was £2,109,829 and will be used to give rate relief during 2022/23 to business ratepayers who have not received rate relief support under other Covid schemes. Due to the value of the grant, under part 4 (7.3) of the council's constitution, virements in excess of £100,000 require approval by Council, officers are requesting a virement of £2,109,829 to create the budget to permit payment.
- 3.11 The Council, on 28 February 2014 approved the General Fund working balance should be set at £1.5m and that any surplus above this level should be transferred to the General Reserve. Accordingly the working balance has been increased back to £1.5m and the remaining net underspend after all other transfers to reserves, totalling £5155k, has been transferred to the GF working balance from the General Reserve.
- 3.12 Revenue carry forwards have been requested of £1.416m of which £0.831m (£0.581m plus up to £250k for LGR) was agreed through the 2022/23 to 2026/27 Budget Setting report on 22 February 2022. A further £0.585m is being requested and all are detailed in **Appendix 1c**.

Capital Expenditure

- 3.13 **Appendix 2** shows the approved Capital Programme and expenditure for 2021/22. There was an underspend of £4,110k, the majority relating to timing adjustments with requests to carry forwards budgets to 2021/22 or the removal of expenditure relating to Kendal Flood Relief programme which is treated as agency expenditure in the Council's accounts:

	£000
Actual Expenditure	10,875
Revised Capital Programme	14,986
Net underspend before carry forwards	<u>-4,110</u>
Re-profiling of budgets approved April 2022	2,445
Further requested re-profiling of budgets	184
Kendal ERDF transferred out of SLDC capital to agency	1,756
Spend budgeted in revenue	-78
Offset by grant income – Cross-a-Moor	-146
Other variances	<u>50</u>

- 3.14 Significant carry-forwards are:

	£000
KLH08 Abbot Hall Redevelopment	592
KIF01 Housing Investment Fund	488
KLH07 SL House & KTH reconfiguration	326
KGD21 Disabled Facility Grants	220
KCH01 Community Housing Fund	219
KPY38 Westmorland Shopping Centre Car Park refurb	191
KIT34 Development Management System	104
	<u>2,140</u>
Other carry forward requests	489
Total carry forward requests	<u>2,629</u>

- 3.15 The Cross-a-moor Junction Improvement Scheme is due to be completed by the end of June 2022, with an opening event on 6 July 2022. As per the conditions of the funding agreement, the final payment ('Forward Funding Additional Contribution') of the collated sums to National Highways for the Cross-a-moor Junction Improvement Scheme is due to be paid by SLDC upon receipt of an itemised demand from National Highways for its payment. This will be a maximum of £1,693,469, but the exact amount will be confirmed by National Highways in their written request.
- 3.16 The capital programme has been updated for these requests and is attached at **Appendix 3**.

Reserves

- 3.17 **Appendix 1a** shows the detailed movements on reserves and the comparisons with budgeted movements for 2021/22. The main changes in the movements relate to timing adjustments, particularly around Covid-19 grants.
- 3.18 From 1 April 2022 it is proposed that the officer responsibility for the Improving Financial Resilience reserve be moved from the Operational Lead (People, Welfare and Income Maximisation) to the Strategy Lead Specialist to reflect current workloads.
- 3.19 The Council's Reserve Policy, which sets out the desired level of reserves, both overall and for each reserve, is usually reviewed annually as part of the Medium Term Financial Plan which was last reported to Cabinet and Council in July 2021. Since this Council does not need to prepare a Medium Term Financial Plan for 2023/24 onwards the Reserves Policy and expected use of each individual reserve is attached at **Appendix 4**.
- 3.20 The reserve movements include the following new requests for use of reserves to support service expenditure. Officers can approve the use of up to £60,000 from reserves for particular projects, any requests above this value must be approved by Cabinet or Council if over £100,000.

Community Housing Fund: This reserve holds funds received from the Government to support Community Housing Funds schemes. The Financial Procedure Rules require approval from Council for additional use of reserves over £100,000. It is requested that £501,000 is transferred from the reserve to 2022/23 revenue budgets to fund the Community Led Housing Officer post (£26k) and Capacity Grants (475k).

Economic Development Fund: This reserve holds funds to support economic development within the district. It is requested that £238,943 is transferred from the reserve to 2022/23 revenue budgets to fund the following:

- Economic Development Fund reinstate budgets £22,260
- Kendal Futures Project Development Fund £135,294
- Business Support £37,675
- Lancaster, South Cumbria and Barrow Economic Region £25,714
- Cultural Compact £18,000

NNDR Pool Reserve: This reserve holds income from the Cumbria Non Domestic rates pool. It is requested that £195,240 is transferred from the reserve to 2022/23 revenue budgets to fund the following:

- Economic Development Fund reinstate budgets £52,740
- Levelling Up £25,000

- Great Places Lakes and Dales £32,500
- Grizedale Arts £35,000
- Kendal Futures Manager £50,000

Other amendments to the contributions to and from reserves reflect carry-forwards and re-profiling of revenue and capital expenditure and income reported elsewhere within this report.

3.21 After the approved contributions and use of reserves, the projected balances on reserves are:

	31/03/2022 £000	31/03/2023 £000	31/03/2024 £000	31/03/2025 £000	31/03/2026 £000
General Reserves	(6,208)	(3,998)	(3,938)	(3,991)	(4,166)
Capital Reserves	(2,400)	(15)	201	16	(169)
Earmarked Reserves	(13,966)	(5,563)	(5,268)	(5,268)	(5,268)
Total Reserves	(22,574)	(9,576)	(9,005)	(9,243)	(9,603)
Working Balance	(1,500)	(1,500)	(1,500)	(1,500)	(1,500)
Total Reserves and Working Balance	(24,074)	(11,076)	(10,505)	(10,743)	(11,103)

4.0 Appendices Attached to this Report

Appendix No.	Name of Appendix
1a	General Fund Expenditure and Income Variances 2021/22 summary
1b	General Fund Expenditure and Income Variances 2021/22 by service
1c	Revenue Carry Forward requests 2021/22
2	Capital Expenditure 2021/22 and Capital Carry Forward Update
3	Capital Programme July 2022
4	Reserves

5.0 Consultation

- 5.1 The report presents historic data in relation to out-turn for 2021/22. Budget holders and Members have been presented with monitoring information throughout the year. Budget and Portfolio Holders have been consulted with respect to variances and carry forward requests.
- 5.2 Cabinet on 4th July 2022 received an earlier version of this report which incorrectly included a transfer to the carry-forward reserve of £510k relating to Customer Connect budgets underspend in 2021/22. This funding for future expenditure was already included in the Customer Connect reserve so this transfer overstated the balance required in the carry-forward reserve. This has been corrected in this version of the report.

6.0 Alternative Options

- 6.1 No alternative options are proposed. Not approving the proposed carry forwards or contributions to and from reserves may challenge service delivery during 2022/23 and beyond.

7.0 Implications

Financial, Resources and Procurement

7.1 As detailed in the report

Human Resources

7.2 This report has no direct human resource implications.

Legal

7.3 This report has no direct legal implications.

Health and Sustainability Impact Assessment

7.4 Have you completed a Health and Sustainability Impact Assessment? No

7.5 If you have not completed an Impact Assessment, please explain your reasons: This report is an historic view of financial performance. The overall impact assessment of the choices and decisions required to set the annual budget is undertaken at budget setting time.

Equality and Diversity

7.7 Have you completed an Equality Impact Analysis? No

7.8 If you have not completed an Impact Analysis, please explain your reasons: This report is an historic view of financial performance. The overall impact assessment of the choices and decisions required to set the annual budget is undertaken at budget setting time.

Risk

Risk	Consequence	Controls required
Out-turn position not disseminated to Members and Officers.	Financial position and performance not embedded into wider organisational strategies	Reporting of out-turn to clarify performance during 2020/21 and usable reserves position to support ongoing activity.

Contact Officers

Helen Smith, Finance Lead Specialist, 01539 793147, h.smith@southlakeland.gov.uk

Background Documents Available

Name of Background document	Where it is available
2021/22 Budget Book	SLDC Budget Book 2021 to 2022 (southlakeland.gov.uk)
Finance Update Q3 Council 22/02/2022 (minute C/101)	Agenda for Council on Tuesday, 22 February 2022, 6.30 p.m. (southlakeland.gov.uk)
2022/23 to 2026/27 Budget Council 22/02/2022 (minute C/105)	Agenda for Council on Tuesday, 22 February 2022, 6.30 p.m. (southlakeland.gov.uk)
Cabinet 4 th July 2022 Revenue and Capital Outturn report	Cabinet 04/07/2022 agenda

Signed off by	Date sent	Date Signed off
Section 151 Officer	05/07/2022	05/07/2022
Monitoring Officer	05/07/2022	05/07/2022
CMT	05/07/2022	05/07/2022

Circulated to	Date sent
Lead Specialist	N/A
Human Resources Lead Specialist	N/A
Communications Team	N/A
Leader	N/A
Committee Chairman	N/A
Portfolio Holder	05/07/2022
Ward Councillor(s)	N/A
Committee	08/07/2022
Executive (Cabinet)	04/07/2022
Council	13/07/2022

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General Fund Expenditure and Income Summary 2021/22

Appendix 1a

	2021/22 Approved Budget	2021/22 Working Budget	2021/22 Actual	2021/22 Variance	2021/22 Carry- forward	2021/22 Variance after Carry- forwards	Comment
	£000	£000	£000	£000	£000	£000	
Net Service Expenditure							
Director of Strategy, Innovation and Resources	6,089.2	9,808.1	7,516.0	(2,292.1)	1,037.9	(1,254.2)	See Appendix 1b for details
Operational Lead Customer and Locality Services	2,315.0	2,549.6	2,500.2	(49.4)	10.5	(38.9)	See Appendix 1b for details
Operational Lead Place and Environment	5,059.7	1,422.3	1,511.9	89.6	28.3	117.9	See Appendix 1b for details
Operational Lead People, Welfare and Income Maximisation	9,600.6	1,820.6	1,708.5	(112.1)	111.8	(0.3)	See Appendix 1b for details
Operational Lead Delivery and Commercial Services	5,070.1	6,896.5	6,898.6	2.1	227.1	229.2	See Appendix 1b for details
Net Service Budget	28,134.6	22,497.1	20,135.2	(2,361.9)	1,415.6	(946.3)	
Corporate items							
Interest Payable	697.3	567.0	566.8	(0.2)	0.0		
Interest Receivable	(36.3)	(36.3)	(36.4)	(0.1)	0.0		
Parish Precepts	1,813.0	1,813.0	1,758.3	(54.7)	0.0		
Parish Grant	92.0	92.0	92.0	0.0	0.0		
Collection Fund surplus/deficit	11,232.0	11,232.0	198.6	(11,033.4)	0.0		Timing difference between recognition of grant and recognition of expenditure funded by grant
Effect of Statutory and Proper Accounting Practices: Minimum Revenue Provision	1,187.5	1,187.5	974.8	(212.7)	0.0		Lower than expected capital expenditure on projects funded by borrowing
Reversal of Capital Charges	(16,138.2)	(5,974.8)	(5,974.8)	0.0	0.0		
Adjustments relating to Pension	0.0	(1,943.0)	(1,943.0)	0.0	0.0		
Direct Revenue Financing of Capital Programme	113.0	240.9	1,215.4	974.5	0.0		See below for details
Transfer to General Fund working balance	0.0	0.0	0.0	0.0	0.0		See below for details
Transfer from General Reserve to offset Net General Fund surplus 2021/22	0.0	0.0	515.5	515.5	0.0		See below for details
Transfers to Reserves - NNDR timing 2020/21	(11,235.4)	(11,235.4)	(11,235.4)	0.0	0.0		See below for details
Transfers to Reserves - NNDR timing 2021/22	0.0	0.0	6,851.0	6,851.0	0.0		See below for details
Other Transfers to/from Reserves	707.4	(1,407.3)	(441.7)	965.6	(1,415.6)		See below for details
Corporate Items	(11,567.7)	(5,464.4)	(7,458.9)	(1,994.5)	(1,415.6)		
Net Revenue Budget	16,566.9	17,032.7	12,676.3	(4,356.4)	0.0		
Retained Business Rates							
NNDR Tariff payable to Government on rates collectable to baseline	15,358.6	15,358.6	15,358.6	0.0	0.0		
NNDR 50% Levy payable on rates above baseline	1,752.8	1,752.8	2,107.7	354.9	0.0		Higher levy payable due to additional income.
NNDR S31 Grants for Reliefs awarded	(3,270.3)	(3,270.3)	(10,121.3)	(6,851.0)	0.0		Mainly timing difference between grant expenditure
NNDR SLDC share of rates collected	(17,843.1)	(17,843.1)	(6,685.0)	11,158.1	0.0		
NNDR SLDC share of levies from Cumbria business rate pool	(657.3)	(657.3)	(1,126.3)	(469.0)	0.0		All transferred to Business Rate Pool reserve
Total business rates	(4,659.3)	(4,659.3)	(466.3)	4,193.0	0.0		
Council Tax	(11,098.4)	(11,098.4)	(11,098.5)	(0.1)	0.0		
General Government Grant:							
Rural Services Delivery Grant	(454.9)	(454.9)	(435.9)	19.0	0.0		
Lower Tier Services Grant	(95.8)	(95.8)	(95.8)	0.0	0.0		
Local Council Tax Support Grant	(112.8)	(112.8)	(112.9)	(0.1)	0.0		
Local Tax Income Guarantee	(145.7)	(145.7)	(19.0)	126.7	0.0		Paid 2020/21 not 2021/22 and adj through reserve.
Covid General Grant: Tranche 5	0.0	(447.9)	(447.9)	0.0	0.0		
Net General Fund	0.0	17.9	0.0	(17.9)	0.0		
General Fund Working Balance							
Balance 1 April 2021	(1,500.0)	(1,500.0)	(1,500.0)	0.0			
Contribution to/from Working balance	0.0	17.9	0.0	0.0			
Balance 31 March 2022	(1,500.0)	(1,482.1)	(1,500.0)	(17.9)			

General Fund Expenditure and Income Summary 2021/22

Appendix 1a

		2021/22 Approved Budget	2021/22 Working Budget	2021/22 Actual	2021/22 Variance	2021/22 Carry- forward	2021/22 Variance after Carry- forwards	Comment
		£000	£000	£000	£000	£000	£000	
DIRECT REVENUE FINANCING								
Capital Expenditure met by transfers from:								
Braithwaite Fold Car Park		0.0	60.0	66.6	6.6			
Braithwaite Fold Caravan Park		19.5	19.5	19.5	0.0			
Burton Heritage Grant Scheme	New Homes Bonus - LIPS	0.0	0.0	7.6	7.6			Offset by Use of Reserve below
Canal Head Depot		5.9	5.9	19.1	13.2			
Car Park Resurfacing		0.9	0.9	0.9	0.0			
Car Park Resurfacing	Fund of Revenue Monies for Capital	0.0	0.0	0.9	0.9			Offset by Use of Reserve below
Community Housing Reserve	Community Housing Reserve	0.0	0.0	224.3	224.3			Offset by Use of Reserve below
Cross a Moor junction	New Homes Bonus	0.0	0.0	300.0	300.0			Offset by Use of Reserve below
Cross a Moor junction		0.0	39.4	39.4	0.0			
Disabled Toilets - Changing Places	New Homes Bonus	0.0	0.0	2.4	2.4			Offset by Use of Reserve below
Ferry Nab Redevelopment		46.7	46.7	46.7	(0.0)			
Digital Innovation Project	Customer Connect Reserve	0.0	0.0	43.0	43.0			Offset by Use of Reserve below
Development Management System	Customer Connect Reserve	0.0	0.0	17.5	17.5			Offset by Use of Reserve below
Purchase of IT Equipment	Customer Connect Reserve	0.0	0.0	87.7	87.7			Offset by Use of Reserve below
Homelessness Accommodation	Fund of Revenue Monies for Capital	0.0	0.0	2.6	2.6			Offset by Use of Reserve below
Income Management System Upgrade		40.0	40.0	27.9	(12.1)			
Kendal Castle	New Homes Bonus - LIPS	0.0	0.0	44.8	44.8			Offset by Use of Reserve below
Kendal Museum	Fund of Revenue Monies for Capital	0.0	0.0	83.6	83.5			Offset by Use of Reserve below
Local Improvement Projects	New Homes Bonus - LIPS	0.0	0.0	28.5	28.5			Offset by Use of Reserve below
Play Areas: General		0.0	0.0	11.4	11.4			
Play Areas: Queens Park	Major Repairs Reserve	0.0	0.0	43.3	43.3			Offset by Use of Reserve below
Play Areas: Queens Park	New Homes Bonus - LIPS	0.0	0.0	10.0	10.0			Offset by Use of Reserve below
Replace Car Park Pay Machines		0.0	0.0	53.2	53.2			
South Lakeland House/Kendal Town Hall		0.0	28.5	0.0	(28.5)			
S106 Grants applied	S106 Grants	0.0	0.0	34.5	34.5			Offset by Use of Reserve below
Total		113.0	240.9	1,215.4	974.4			
CONTRIBUTIONS TO RESERVES:								
Contribution equivalent to income from pool	NNDR Pool Income Reserve/Volatility Reserve	657.3	657.3	1,120.5	463.2			Additional income, partially due to lower appeals
Annual contribution	General Reserve	200.0	200.0	200.0	0.0			
Annual contribution	Fund of Revenue Monies for Capital Purposes	100.0	100.0	100.0	0.0			
Annual contribution	General Fund Major Repairs Reserve	50.0	50.0	50.0	0.0			
Annual contribution	IT Replacement Reserve	80.0	80.0	80.0	0.0			
To increase GF Working Balance to £1.5m	General Reserve	2.3	2.3	515.5	513.2			
To offset reserve used to fund Covid-19 in 2021/22	General Reserve	315.8	0.0	0.0	0.0			
Grant received	New Homes Bouus Reserve / LIPS	87.8	87.8	64.9	(22.9)			
Government Grant for 2022/23 onwards	NNDR Adj Reserve	0.0	0.0	6,851.0	6,851.0			Timing of recognition of grant and reliefs
2021/22 Underspends/Carry Forwards	Carry Forward Reserve	0.0	0.0	755.0	755.0	(755.0)		For details see Appendix 1c
s106 Income 2021/22	S106 Reserves	0.0	0.0	1.9	1.9			
Community Infrastructure Levy (CIL) 2021/22	CIL Reserve	0.0	1,063.1	1,063.1	0.0			
Unclaimed Member Allowances	Improving Personal Financial Resilience	0.0	0.0	24.6	24.6			
To offset 2021/22 Deficit	Building Control Reserve	0.0	0.0	59.7	59.7			
To offset 2021/22 Deficit	Licensing Reserve	0.0	0.0	281.6	281.6			
To offset 2021/22 Deficit	Land Charges Reserve	0.0	0.0	21.1	21.1			
2021/22 Trading account surplus	Licensing Reserves	0.0	0.0	117.6	117.6			
Total		1,493.2	2,240.5	11,306.5	9,066.0	(755.0)		

General Fund Expenditure and Income Summary 2021/22

Appendix 1a

		2021/22 Approved Budget	2021/22 Working Budget	2021/22 Actual	2021/22 Variance	2021/22 Carry- forward	2021/22 Variance after Carry- forwards	Comment
		£000	£000	£000	£000	£000	£000	
CONTRIBUTIONS FROM RESERVES:								
2021/22 Trading account deficit	Building Control Reserve	0.0	0.0	(59.7)	(59.7)			
Carry Forward 2020/21	Carry Forward Reserve	(11.7)	(11.7)	0.0	11.7			
Carry Forward pre 2020/21	Carry Forward Reserve	(75.0)	(439.8)	(439.8)	0.0			
Funding revenue expenditure 2021/22	Climate Change Reserve	(50.0)	(50.0)	(37.8)	12.2			
Funding revenue expenditure 2021/22	Community Housing Fund Reserve	0.0	(314.0)	(157.6)	156.4			
Funding capital expenditure	Community Housing Fund Reserve	0.0	0.0	(224.3)	(224.3)			Offsets Direct Rev Financing above
Government Grant for 2021/22 onwards	Council Tax Hardship Reserve	0.0	(25.2)	(25.2)	0.0			
Funding capital expenditure	Customer Connect Reserve	(553.0)	(553.0)	(148.2)	404.8	(510.3)		
Funding revenue expenditure	Customer Connect Reserve	0.0	(88.6)	(88.6)	0.0			
Covid and other Temporary Staffing	General Reserve	(124.8)	(275.1)	(124.8)	150.3	(150.3)		
Contribution to Local Government	General Reserve	0.0	(1,576.7)	(1,576.7)	0.0			Reserve held by Cumbria County Council
Reorganisation Reserve								
2021/22 Trading account deficit	Land Charges Reserve	0.0	0.0	(21.1)	(21.1)			
To support temporary additional resources in licensing team	Licensing Reserve	(58.9)	(58.9)	(58.9)	0.0			
2021/22 Trading account deficit	Licensing Reserve	0.0	0.0	(320.9)	(320.9)			
Funding capital expenditure	LIPS	0.0	0.0	(90.9)	(90.9)			Offsets Direct Rev Financing above
Funding capital expenditure	Major Repairs Reserve	0.0	0.0	(43.3)	(43.3)			Offsets Direct Rev Financing above
Funding capital expenditure	New Homes Bonus	0.0	0.0	(302.4)	(302.4)			Offsets Direct Rev Financing above
Government Grant for 2021/22 onwards	NNDR Adj Reserve	(11,235.4)	(11,235.4)	(11,235.4)	0.0			
To expedite development to support economic development	NNDR Pool Income Reserve	(55.4)	(55.4)	(55.4)	0.0			
Business development projects - Kendal Futures	NNDR Pool Income Reserve	0.0	(50.0)	(50.0)	0.0			
Business support programme	NNDR Pool Income Reserve	(50.0)	(50.0)	0.0	50.0			
Lakes Bio Feasibility	NNDR Pool Income Reserve	0.0	(21.0)	(21.0)	0.0			
Great Places Lakes & Dales	NNDR Pool Income Reserve	0.0	(21.4)	(21.4)	0.0			
Market promotion officer	NNDR Pool Income Reserve	(45.0)	(45.0)	(45.0)	0.0			
Economy and Culture Establishment	NNDR Pool Income Reserve	0.0	(180.0)	(180.0)	0.0			
Anti-poverty initiatives	Personal Financial Resilience Reserve	0.0	0.0	(13.9)	(13.9)			
Funding capital expenditure	Revenue for Capital Reserve	0.0	0.0	(87.1)	(87.1)			Offsets Direct Rev Financing above
Funding revenue expenditure	s106 Income reserve	0.0	0.0	(5.0)	(5.0)			
Funding capital expenditure	s106 Income reserve	0.0	0.0	(34.5)	(34.5)			Offsets Direct Rev Financing above
Supporting legal costs relating to planning	Statutory Duties Reserve	0.0	(70.0)	(64.2)	5.8			
Government Grant for 2021/22 onwards	Tax Income Guarantee Fund	289.7	289.7	(84.0)	(373.7)			Received in 2020/21 rather than 2021/22; partially offset by reduction in grant
Salaries Growth		(51.7)	(51.7)	0.0	51.7			
Total		(12,021.2)	(14,883.2)	(15,617.1)	(733.9)	(660.6)		

The purpose of this appendix is to set out the revenue budget variances as at 31/03/2022 Period 12 Outturn
BAU = Business as usual

Service	Expenditure Budget Full Year £	Income Budget Full Year £	Current Full Year Working Budget £	Expenditure Variance to Date £	Income Variance to Date £	Overall Variance to Date £	BAU Out-turn >£10k	BAU Carry Forwards Approved as part of 2022/23 Budget Setting	BAU Carry Forward Requests >£10k	BAU Out-turn less Carry Forward Requests > £10k	Covid-19 Outturn £	BAU Commentary	COVID-19 Commentary	
Strategy, Innovation and Resources														
DSP	Performance Innovation Commiss	190,082	0	190,082	-42,131	0	-42,131	-42,131	0	0	-42,131	0	Underspend of £40k for PIC Lead Specialist for first half of the financial year. Post reviewed at HR Committee and approval to use for Principal Specialist given. Post now recruited to.	
DSS	Strategy	410,363	-7,000	403,363	5,020	7,000	12,020	12,020	0	0	12,020	0	Individual variances less than £10k	
GCD	Partnerships and Communities	3,776	0	3,776	-3,767	0	-3,767	-3,767	0	0	-3,767	0		
GCG	Community Grants	285,950	0	285,950	-56,688	0	-56,688	-56,688	0	0	-56,688	0	Underspend of £60k for Debt Advisory Growth Bid; £13.8k community grant offset by transfer from XRR90 Financial Resilience Reserve	
GEM	Emergency Planning	31,200	0	31,200	-5,947	0	-5,947	-5,947	0	0	-5,947	0		
GLP	Development Plans	50,800	-118	50,682	-11,685	118	-11,567	-11,567	0	10,308	-1,259	0	Underspend of £11k on development of Local Plans due to delays with some works. £10k carry forward requested	
GMY	Safer Stronger	1,500	0	1,500	-375	0	-375	-375	0	0	-375	0		
GXW	Carbon Change Prog Savings	50,000	0	50,000	12,085	0	12,085	12,085	0	0	12,085	0	Offset by transfer from XRR92 Climate Change Reserve	
EXS	Policy and Performance	270,940	0	270,940	-33,399	0	-33,399	-33,399	0	40,000	6,601	0	Underspend of £40k for Customer Connect Transition Training which has been delayed. Carry forward requested	
DSC	Communications	105,461	0	105,461	3,914	0	3,914	3,914	0	0	3,914	0		
DSO	Support Services	1,153,024	-5,400	1,147,624	-56,387	5,400	-50,987	-50,987	0	17,000	-33,987	0	£33k underspend on employee expenses, £14k of which relates to salary costs and the remaining £19k to staff advertising and training budgets; further £15k internal income received for salaries paid by Covid-19 admin grant income. Carry forward of £17k requested	
GCC	Corporate Communications	32,260	-4,592	27,668	-247	2,627	2,381	2,381	0	0	2,381	0		
GEL	Elections	437,400	-346,227	91,173	-172,925	149,463	-23,462	-23,462	0	0	-23,462	0	£23k underspend on District Elections	
GER	Electoral Registration	72,969	-7,447	65,522	-6,807	3,913	-2,894	-2,894	0	0	-2,894	0		
DSF	Finance	488,957	-1,000	487,957	-12,808	-7,778	-20,586	-20,586	0	0	-20,586	0	£13k underspend on salaries	
DXC	Management Team	431,523	0	431,523	9,079	0	9,079	9,079	0	0	9,079	0		
ERA	Internal Audit	65,814	0	65,814	-1,856	0	-1,856	-1,856	0	0	-1,856	0		
GFI	Corporate Finance	4,280	0	4,280	-2,018	0	-2,018	-2,018	0	0	-2,018	0		
GFS	Unapportionable Pension Adj	15,299	0	15,299	1,322	0	1,322	1,322	0	0	1,322	0		
GGT	Subscriptions	19,106	0	19,106	-855	0	-855	-855	0	0	-855	0		
GMG	Local Govt Reorganisation	1,828,244	0	1,828,244	-215,174	-21,333	-236,508	-236,508	250,000	0	13,492	0	Underspend against LGR budgets in 2021/22, budget required in 2022/23. Carry forward approved in the 2022/23 Budget Setting report	
GNH	New Homes	0	-87,800	-87,800	0	23,120	23,120	23,120	0	0	23,120	0	Offset by reserves	
GTH	Other Items	769,525	0	769,525	41,832,700	-42,563,852	-731,151	81,797	0	0	81,797	-812,949	£87k overspend on overtime, arb work and making safe play areas as a result of Storm Arwen: request for Government support under Bellwin scheme unsuccessful.	£697,500 Covid-19 Contingency Budget - part offset by £67.3k extra costs associated with Covid-19 (agency, equipment, etc) within GTH55. Remainder part offset by overspends/shortfalls in income across services; £266k New Burdens funding for administration of Covid-19 grants, an internal recharge of £86k part offsets this funding
GTV	Bank Charges	95,280	0	95,280	-10,629	0	-10,629	-10,629	0	0	-10,629	0	£10k underspend on bank charges fund management fees: budget was included for borrowing fees which were not required. £22k received from DLUHC for Redmond Review Local Audit Fees Grant; further £8k received from PSAA for surplus funds relating to 2020/21	
GTW	Audit and Inspection	74,399	0	74,399	-4,444	-30,649	-35,093	-35,093	0	0	-35,093	0		

Service	Expenditure Budget Full Year £	Income Budget Full Year £	Current Full Year Working Budget £	Expenditure Variance to Date £	Income Variance to Date £	Overall Variance to Date £	BAU Out-turn >£10k	BAU Carry Forwards Approved as part of 2022/23 Budget Setting	BAU Carry Forward Requests >£10k	BAU Out-turn less Carry Forward Requests > £10k	Covid-19 Outturn £	BAU Commentary	COVID-19 Commentary
GZZ Other GF Items	328,874	0	328,874	-328,874	0	-328,874	-328,874	0	150,385	-178,489	0	Due to ongoing problems with recruitment a transfer of £144k from the NNDR pool reserve was agreed at Council 11.11.21. This was to cover salary costs for Economy and Culture Specialists within the current establishment in order to free up establishment funding for use of agency in service critical posts. Further underspend of £150k against budget agreed at budget setting for 2021/22 relating to BAU staffing requests, this has been requested as a carry forward into 2022/23. Finally there is a £34k underspend against budget agreed as part of MTFP for the 2021/22 pay award.	
DSH Human Resources	404,372	-20,174	384,198	-78,777	-986	-79,763	-79,763	0	0	-79,763	0	Underspend of £46k for apprentice posts while 0 vacant - now all recruited to; £36k underspend on Corporate training budget	
GOT Environmental Other	7,525	0	7,525	-7,525	0	-7,525	-7,525	0	0	-7,525	0		
DSL Legal Governance Democracy	630,435	-71,025	559,410	-62,185	7,993	-54,192	-54,192	0	30,000	-24,192	0	£38k underspend against salaries, a carry forward of £30k has been requested; further £15k underspend on supplies and services	
GCA Democratic Management	3,510	0	3,510	-3,510	0	-3,510	-3,510	0	0	-3,510	0		
GMM Members	402,044	0	402,044	-44,479	0	-44,479	-44,479	0	0	-44,479	0	£24.6k underspend on unclaimed Member's Allowance, this has been transferred to the 0 Personal Financial Resilience Reserve as agreed; further £11k underspend on transport expenses	
GVR Chairmans Allow and Civic Hosp	5,668	0	5,668	-125	0	-125	-125	0	0	-125	0		
DSD Digital Services	471,193	0	471,193	-29,966	0	-29,966	-29,966	0	30,000	34	0	£30k underspend on digital services - a carry forward has been requested to cover the cost of Cyber Security work in 2022/23	
ECU Customer Services	545,400	0	545,400	-523,135	-3,450	-526,585	-526,585	480,294	30,000	-16,291	0	£480k carry forward of Customer Connect Digital Innovation Project budgets approved as part of the 2022/23 Budget Setting Report. Further underspend of £46k identified and a request for a carry forward for £30k has been submitted	
ERI Information Services	671,671	0	671,671	-11,021	0	-11,021	-11,021	0	0	-11,021	0	0 Underspend of £11k on ICT shared service	
Total Strategy, Innovation and Resources	10,358,844	-550,783	9,808,061	40,136,380	-42,428,414	-2,292,033	-1,479,084	730,294	307,693	-441,097	-812,949		
Customer and Commercial Services													
Operational Lead Customer and Locality Services													
DCL Customer and Locality Services	1,489,809	-75	1,489,734	-27,449	-1,645	-29,094	-29,094	0	0	-29,094	0	£25k underspend on salaries due to vacant posts in Customer Services and internal transfers for officer time spent on grant funded Covid-19 compliance duties	
GGK Car Park Enforcement	0	0	0	0	0	0	0	0	0	0	0		
GPK Parks and Open Spaces	1,037,728	-96,367	941,361	-19,947	19,082	-865	-865	0	10,478	9,613	0	£13.9k underspend on Arb work delayed as a result of emergency works for Storm Arwen. Carry forward of £10.5k requested for works committed	
GPR Consultation	10,000	0	10,000	-5,000	0	-5,000	-5,000	0	0	-5,000	0		
GRG Recreation Grounds	74,343	-2,393	71,950	-10,572	-1,025	-11,597	-11,597	0	0	-11,597	0	£10.6k underspend on premises expenses	
GWF Dog Control	37,571	-1,000	36,571	-3,364	496	-2,868	-2,868	0	0	-2,868	0		
Total Operational Lead Customer and Locality Se	2,649,451	-99,835	2,549,616	-66,332	16,908	-49,424	-49,424	0	10,478	-38,946	0		
Operational Lead Place and Environment													
DCS Specialist Services	2,776,395	-134	2,776,261	44,707	-19,058	25,649	25,649	24,561	0	50,210	0	£328k potential overspend on salaries, part offset by £278k internal transfers for officer time spent on Covid-19 related work which was funded through grant income, £8k PPA income and £8k income for Conservation project. £24.6k carry forward approved as part of 2022/23 Budget Setting report to cover remainder of Fixed Term Specialist Food Safety post	
GAH Affordable Homes Schemes	4,677,620	-4,210,000	467,620	-1	0	-1	-1	0	0	-1	0		
GBC Building Control	31,968	-349,001	-317,033	-14,219	-39,412	-53,631	-53,631	0	0	-53,631	0	£39k surplus on building control income; £14k underspend on expenditure relates to individual variances less the £10k	
GCP Coast Protection	3,840	0	3,840	-3,590	0	-3,590	-3,590	0	0	-3,590	0		

Service	Expenditure Budget Full Year £	Income Budget Full Year £	Current Full Year Working Budget £	Expenditure Variance to Date £	Income Variance to Date £	Overall Variance to Date £	BAU Out-turn >£10k	BAU Carry Forwards Approved as part of 2022/23 Budget Setting	BAU Carry Forward Requests >£10k	BAU Out-turn less Carry Forward Requests > £10k	Covid-19 Outturn £	BAU Commentary	COVID-19 Commentary
GCV Conservation and Environment	12,646	12,849	25,495	-4,283	0	-4,283	-4,283	0	0	-4,283	0		
GCZ Contaminated Land	2,250	0	2,250	-1,165	0	-1,165	-1,165	0	0	-1,165	0		
GDC Development Control	66,645	-554,707	-488,062	-16,679	127,326	110,647	40,647	0	0	40,647	70,000		Income shortfall of £48k in planning income due to no major development applications in the pipeline, part offset by £8k underspend on expenditure. There were a high number of smaller applications throughout the year, however the income from these was much less than what would be received for a major property development. Also fees and charges are set nationally and these have been fixed for the last couple of years, however budgeted costs of running the service have increased (e.g. salaries)
GDS Dangerous Structures	10,000	-11,712	-1,712	-9,900	11,712	1,812	1,812	0	0	1,812	0		
GED Economic Development	529,593	-120,126	409,467	6,921	8,953	15,874	4,761	0	0	4,761	11,113		£7k BAU shortfall in Mintworks rental income, due to reduced demand for office space, part offset by small underspends in expenditure.
GEV Arts and Events	187,150	0	187,150	-6,930	0	-6,930	-6,930	0	0	-6,930	0		
GFD Food Safety	8,550	-200	8,350	-1,863	-9,486	-11,349	-11,349	0	3,740	-7,609	0		Carry forward requested for grant income received relating to Natasha's Law and allergen testing which will offset related training and implementation costs
GHP Noise, Air and Water Pollution	16,146	-14,618	1,528	-2,376	299	-2,077	-2,077	0	0	-2,077	0		
GHS Health and Safety	500	0	500	-500	0	-500	-500	0	0	-500	0		
GIL Community Infrastructure Levy	210,053	-1,305,207	-1,095,154	-1,047	-24,484	-25,531	-25,531	0	0	-25,531	0		£25.5k surplus against budget for Community Infrastructure Levy admin income as a result of greater than expected levying of CIL during 2021/22
GLC Local Land Charges	93,648	-250,000	-156,352	-7,483	-11,727	-19,210	-19,210	0	0	-19,210	0		£11.7 surplus on income for land search fees
GMA Hackney Carriage Licensing	7,975	-108,390	-100,415	-112	11,274	11,162	11,162	0	0	11,162	0		£11k shortfall in hackney carriage income.
GMC Miscellaneous Licensing	3,261	-19,230	-15,969	-1,436	9,327	7,891	7,891	0	0	7,891	0		
GMD Licensing Act	245	-206,475	-206,230	-245	11,475	11,230	11,230	0	0	11,230	0		£11k shortfall in premise licence income due to provision for aged debts
GME Gambling Licensing	629	-22,108	-21,479	-629	14,827	14,198	14,198	0	0	14,198	0		Shortfall of £14k due to there only being a very small number of gambling premises in the district
GWS Water Sampling	60,596	-118,327	-57,731	-25,944	45,295	19,350	9,675	0	0	9,675	9,675		BAU net shortfall of £9.7k, consisting of shortfall on Water Sampling income, and corresponding underspend on Sampling & Inspection Fee expenditure.
Total Operational Lead Place and Environment	8,699,710	-7,277,386	1,422,324	-46,774	136,321	89,547	-1,242	24,561	3,740	27,059	90,788		
Operational Lead People, Welfare and Income Maximisation													
DCM Case Management	2,634,292	-84,485	2,549,807	-45,205	16,099	-29,107	-29,107	0	0	-29,107	0		Variance of £29k is mainly as a result of an underspend on photocopier/printer rentals which was due to a reduced rate payable for the extension period of the previous contract
GBN Council Tax Benefits	0	-80,726	-80,726	0	-89	-89	-89	0	0	-89	0		
GBT Housing Benefit Local Scheme	51,700	-36,300	15,400	-30,965	20,749	-10,216	-10,216	0	0	-10,216	0		Underspend against budget for war pension recipients of housing benefit that fall under the Local Scheme as a result of a reduction in the number of housing benefit claimants entitlement which can fluctuate based upon changes to income and capital
GCH Community Housing Fund	314,000	0	314,000	-156,369	0	-156,369	-156,369	0	0	-156,369	0		£156k underspend for Capacity Grants. £145k relates to Holme Farm which is expected to be paid in 2022/23. The remainder relates to other small projects for which a budget was built in to 2021/22 - underspend transferred back to reserve

Service	Expenditure Budget Full Year £	Income Budget Full Year £	Current Full Year Working Budget £	Expenditure Variance to Date £	Income Variance to Date £	Overall Variance to Date £	BAU Out-turn >£10k	BAU Carry Forwards Approved as part of 2022/23 Budget Setting	BAU Carry Forward Requests >£10k	BAU Out-turn less Carry Forward Requests > £10k	Covid-19 Outturn £	BAU Commentary	COVID-19 Commentary
GCM Cemeteries	260,159	-247,691	12,468	-8,249	10,700	2,452	2,452	0	0	2,452	0		
GEN Housing Enabling Role	267,444	0	267,444	-2,168	0	-2,168	-2,168	0	0	-2,168	0		
GFN NNDR Collection	7,200	-326,303	-319,103	4,885	-1,635	3,250	3,250	0	0	3,250	0		
GFT Council Tax Collection	29,000	-182,832	-153,832	30,712	-88,973	-58,261	-58,261	0	51,780	-6,481	0		£51.8k refund from Ministry of Justice relating to court cost refunds due to historical overcharging, request to carry this income forward to continue with proactive recovery and maximise income collection; £28k surplus income for funding received from CCC towards Local Care Leaver Discounts applied to Council Tax in 2019/20, 2020/21 and 2021/22; £32k shortfall in income relating to court summons
GHM Homelessness	325,452	-421,514	-96,062	-55,376	-57,512	-112,888	-112,888	0	60,000	-52,888	0		£50k additional income for housing benefit relating to emergency/temporary accommodation for homelessness not currently budgeted for; £63k underspend in homelessness - there has been a significant increase in 21/22 in new burdens and various other funding streams some of which will not be spent by the end of the financial year. £60k carry forward requested
GHT Housing Standards	479,118	-846,353	-367,235	69,380	-1,196	68,185	0	0	0	0	68,185		Shortfall relating to DFG admin levy income due to very large backlog of applications as a result of Covid-19.
GPA Poverty Alleviation	0	0	0	4,564	-4,564	0	0	0	0	0	0		
GRA Rent Allowances	15,732,386	-16,074,530	-342,144	-3,062,733	3,256,235	193,502	193,502	0	0	193,502	0		Housing Benefit payments and the subsidy income relating to these payments have been reducing since the introduction of Universal Credits however the current budgets don't reflect this. Along with this there have also been movements with housing benefit overpayments. The overall effect of this is a 160k overspend in 2021/22. The admin grant received for Housing Benefit has also reduced due the reduction in case load resulting in a £33k shortfall of income.
GRB Discretionary Housing Benefit	74,000	-74,000	0	29,866	-29,636	230	230	0	0	230	0		
GSH Handyperson Scheme	20,600	0	20,600	-10,600	0	-10,600	0	0	0	0	-10,600		£10k underspend re. Handyperson Scheme due to Covid-19 restrictions throughout the year
Total Operational Lead People, Welfare and Incon	20,195,351	-18,374,734	1,820,617	-3,232,258	3,120,179	-112,079	-169,664	0	111,780	-57,884	57,585		
Operational Lead Delivery and Commercial Services													
DCD Delivery Commercial Services	557,479	0	557,479	4,031	81	4,112	4,112	0	0	4,112	0		
ECC Social Enterprise Admin	273,711	0	273,711	-318	-2,967	-3,285	-3,285	0	0	-3,285	0		
EHS Health and Safety	20,880	-600	20,280	-4,765	600	-4,165	-4,165	0	0	-4,165	0		
EPX Offices	402,347	-9,127	393,220	-33,296	7,261	-26,035	-26,035	0	0	-26,035	0		£15k underspend on salaries for building cleaners; £22k underspend on premises expenses; £7.6k shortfall in rental income for South Lakeland House
GCK Car Parks	2,377,091	-4,970,254	-2,593,163	-86,081	22,865	-63,216	-63,216	0	0	-63,216	0		Underspend on salaries of £43k due to vacant posts; £51k underspend on premises expenses due to underspends on grounds maintenance, car park routine maintenance work and utilities; £43k overspend on credit card commission due to greater use of pay by card and pay by phone at car parks; £14k underspend on third party payments; £23k shortfall in income for car parks
GCL Comm Leisure and Sports Develop	3,665	-1,715	1,950	-1,398	-952	-2,350	-2,350	0	0	-2,350	0		
GCN Conveniences	26,195	0	26,195	1,087	-1,043	45	45	0	0	45	0		
GCS Caravan Site	208,603	-478,472	-269,869	-192,491	381,003	188,512	188,512	0	0	188,512	0		£96k shortfall in income from Brathwaite Fold caravan park due to delay signing lease until there was further clarity on the impact of Covid-19 and planned closedown to allow for works at site
GDY SLDC Depots	21,461	-2,706	18,755	-21,461	2,706	-18,755	-18,755	0	0	-18,755	0		£13k underspend on utilities
GFW Flood Warning	49,655	0	49,655	-4,149	0	-4,149	-4,149	0	0	-4,149	0		£93k shortfall in income due to Covid-19 restrictions at the beginning of the financial year offset by Covid-19 Sales Income Fees and Charges grant received

Service		Expenditure Budget Full Year £	Income Budget Full Year £	Current Full Year Working Budget £	Expenditure Variance to Date £	Income Variance to Date £	Overall Variance to Date £	BAU Out-turn >£10k	BAU Carry Forwards Approved as part of 2022/23 Budget Setting	BAU Carry Forward Requests >£10k	BAU Out-turn less Carry Forward Requests > £10k	Covid-19 Outturn £	BAU Commentary	COVID-19 Commentary
GHL	Town View Field Hostel	390,879	-269,701	121,178	1,863	85,464	87,327	70,327	0	0	70,327	17,000	£25k shortfall in income for Town View Fields Hostel due to occupancy levels. £48k shortfall in income from other homelessness accommodation, £37k of which relates to the fact that the original budget was based on more units than we were able to develop. An adjustment has been put in to the 2022/23 budgets to reflect this. There is an overspend of £19k on security cover part offset by salary underspend of £10k. This is due to use of security to cover staff shortages. The hostel needs to be covered 24/7 therefore unable to revise staffing costs. £12k underspend for premises expenses at TVF and Hampsfell	£12k shortfall in income for Town View Fields hostel due to Covid-19 restrictions affecting the availability of units to rent in April and May. There is an overspend of £10k on security cover part offset by salary underspend of £5k. This is due to use of security to cover staff shortages. The hostel needs to be covered 24/7 therefore unable to revise staffing costs.
GLE	Leisure Centres (incl Pools)	1,115,879	-21,938	1,093,941	-283,354	627	-282,727	-206,380	76,050	136,000	5,670	-76,347	Underspend of £76k relating to Ulverston Leisure Centre, due to progress of phases. Carry forward agreed as part of 2022/23 budget setting. £136k underspend against grant received from Sport England. Enquiries made to Sport England about repayment of this grant and they have confirmed this can be used for proposals submitted by GLL. Therefore carry forward requested into 2022/23.	Financial support for 20/21 due to Covid-19 has been agreed at £170k. Original estimate for the accrual was £246k therefore there will be an underspend against this estimate of £76k.
GLW	Lake Windermere	591,025	-1,478,703	-887,678	20,881	-28,352	-7,471	-7,471	0	15,000	7,529	0	£27k surplus in income at the Lake mainly for mooring rents; £9k overspend on premises expenses; £14k overspend on salaries. £15k carry forward requested to pay for damages caused by Storm Arwen	
GMK	Markets	159,091	-136,019	23,072	3,813	27,958	31,770	31,770	0	0	31,770	0	£28k shortfall in income due to some larger units closing and less street market stalls	
GMS	24 Main St Kirkby Lons	5,500	0	5,500	0	0	0	0	0	0	0	0		
GMU	Museum	133,182	0	133,182	24,158	0	24,158	24,158	0	0	24,158	0	£24k overspend relates to 20/21 Management Fee.	
GPH	Public Halls	2,020,563	-107,038	1,913,525	-2,407	26,196	23,789	0	0	0	0	23,789		Shortfall of £34k in income at Kendal Town Hall due to Covid-19, part offset by income received for Covid-19 Sales Income Fees and Charges grant
GPL	Planned Maintenance	147,028	0	147,028	-54,819	0	-54,819	-54,819	0	0	-54,819	0	£15k underspend on salaries for planned maintenance team due to vacant posts at the beginning of the financial year, now recruited to; £31k underspend on planned maintenance due to works which have been capitalised at Ferry Nab, Braithwaite Fold and Canal Head Depot, Kendal	
GPP	SLH/KTH Places Project	0	0	0	0	0	0	0	0	0	0	0		
GSE	District Special Expenses	56,383	-41,700	14,683	5,054	41,700	46,754	46,754	0	0	46,754	0	Offset by VGR24	
GSN	Street Furniture	4,101	0	4,101	-485	-1,000	-1,485	-1,485	0	0	-1,485	0		
GSY	Sundry Properties	832,348	-168,726	663,622	12,227	13,346	25,573	13,573	0	0	13,573	12,000	£13k shortfall due to vacant Investment Properties.	£12k shortfall in income for the rents as less demand for the office space as a result of Covid-19 and the requirement to work from home if possible. There is less certainty around this with the pandemic, however levels expected to return in 2022/23.
GTC	Tourist Information Centres	3,899	-27,975	-24,076	-243	7,850	7,607	7,607	0	0	7,607	0		
GTG	Street Cleansing Client	1,295,359	-16,667	1,278,692	-4,733	-13,637	-18,370	-18,370	0	0	-18,370	0	£11k surplus on litter bin supply and emptying. Salary overspend of £47k due to the increase in staycations; £26k underspend on fuel; £27k underspend on hired services for leaf sweeping	
GTS	Transport	96,520	-116,340	-19,820	-17,364	37,184	19,820	19,820	0	0	19,820	0	£37k shortfall in income for works to contract vehicles, due to the age of the vehicles SLDC maintain as part of these contracts. As these vehicles age income in future years is expected to increase, of course this will depend on their replacement programmes.	
GUL	Industrial Units Landlord	643	-48,840	-48,197	2,567	-14,379	-11,812	-11,812	0	0	-11,812	0	£11k underspend on transport expenses	
GUT	Industrial Units Tenants	4,306	-7,479	-3,173	2,741	432	3,173	3,173	0	0	3,173	0	Surplus on income from Industrial Units due to rent increases on certain units.	
GWC	Waste Coll Disposal Client	53,500	-53,500	0	-96	-2,419	-2,515	-2,515	0	0	-2,515	0		

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GWK Kerbside Coll Recycling Client	5,484,133	-1,504,474	3,979,659	208,544	-172,007	36,538	-23,462	0	0	-23,462	60,000	Net BAU surplus of £23k overall across salaries, tipping and disposal, fuel, vehicle hire, recycling credits and sale of materials	£60k additional costs associated with staff shielding/isolating as a result of Covid-19. Offset by Covid-19 contingency budget in GTH.
GWR Waste Recycling	161,292	-138,260	23,032	1,863	2,230	4,092	4,092	0	0	4,092	0		
Total Operational Lead Delivery and Commercial	16,496,718	-9,600,234	6,896,484	-418,630	420,748	2,118	-34,326	76,050	151,000	192,724	36,442		
Total Customer and Commercial Services	48,041,230	-35,352,189	12,689,041	-3,763,993	3,694,156	-69,837	-254,656	100,611	276,998	122,953	184,815		
Corporate items													
VGF51 General Fund Rev Balance	0	0	0	0	0	0	0	0	0	0	0		
VGR24 Parish Precepts	1,813,004	0	1,813,004	-54,693	0	-54,693	-54,693	0	0	-54,693	0	Relates to parish lighting costs, offset by GSE91 (parish special expenses)	
VGR26 Interest and Invest. Income	0	-36,272	-36,272	0	-148	-148	-148	0	0	-148	0		
VGR27 Interest Payable	566,983	0	566,983	-175	0	-175	-175	0	0	-175	0		
VGR30 Pension Interest Cost/Return	0	-10,652,000	-10,652,000	0	0	0	0	0	0	0	0		
VGR31 Pension Admin Costs	0	86,000	86,000	0	0	0	0	0	0	0	0		
VGR37 Loss on Disposal Fixed Assets	0	0	0	-931,169	0	-931,169	-931,169	0	0	-931,169	0	Gain mainly due to housing receipts which are recognised as proceeds of sale but assets were disposed during 2011/12 as part of Large Scale Voluntary Transfer of SLDC housing stock to South Lakes Housing. Offset by VGS70 except £33k Vehicle Sale Proceeds which is offset on VGS58 as capital receipts are moved to balance sheet.	
VGR41 Council Tax from Collection Fu	0	-11,098,404	-11,098,404	0	-64	-64	-64	0	0	-64	0	Timing between recognition of business rate relief grants received and transferred to reserve in 2020/21 matched in 2021/22 against recognition of reduced income from ratepayers due to additional reliefs. Offset by transfer from reserves VGS34.	
VGR42 Surplus On Coll Fund	0	11,232,000	11,232,000	0	-11,033,448	-11,033,448	-11,033,448	0	0	-11,033,448	0	Additional rate income and reduction in appeals provision due to change in law. Also timing issues around recognition of additional Covid-19 reliefs and the grants to fund the relief both for 2020/21 and 2021/22 smoothed by use of reserves.	
VGR44 NNDR distrib from Pool	17,111,464	-21,770,749	-4,659,285	354,909	3,838,169	4,193,078	4,193,078	0	0	4,193,078	0	Lower than expected receipts from Tax Income Guarantee scheme in 2021/22, mainly due to timing and offset by movements to and from the Tax Income Guarantee reserve.	
VGR45 Govt Grant (ABG, Cap Prov etc)	0	-1,257,100	-1,257,100	0	145,613	145,613	145,613	0	0	145,613	0	Timing difference between estimated Council tax surplus or deficit and charge to General Fund. Offset by VGS61	
VGR46 Adj to Coll Fund Adj Acc	0	0	0	0	-96,829	-96,829	-96,829	0	0	-96,829	0	Timing difference between estimated NNDR surplus or deficit and charge to General Fund. Offset by VGS56	
VGR48 Parish CT Grant	92,000	0	92,000	0	0	0	0	0	0	0	0	Accounting practice requires these grants are recognised in General Fund and then moved out to fund capital expenditure. Offset by VGS58	
VGR49 Adj NNDR Coll Fund Adj Acc	0	0	0	0	-5,398,682	-5,398,682	-5,398,682	0	0	-5,398,682	0	Accounting practice requires the change in value of investment properties to be recognised in General Fund and then offset and moved out to balance sheet. Offset by VGS62	
VGR57 Recognised Capital Grants Cont	0	0	0	0	-564,269	-564,269	-564,269	0	0	-564,269	0	Accounting practice requires the change in value of assets (other than investment properties shown separately) to be recognised in General Fund and then offset and moved out to balance sheet. Offset by VGS67	
VGR66 Fair Value of Investment Props	0	0	0	-72,450	0	-72,450	-72,450	0	0	-72,450	0	See appendix 1a	
VGR67 Revaluation Reserve Movements	0	0	0	-5,424,787	0	-5,424,787	-5,424,787	0	0	-5,424,787	0	See appendix 1a	
VGS33 Transfer to Reserves	2,240,558	0	2,240,558	8,703,460	0	8,703,460	8,703,460	0	0	8,703,460	0	Offset by VGR49	
VGS34 Transfer from Reserves	0	-14,883,305	-14,883,305	0	-371,383	-371,383	-371,383	0	0	-371,383	0	Due to lower capital expenditure and timing of completion of capital schemes in 2020/21 there is an underspend on Minimum Revenue Provision of £212.7k; Capital grants recognised moved to balance sheet £564k offset by VGR57; £33k offset by VGR37	
VGS39 Movmt Pensions Res	0	8,623,000	8,623,000	0	0	0	0	0	0	0	0	See appendix 1a	
VGS56 NNDR Collection Fund Adj	0	0	0	0	5,398,682	5,398,682	5,398,682	0	0	5,398,682	0	Offset by VGR46	
VGS58 Stat and Proper Practices	-9,826,327	5,038,984	-4,787,343	-246,040	564,269	318,229	318,229	0	0	318,229	0	See appendix 1a	
VGS59 Support to Capital Programme	240,921	0	240,921	974,456	0	974,456	974,456	0	0	974,456	0	Offset by VGR46	
VGS61 Coll Fund Stat Adj	0	0	0	0	96,829	96,829	96,829	0	0	96,829	0		

Service	Expenditure Budget Full Year £	Income Budget Full Year £	Current Full Year Working Budget £	Expenditure Variance to Date £	Income Variance to Date £	Overall Variance to Date £	BAU Out-turn >£10k	BAU Carry Forwards Approved as part of 2022/23 Budget Setting	BAU Carry Forward Requests >£10k	BAU Out-turn less Carry Forward Requests > £10k	Covid-19 Outturn £	BAU Commentary	COVID-19 Commentary
VGS62 Movt in Mkt Val of Inv Prop	0	0	0	72,450	0	72,450	72,450	0	0	72,450	0	Value of investment properties moved to balance sheet, offset by VGR66	
VGS65 Accumulated Absences	0	0	0	0	0	0	0	0	0	0	0		
VGS67 Revaluation Reserve Movt cont	0	0	0	5,424,787	0	5,424,787	5,424,787	0	0	5,424,787	0	Value of assets other than investment properties moved to balance sheet, offset by VGR67	
VGS70 Other Useable Cap Rec movt	0	0	0	964,523	0	964,523	964,523	0	0	964,523	0	Moving capital receipts to balance sheet, offset by VGR37	
Total Corporate items	12,238,603	-34,717,846	-22,479,243	9,765,272	-7,421,261	2,344,011	2,344,010	0	0	2,344,010	0		
Total Corporate Items	12,238,603	-34,717,846	-22,479,243	9,765,272	-7,421,261	2,344,011	2,344,010	0	0	2,344,010	0		
Total GF	70,638,677	-70,620,818	17,859	46,137,659	-46,155,519	-17,860	610,270	830,905	584,691	2,025,866	-628,134		
Net GF	17,859												

Carry Forwards to be agreed

GL Code	Service	Requested Carry Forward	Outturn Variance on Cost Centre less C/fwds agreed at Budget	Purpose	Reason
EXS2911246	Customer Connect Training Costs	40,000	(32,849)	Underspend in Customer Connect Budget needed to continue with Customer Connect transition and corporate training as needed.	This training has been committed to and if not approved will cause a skills shortage within the organisation
DSD3014694	Digital Services Software Maintenance	30,000	(29,966)	Underspend to fund activities covering Cyber Security and Information Governance	Cyber security is of critical importance to the Council and information governance work is critical for Local Government Reorganisation (LGR)
GPK6112008	Parks Arboriculture Work	10,478	1,129 Arboriculture Budget line underspend = (13,923)	To complete programmed arboriculture works at Main St, Grange over Sands; Serpentine Woods; and Abbott Hall.	Works were delayed due to Storm Arwen and the need to complete emergency clear up works. While the parks budget overall is overspend the line for arboriculture works is underspend by more than the requested carry forward.
GLP3114556	Development Plans Other Consultants	10,308	(11,567)	To carry out strategic flood risk assessment which had been delayed due to work being carried out by the Environment Agency	This is essential for local plan evidence and work.
GLE0115594	Leisure Partnership Leisure Partner Pymts	136,000	(151,283)	Sport England Grant to be spend in conjunction with our leisure partner GLL.	Sports England have agreed the plan and a cabinet report is expected for approval. Otherwise grant may need to be returned.
GHM1114918	Homelessness Homelessness Prevention	60,000	(107,974)	To provide targeted prevention, support and tenancy sustainment within Housing Options and TVF, along with further challenges that the service may face in relation to homeless prevention in light of Homes for Ukraine; and To help cover the costs of significant amount of repairs required to social letting properties, for which there is no recurring budget, prior to the closure of the scheme.	This will allow enhanced support and allow service delivery to continue with minimum negative impact as a result of additional demands.
GFT0152592	Council Tax Collection	51,780	(9,448) GFT Service underspend = (58,044)	It will allow dedicated resources to continue to proactively recover outstanding debts, maximise Council Tax and Business Rate collection and ensure that recovery is carried out in a way which supports local residents particularly those experiencing financial difficulties	Use £51.8k refund from Ministry of Justice relating to court cost refunds due to historical overcharging. While GFT01 is not sufficiently under budget to cover this the wider GFT service area is.
DSO5011***	Support Services Salaries	17,000	(47,551)	To fund additional staff in HR for 2022/23	To assist with the impact of LGR on work load
DSL4011***	Legal Governance & Democracy Salaries	30,000	(35,658)	Agency staff	To clear the backlog of legal work.
GLW4152485	Lake Windermere Moorings-Permanent Rents	15,000	(1,668)	To be used for repairs at Ferry Nab	Surplus on Mooring rents to be used to make repairs at ferry Nab
GFD6251190	Natasha's Law	3,740	(3,740)	Complete training for all relevant staff	Grant funding provided to implement Natasha's Law and train all relevant staff. Funding to be carried forward to complete training programme
In Carry Forward Reserve		404,306	(422,256)		
ECU4414694	Digital Innovation Project Software Maintenance	30,000	(46,291)	To complete Digital Innovation Project	Areas of activity not achieved due to other priorities and resources in 2020/21.
In Customer Connect Reserve		30,000	(46,291)		

GL Code	Service	Requested Carry Forward	Outturn Variance on Cost Centre less C/fwds agreed at Budget	Purpose	Reason
GZZ0211101	Business as Usual Staffing Pressure	150,385	(150,385)	To provide additional funds towards addressing Business as Usual staffing pressures identified by Leadership team	This is the amount set aside for 2021/22, which was not needed as not all posts were filled in 2021/22 and those that were have been funded by other underspends.
In General Reserve		150,385	(150,385)		
Total Requested as part of outturn		584,691	(618,932)		

Carry Forwards Agreed as part of 2022/23 Budget Setting

GL Code	Service	Agreed Carry Forward	Outturn Variance	For	Why
DCS41	Specialists - Environment	24,561.0	(41,795)	Specialist Level 2 Food and Safety Fixed Term	Temporary additional staffing to support work on Covid-19 Test and Trace work
GMG**	Local Government Reorganisation	Up to (£250,000)	(232,128)	Local Government Reorganisation	A lump-sum budget of £250,000 was approved by Council on 14th December 2021 and delegated approval for the use in 2021/22 to the Chief Executive in consultation with the Leader in order to fund any costs which the Council may incur itself which are outside the eligibility criteria for the Cumbria Wide Implementation Reserve; any balance not spent in 2021/22 to be carried-forward into 2022/23
In Carry Forward Reserve		274,561	(273,922)		
GLE21	Ulverston Leisure Centre	76,050.0	(75,275)	Preparation of full business case	
ECU44	Digital Innovation Project	15,284.0		Shared ICT Business Partner Fixed Term	Part of business case for development management system
ECU44	Digital Innovation Project	75,000.0		Extended Support for Microsoft SQL Server 2012	Failure to have the extended support will leave SLDC vulnerable to potential Cyber Attack
ECU44	Digital Innovation Project	30,000.0		Fund Change to Backup and Disaster Recovery Contract	Moving SharePoint and Exchange (e-mail) into the cloud will enable us to reduce the cost of extended support for windows 2012 servers listed below and help create some resource capacity in the Shared ICT service
ECU44	Digital Innovation Project	75,000.0		Extended Support for Microsoft Windows Server 2012	Failure to have the extended support will leave SLDC vulnerable to potential Cyber Attack
ECU44	Digital Innovation Project	105,010.0		BAU Staffing Requests	Digital Development Officer and Procurement Specialist included in BAU staffing requests
ECU44	Digital Innovation Project	180,000.0		Digital Innovation	Digital Innovation Budget not yet spent and required in 2022/23
In Customer Connect Reserve		556,344	(601,860)		
Agreed as part of 2022/23 Budget Setting		830,905	(875,782)		
Total Carry Forward		1,415,596	(1,494,714)		

SLDC 2021/22 Capital Programme Monitoring Period 12 and Re-profiling Requests

Lead/code	Scheme	Portfolio	Full Year Budget £	Final Outturn Expenditure £	Outturn Variance £	Carry Fwd approved April 2022 £	Adjustment to carry fwd for actual year-end position	Carry fwds required but missed from original request list	Other budget adjustments reqd in 22/23	Total adjustments to 22/23	Commentary
Digital											
KIT27	Mobile Working for Streetscene	Housing and Innovation	0	0	0	0					0 Business requirements and objectives to be defined, specification to be created and procurement route agreed in order for project to commence. Not likely to proceed prior to LGR.
KIT30	Digital Innovation Project	Housing and Innovation	82,916	43,032	-39,884	40,000					0 IT hardware and software to support new office arrangements and ways of working. Progressing, potential underspend, some linked to development management project and intergration with MyAccount. This project start in Jan 2022. £30k has been reprofiled to next year.
KIT32	Transport Software	Housing and Innovation	35,000	0	-35,000	35,000					0 Business requirements and objectives to be defined, specification to be created and procurement route agreed in order for project to commence. Aiming to get done prior to LGR, may slip into next financial year.
KIT33	Income Management System Upgrade	Housing and Innovation	40,000	27,855	-12,145	12,200					0 Live upgrade now installed. Further works to improve process efficiency ordered and awaiting confirmation from supplier re when work can be done.
KIT90	IT Replacement Fund	Housing and Innovation	106,309	87,712	-18,597	20,691	-2,094			-2,094	The ICT replacement programme will take place throughout the year. There has been a budget transfer of £50k covering Covid expenditure incurred in the previous year. £54k reprofiled to next financial year.
Total Digital			264,225	158,599	-105,626	107,891	-2,094	0	0	-2,094	
Place and Environment											
KDE06	ERDF Funded Flood Defence Works	Climate Emergency and Localism	1,755,527	0	-1,755,527	0					0 SLDC are accountable body. Work has now commenced and invoices will be received from EA quarterly in line with funding agreement. First & second quarter payment now made.
KDE07	Coastal Communities Fund	Climate Emergency and Localism	120,000	168,497	48,497	0	-48,500			-48,500	CCF project started 1 May 2019, funded by MHCLG. Scheme is over two years. Funding for SLDC and Morecambe Bay Partnership (MBP), then we will pay over to MBP their share. SLDC is accountable body. Scheme is for works at Grange promenade started on site Jan 2022. Funding agreement with MHCLG now in place. £169k spend in year, £78k quarter 1 & £91k quarter 2 paid in March.
KDE08	EA lead Flood Defence Work	Climate Emergency and Localism	50,000	0	-50,000	50,000					0 Scheme split into 3 areas - public realm work (£250k), Aynam Road glass panels (£250k) and public arts (£50k). Public realm work is in discussion with EA and CCC to determine the areas where the work should be undertaken. Aynam Road and public arts work progressing. £50k spend was expected in remainder of year but unlikely now and will require carry forward.
KIT34	Development Management System	Housing and Innovation	121,600	17,471	-104,130	104,130					0 New ICT system for development management progressing to implementation stage. Contract signed, initial payment to be made in this financial year £17,470, half of which covered by Eden DC (£8740 SLDC) and remaining future staged payments throughout implementation period (18 months). Re-profiling of £112,860 will be required into 2022/23.

SLDC 2021/22 Capital Programme Monitoring Period 12 and Re-profiling Requests

Lead/code	Scheme	Portfolio	Full Year Budget £	Final Outturn Expenditure £	Outturn Variance £	Carry Fwd approved April 2022 £	Adjustment to carry fwd for actual year-end position	Carry fwds required but missed from original request list	Other budget adjustments reqd in 22/23	Total adjustments to 22/23	Commentary
KAH11	Other Housing Schemes (Cross-a-Moor junction improvements)	Housing and Innovation	4,531,700	4,677,619	145,919				1,693,470	1,693,470	National Highways leading scheme to build a roundabout to enable delivery of 1000 homes. Work started on site in Sept, funding agreement nearly complete and payment in full due on signature of contract which will be middle of February.
KPE18	Towpath Trail Kendal-Lancaster	Economy Culture and Leisure	0	0	0						0 Paused for review now due to LGR. Informal Cabinet to make decision on future of this scheme.
Total Specialist Services			6,578,827	4,863,587	-1,715,240	154,130	-48,500	0	1,693,470	1,644,970	
People, Welfare & Income Maximisation											
KAH10	Affordable Homes	Housing and Innovation	0	0	0						0 Currently in discussion with Home Group re site in Ambleside for social rented housing, and another potential site in Arnside. Early discussions regarding a potential scheme at Staveley Realistically unlikely grant agreements will be completed before the end of March so budget reprofiled to 2022/23.
KAH13	Commuted Sums Affordable Housing	Housing and Innovation	30,000	30,000	0						0 £30k for Parkside Road scheme now paid.
KAH15	Next Steps Accommodation	Housing and Innovation	0	0	0					0	
KGD21	Mand Disabled Fac Grants	Housing and Innovation	766,810	546,883	-219,927	221,107	-1,180				-1,180 OT referrals have increased as expected, however, resourcing issues which are being addressed, are impacting on the timescales to process and complete grants. Covid has impacted on the delivery of DFGs in terms of customer willingness to have works undertaken, supply of materials and temporary pausing of the service in 2020/21. Some carry forward of budget to next year will be required.
KCH01	Community Housing Fund	Housing and Innovation	443,000	224,296	-218,704	218,704					0 Levens development has begun on site with incremental payment of grant awards through remainder of financial year expected to total £90k, £87k paid so far.Lakeland Housing Trust grant for scheme at Grasmere £137k has been paid.
KIF01	Housing Investment Fund	Housing and Innovation	850,000	361,717	-488,283	489,653	-1,370				-1,370 Proposals are being developed for the use of these funds to support the delivery of affordable housing. Budgeted £350k on land acquisition at Heversham and grant applications of £500k now unlikely to take place in 21/22 and will require carry forward.
Total People, Welfare & Income Maximisation			2,089,810	1,162,896	-926,914	929,464	-2,550	0	0	-2,550	
Delivery and Commerical Services											

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Lead/code	Scheme	Portfolio	Full Year Budget £	Final Outturn Expenditure £	Outturn Variance £	Carry Fwd approved April 2022 £	Adjustment to carry fwd for actual year-end position	Carry fwds required but missed from original request list	Other budget adjustments reqd in 22/23	Total adjustments to 22/23	Commentary
KEP52	Disabled Toilet Improvements	Health Wellbeing and Financial Resilience	40,000	2,443	-37,558	37,557					0 Budget covers payments for Millerground (£20k) and Cartmel (£20k). Agreement from Windermere TC to progress with Millerground, re-tendering for works. Cartmel progressing very slowly and unlikely to be paid before end of March.
KAH14	Homeless Accommodation	Housing and Innovation	0	2,591	2,591						0 To convert facilities at Town View Fields. No works started as yet. On hold due to LGR review.
KCI01	Scaling On Street Charging Infrastructure	Housing and Innovation	183,790	157,839	-25,951						0 Cabinet approved in October 2020 funding of a scheme to work with other bodies to enable electric vehicle charging points to be installed at a small number of locations in the district, for residential use. Needs to be installed before March 2022. Cabinet approval 1 Sept 2021, now complete.
KDE10	Kendal Market Lift	Economy Culture and Leisure	60,000	2,000	-58,000	58,000					0 No work started as yet. Now to be done in 2022/23.
KDP02	Canal Head Depot	Customer Comm Serv and People	0	19,084	19,084						
KDP03	Ellerthwaite Depot	Customer Comm Serv and People	0	0	0						0 Cabinet approval to proceed 9th March.. Planning obtained but works to start next financial year.
KEP53	Rothay Park Toilets	Health Wellbeing and Financial Resilience	0	0	0						0 Working up proposals with Lakes Parish Council. Once approval granted, will issue planning and tender the works. Unlikely for work to begin this financial year.
KFL01	Footway Lighting	Customer Comm Serv and People	0	0	0						0 Spend dependant on Electricity North West and Cumbria CC programming works. On hold pending LGR review.
KLH02	Ulverston Asset Transfer programme	Economy Culture and Leisure	0	0	0						0 UCE now developing a business case for long-term use of funds, so payment will be delayed until completed - likely to be 3 years before payment made so budget reprofiled. Cabinet approval for long lease received 9 March. Awaiting completion of lease
KLH07	SL House & KTH reconfiguration	Economy Culture and Leisure	3,106,353	2,780,210	-326,143			326,000		326,000	Due to be completed 14 April 2022.
KLH08	Abbot Hall Redevelopment	Customer Comm Serv and People	615,000	22,632	-592,368	598,264	-5,896			-5,896	Awaiting formal sign off from LEP before works can commence. Tenders due back 18th March. Works now likely to take place in April, May and June
KLL17	Ferry Nab	Economy Culture and Leisure	0	46,655	46,655						
KLL19	Millerground Pumping Station	Customer Comm Serv and People	31,000	0	-31,000			31,000		31,000	Seeking waiver to appoint contractor to undertake urgent works.
KMR21	Kendal Museum alterations	Customer Comm Serv and People	84,051	83,551	-500					0	Payment made.
KMR33	Braithwaite Fold Caravan Park	Customer Comm Serv and People	0	19,550	19,550					0	

SLDC 2021/22 Capital Programme Monitoring Period 12 and Re-profiling Requests

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Lead/code	Scheme	Portfolio	Full Year Budget £	Final Outturn Expenditure £	Outturn Variance £	Carry Fwd approved April 2022 £	Adjustment to carry fwd for actual year-end position	Carry fwds required but missed from original request list	Other budget adjustments reqd in 22/23	Total adjustments to 22/23	Commentary
KMR34	Kendal Castle	Customer Comm Serv and People	45,115	44,826	-289					0	Footpaths work completed.
KMR36	Monument Kirkby Lonsdale	Customer Comm Serv and People	42,702	39,003	-3,699	3,699				0	Works now complete.
KMR37	Ulverston Bank Clock	Customer Comm Serv and People	0	0	0					0	No work to date, will not be completed this financial year.
KMR38	Gooseholme Retaining Wall	Climate Emergency and Localism	32,000	26,348	-5,653	6,000				0	Work complete.
KMR38	Gooseholme Footbridge contribution	Climate Emergency and Localism	75,000	0	-75,000	75,000				0	Cabinet committed £75k to bridge project Sept 2021. Legal agreement currently in preparation. Scheme being delivered by CCC. Half to be paid on commencement and balance on completion. Works on site and due to be completed by May 2022.
KPY38	WSC Car Park refurbishment	Customer Comm Serv and People	215,038	24,087	-190,951	204,534	-13,583			-13,583	Work tendered but still requires cabinet approval so only £10k will be spent in year, remainder in 2022/23.
KPY42	Car Park machines update	Customer Comm Serv and People	0	53,195	53,195		-51,195			-51,195	Payment of first half of project cost agreed and paid in 2019/20. Remaining balance now paid - budget had been reprofiled to next year but issues resolved sooner than expected.
KPY44	Town and Car Park/public information Signs	Customer Comm Serv and People	8,682	0	-8,682	8,492				0	Locality Team leading on this work. Signage will be installed following adoption of PSPO
KPY46	Car Park resurfacing	Customer Comm Serv and People	1,882	1,882	0					0	Retention payment made.
KPY48	Parkside Rd Car Park	Customer Comm Serv and People	0	0	0					0	Paused until further notice to understand impact of Covid on parking.
KPY51	Kendal Parking Study	Customer Comm Serv and People	0	0	0					0	Paused until further notice to understand impact of Covid on parking.
KPY52	Braithwaite Fold Car Park	Customer Comm Serv and People	0	66,593	66,593					0	Improvements to surface to make parking possible in wet weather. To be funded from corresponding increased income - budget virement to be actioned.
KRE04	Grange Regeneration Programme	Economy Culture and Leisure	0	0	0					0	Unlikely to be further progress in 2021/22 now due to planning issues.
KRE66	Grange Promenade structural works	Economy Culture and Leisure	0	0	0					0	Unlikely to be further progress in 2021/22 now due to planning issues.
KRE67	Grange LIDO	Economy Culture and Leisure	85,616	56,808	-28,808	31,602	-2,794			-2,794	Unlikely to be further progress in 2021/22 now due to planning issues.
KRE68	Windermere Jetty Repairs	Climate Emergency and Localism	0	0	0					0	Emergency works have been undertaken. Remaining monies handed back to submit further bid for larger scheme.
KSC91	Refurb Replace Recycled Bins	Customer Comm Serv and People	125,000	115,642	-9,358	9,358				0	Ongoing throughout the year. Framework agreement to be used.
KSC91	Vehicle Purchase	Customer Comm Serv and People	833,739	871,799	38,060		-38,060			-38,060	Four Isuzu vehicles and 3 Dennis Eagle RCVs purchased. Orders placed for 4 VW vans. Procurement ongoing.
KSC94	Property Services Vehicles	Customer Comm Serv and People	0	0	0					0	Vehicles through lease agreement, so expenditure will be annual revenue payments.

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KXB27	Energy Saving Building Enhancement	Climate Emergency and Localism	55,916	15,408	-40,508	40,508					0 Work at Ferry Nab to be progressed in 2022/23.
Total Delivery and Commercial Services			5,640,884	4,452,144	-1,188,740	1,073,014	-111,528	357,000	0	245,472	
Strategy											
KMR35	Burton Heritage Grant Scheme	Customer Comm Serv and People	106,265	7,563	-98,702	98,702					0 Royal Hotel scheme nearly complete and will be paid in early 2022/23 (£51k). £4.5k to pay once the Square scheme and Village Design Statement wholly complete. Grants totalling £21k have been offered but awaiting confirmation that the offers will be taken up.
KIL01	Community Infrastructure Levy (CIL)	Housing and Innovation	0	0	0					0	
KIP01	Locally Important Projects	Economy Culture and Leisure	40,496	28,500	-11,996	17,000	-5,000				-5,000 Broughton 20mph scheme £6k and £10k to Kendal Town Council for ivy screens project now paid. Remaining instalment for Broughton scheme £7.5k to be paid in March. Dodgson Croft £5k payment is awaiting grant contract but should be finalised by end of March. £12k Kendal CS awaiting permission from landowner so now unlikely to be paid before end of March.
Total Strategy			146,761	36,063	-110,698	115,702	-5,000	0	0	-5,000	
Customer and Locality Services											
KLL18	Cockshott Point entrance improvements	Economy Culture and Leisure	1,400	0	-1,400						0 New signage now installed by National Trust. Scheme complete.
KLC03	Ulverston Leisure Centre	Economy Culture and Leisure	0	0	0						0 Scheme on hold.
KNM51	Play Areas	Customer Comm Serv and People	69,480	15,863	-53,617	56,200	-2,580				-2,580 Budget earmarked to be used for Owlet Ash (£20k) and other play area work (£45k). Owlet Ash will not now start in 2021/22 and will require carry forward. Other works arising from asset review now underway but will not all be complete by year-end due to current long delivery lead-times. Further work at Brockbeck £4k funded from S106 income will be completed in
LN58	Kendal Parks play area	Customer Comm Serv and People	3,908	3,901	-7						0 Fencing for Hayclose Road playground now completed.
KNM63	Queens Park play area	Customer Comm Serv and People	183,440	177,593	-5,847	6,200	-350				-350 Scheme includes playpark and pump-track, now almost completed apart from planting work. Now fundraising for potential phase II skate park.
KNM70	HMCLG funded schemes	Customer Comm Serv and People	2,929	2,923	-6						0 Works at Lightburn Park skatepark completed.
KLR31	Nobles Rest park improvements	Economy Culture and Leisure	3,900	1,918	-1,982	1,900					0 Interpretation boards for Town View Fields natural flood management scheme (£2k) done. Planting work to take place next year due to storm damage.
Total Customer and Locality Services			265,057	202,198	-62,859	64,300	-2,930	0	0	-2,930	
GRAND TOTAL			14,985,564	10,875,487	-4,110,077	2,444,501	-172,602	357,000	1,693,470	1,877,868	

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Capital Programme 2021/22-2025/26

GL Code	Programme Spending by Project	amendments March 2022	Reprofiling requests April 2022	Carry Forwards Outturn	2021/22 Latest £000	2022/23 Approved Feb 2022	Reprofiling requests April 2022	other requests April 2022	Carry Forwards Outturn	Change Requests July 22	2022/23 latest £000	2023/24 £000	2024/25 £000	2025/26 £000	Total 2021/22 to 2025/26 £000
KAH10	Affordable & Empty Homes, Town Centre Properties.	0.0	0.0	0.0	0.0	481.0	0.0	0.0	0.0	0.0	481.0	0.0	0.0	0.0	481.0
KAH11	Cross-a-Moor junction improvement	0.0	0.0	0.0	4,531.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	4,531.7
KAH13	S106 funded affordable homes purchase	0.0	0.0	0.0	30.0	56.0	0.0	0.0	0.0	1,693.5	1,749.5	0.0	0.0	0.0	1,779.5
KAH14	Homeless Accommodation for Families	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
KAH15	Next Steps Accommodation Programme	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
KCH01	Community Housing Fund	0.0	-218.7	0.0	224.3	100.0	218.7	0.0	0.0	0.0	318.7	0.0	0.0	0.0	543.0
KCI01	Scaling On Street Charging infrastructure	0.0	0.0	0.0	183.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	183.8
KDE06	ERDF funded flood defence works	0.0	0.0	0.0	1,755.5	2,273.0	0.0	0.0	0.0	0.0	2,273.0	381.0	0.0	0.0	4,409.5
KDE07	Coastal Communities Fund (includes £1.1 million for Grange Promenade)	0.0	0.0	48.5	168.5	2,231.2	0.0	0.0	-48.5	0.0	2,182.7	0.0	0.0	0.0	2,351.2
KDE08	Environment Agency lead Flood Relief Scheme Improvements	0.0	-50.0	0.0	0.0	250.0	50.0	125.0	0.0	0.0	425.0	250.0	0.0	0.0	675.0
KDE09	Windermere Road Grange - Flood Aliviation	0.0	0.0	0.0	0.0	150.0	0.0	0.0	0.0	0.0	150.0	0.0	0.0	0.0	150.0
KDE10	Kendal Market Lift	0.0	-58.0	0.0	2.0	0.0	58.0	0.0	0.0	0.0	58.0	0.0	0.0	0.0	60.0
KDP03	Refurbishment of Ellerthwaite Depot to relocate Windermere Town Council	0.0	0.0	0.0	0.0	87.6	0.0	0.0	0.0	0.0	87.6	0.0	0.0	0.0	87.6
KEP52	Disabled Toilet improvements	0.0	-37.6	0.0	2.4	0.0	37.6	0.0	0.0	0.0	37.6	0.0	0.0	0.0	40.0
KEP53	Extension and refurbishment to Rothay Park toilets (incl Changing Places toilet)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	72.0	0.0	0.0	72.0
KFL01	Footway Lighting	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
KGD21	Disabled Facilities Grants	0.0	-221.1	1.2	546.9	1,061.0	221.1	0.0	-1.2	0.0	1,280.9	603.0	603.0	603.0	3,636.8
KIF01	Housing Investment Fund	0.0	-489.7	1.4	361.7	578.3	489.7	0.0	-1.4	0.0	1,066.6	1,000.0	1,000.0	1,000.0	4,428.3
KIP01	LIPS (excluding contributions to SLDC property included under individual properties)	0.0	-17.0	5.0	28.5	49.5	17.0	0.0	-5.0	0.0	61.5	0.0	0.0	0.0	90.0
KIT27	Mobile Working	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	120.0	120.0
KIT30	Customer Connect	0.0	-40.0	0.0	42.9	30.0	40.0	0.0	0.0	0.0	70.0	0.0	0.0	0.0	112.9
KIT32	Transport Software	0.0	-35.0	0.0	0.0	0.0	35.0	0.0	0.0	0.0	35.0	0.0	0.0	0.0	35.0
KIT33	Income Management System Upgrade	0.0	-12.2	0.0	27.8	0.0	12.2	0.0	0.0	0.0	12.2	0.0	0.0	0.0	40.0
KIT34	Development Management System Replacement	0.0	-104.1	0.0	17.5	0.0	104.1	0.0	0.0	0.0	104.1	0.0	0.0	0.0	121.6
KIT90	IT Replacements	0.0	-20.7	2.1	87.7	134.0	20.7	0.0	-2.1	0.0	152.6	80.0	80.0	80.0	480.3
KLC03	New Ulverston Leisure Centre	0.0	0.0	0.0	0.0	2,000.0	0.0	0.0	0.0	0.0	2,000.0	2,000.0	3,370.0	0.0	7,370.0
KLH02	Coronation Hall alterations	0.0	0.0	0.0	0.0	79.8	0.0	0.0	0.0	0.0	79.8	0.0	0.0	0.0	79.8
KLH07	Kendal Town Hall/South Lakeland House	46.5	0.0	-326.0	2,780.4	0.0	0.0	0.0	326.0	0.0	326.0	0.0	0.0	0.0	3,106.4
KLH08	Abbot Hall redevelopment	0.0	-598.3	5.9	22.6	0.0	598.3	0.0	-5.9	0.0	592.4	0.0	0.0	0.0	615.0
KLL18	Cockshott Point Entrance Improvements	0.0	0.0	0.0	1.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.4
KLL19	Millerground Pumping Station	-7.0	0.0	-31.0	0.0	0.0	0.0	0.0	31.0	0.0	31.0	0.0	0.0	0.0	31.0
KLR31	Nobles Rest	0.0	-1.9	0.0	2.0	0.0	1.9	0.0	0.0	0.0	1.9	0.0	0.0	0.0	3.9
KMR21	Kendal Museum contribution	-0.9	0.0	0.0	84.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	84.1
KMR33	Braithwaite Fold Caravan Park extention	-0.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
KMR34	Kendal Castle (funded from LIPS)	7.0	0.0	0.0	45.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	45.1
KMR35	Burton Heriitage Grant Scheme (funded from LIPS)	0.0	-98.7	0.0	7.6	0.0	98.7	0.0	0.0	0.0	98.7	0.0	0.0	0.0	106.3
KMR36	Roofing repairs to The Monument, Kirkby Lonsdale	22.0	-3.7	0.0	39.0	0.0	3.7	0.0	0.0	0.0	3.7	0.0	0.0	0.0	42.7
KMR37	Ulverston Bank Clock Repairs	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	45.0	0.0	0.0	45.0
KMR38	Gooseholme - Retaining Wall Repairs	-18.0	-6.0	0.0	26.0	0.0	6.0	0.0	0.0	0.0	6.0	0.0	0.0	0.0	32.0
KNMxx	Play Areas (including community funded schemes and schemes arising from the Play Space Audit)	28.3	-62.4	2.9	200.3	65.0	62.4	0.0	-2.9	0.0	124.5	65.0	65.0	65.0	519.8
KPE18	Kendal to Lancaster towpath trail	0.0	0.0	0.0	0.0	120.0	0.0	0.0	0.0	0.0	120.0	0.0	0.0	0.0	120.0
KPE19	Gooseholme Footbridge contribution	0.0	-75.0	0.0	0.0	0.0	75.0	0.0	0.0	0.0	75.0	0.0	0.0	0.0	75.0

Capital Programme 2021/22-2025/26

GL Code	Programme Spending by Project	amendments March 2022	Reprofiling requests April 2022	Carry Forwards Outturn	2021/22 Latest £000	2022/23 Approved Feb 2022	Reprofiling requests April 2022	other requests April 2022	Carry Forwards Outturn	Change Requests July 22	2022/23 latest £000	2023/24 £000	2024/25 £000	2025/26 £000	Total 2021/22 to 2025/26 £000
KPY38	Structural Repair works to Westmorland Shopping Centre MSCP	0.0	-204.5	13.6	24.1	240.0	204.5	0.0	-13.6	0.0	430.9	0.0	0.0	0.0	455.0
KPY42	Car Parking Machines	0.0	0.0	51.2	51.2	84.2	0.0	0.0	-51.2	0.0	33.0	0.0	0.0	0.0	84.2
KPY44	Town and Car Park signing	0.0	-8.5	0.0	0.2	0.0	8.5	0.0	0.0	0.0	8.5	0.0	0.0	0.0	8.7
KPY46	Car Park surfacing	1.9	0.0	0.0	1.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.9
KPY48	Parkside Road, Kendal car park	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
KPY51	Kendal Car Parking improvements including potential purchase of site, machine upgrades and signage	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	400.0	0.0	0.0	400.0
KRE04	Grange Regeneration	0.0	0.0	0.0	0.0	157.3	0.0	0.0	0.0	0.0	157.3	0.0	0.0	0.0	157.3
KRE66	Grange Promenade Structural works	0.0	0.0	0.0	0.0	1,091.0	0.0	0.0	0.0	0.0	1,091.0	0.0	0.0	0.0	1,091.0
KRE67	Grange Lido	0.0	-31.6	2.8	56.8	2,700.1	31.6	265.0	-2.8	0.0	2,993.9	0.0	0.0	0.0	3,050.7
KRE68	Windemere Jetty Repairs	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
KSC91	Vehicle & Plant Programme (inc bins and boxes)	0.0	-9.4	38.1	987.4	1,262.8	9.4	0.0	-38.1	0.0	1,234.1	2,049.0	2,235.0	475.0	6,980.5
KSC94	Service Redesign - New Vehicles	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
KXB27	Energy-saving building enhancements	-22.0	-40.5	0.0	15.4	0.0	40.5	0.0	0.0	0.0	40.5	0.0	0.0	0.0	55.9
	Bids Autumn 2021:			0.0	0.0			0.0	0.0	0.0					
Cap Bid1	Ulverston Market Hall Boiler Replacement	0.0	0.0	0.0	0.0	50.0	0.0	0.0	0.0	0.0	50.0	0.0	0.0	0.0	50.0
Cap Bid2	Ulverston Coronation Hall Lift Replacement	0.0	0.0	0.0	0.0	65.0	0.0	0.0	0.0	0.0	65.0	0.0	0.0	0.0	65.0
Cap Bid3	Ulverston Market Hall Roof Repair/ Replacement	0.0	0.0	0.0	0.0	125.0	0.0	0.0	0.0	0.0	125.0	0.0	0.0	0.0	125.0
Cap Bid4	Pavement/ highway improvement works	0.0	0.0	0.0	0.0	50.0	0.0	0.0	0.0	0.0	50.0	0.0	0.0	0.0	50.0
Cap Bid5	Dean Gibson - Drainage Works	0.0	0.0	0.0	0.0	25.0	0.0	0.0	0.0	0.0	25.0	0.0	0.0	0.0	25.0
Cap Bid6	Rothay Park Retaining Wall Repairs	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	40.0	0.0	0.0	40.0
Cap Bid7	Repairs to Ferry Nab Jetty	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	25.0	0.0	0.0	25.0
Cap Bid8	Parkside Road Cemetery Roof Replacement	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	45.0	0.0	0.0	45.0
Cap Bid9	Repairs to Gooseholme/ Stramongate Retaining Wall	0.0	0.0	0.0	0.0	265.0	0.0	0.0	0.0	0.0	265.0	0.0	0.0	0.0	265.0
	New Request April 2022:														
Request1	Design works, Stramongate, Kendal	0.0	0.0	0.0	0.0	0.0	0.0	246.0	0.0	0.0	246.0	0.0	0.0	0.0	246.0
	Bids subject to further assessment:										0.0				
	Car park investments*	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Employment site land acquisition	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Depot review	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Total	56.9	-2,444.6	-184.4	12,356.6	15,861.8	2,444.6	636.0	184.4	1,693.5	20,820.3	7,055.0	7,353.0	2,343.0	49,927.8

*subject to detailed review of car parking strategy including potential new car parks, reconfiguration options on existing car parks and electric charging points

Reserves Summary

The purpose of this table is to set out the projected balance on the Council's usable reserves over the MTPF period.

Reserve	Type	Balance 31/3/2022 £000	Transfer in £000	Transfer out £000	Balance 31/3/2023 £000	Transfer in £000	Transfer out £000	Balance 31/3/2024 £000	Transfer in £000	Transfer out £000	Balance 31/3/2025 £000	Transfer in £000	Transfer out £000	Balance 31/3/2026 £000	Responsible Lead	Summary, Purpose and Commentary
General Reserve	General	(4,852)			(3,979)			(3,979)			(4,092)			(4,292)	Finance Lead Specialist	The main use of this reserve in recent years has been to fund the one-off costs of COVID-19, flooding, staff redundancy and early retirements to enable organisational reorganisation and the discontinuation of direct provision of services. Contribution of £1.6m to Cumbria LGR reserve and £250k earmarked for SLDC LGR implementation. Unless allocated for a particular purpose, revenue budget under-spending and windfalls are added to the General Reserve. (For more details of the risk and an assessment of the potential financial exposure please see the Risk Assessment of Level of Reserves). The Medium Term Financial Plan provisionally assumes a £200,000 annual contribution to the Reserve, depending on quantification of the potential impact of these factors. Any balance on the General Fund working balance above £1.5m is transferred to this reserve as part of the closure of accounts.
Annual contribution			(200)			(200)			(200)				(200)			
Budget: Balancing figure			(13)													
Car Parking Machines				33												
Carry Forward Salaries				150												
Coro Hall Alterations				60												
Covid-19				262			175			87						
Income Mgmt System Upgrade				12												
Rothay Park toilets							25									
Additional staffing to meet additional demand				568												
Statutory Duties Reserve	General	(86)			(156)			(156)			(156)			(156)	Legal /Governance/ Democracy Lead Specialist	Part of General Reserve earmarked for certain purposes: use delegated to CMT & reported as part of Corporate Financial Monitoring. Includes £50k legal costs/by-election contingency, £40k planning legal costs contingency, £60k enforcement legal costs contingency
Annual Contribution			(70)													
Carry forward Reserve	General	(755)			(0)			(0)			(0)			(0)	Finance Lead Specialist	Part of General Reserve earmarked for revenue budgets carried forward from 2017/18 to future years.
2021/22 approved Council Feb 22				101												
Council Tax Collection				52												
Customer Connect Training Costs				40												
Development Plans Other Consultants				10												
Digital Services Software Maintenance				30												
Homelessness Homelessness Prevention				60												
Lake Windermere Moorings-Permanent Rents				15												
Legal Governance & Democracy Salaries				30												
Leisure Partnership Leisure Partner Pymts				136												
LGR				250												
Natasha's Law				4												
Parks Arboriculture Work				10												
Support Services Salaries				17												
Climate Change Reserve	Earmarked	(45)			(45)			(45)			(45)			(45)	Strategy Lead Specialist	To fund climate change work initially approved as part of 2020/21 budget
Community Housing Fund	Earmarked	(1,439)			(694)			(694)			(694)			(694)	Operational Lead – People, Welfare and Income Maximisation	income received from Government for Community Housing Fund not spent in year.
Capital Spend in year				501												
Community Led Housing Officer				26												
Capital cfwds 2021/22				219												
S106 / Commuted Sums Reserve	Earmarked	(547)			(547)			(547)			(547)			(547)	Operational Lead – Place and Environment	Income received under various s106 agreements not spent in year
Council Tax Hardship Reserve	Earmarked	(51)			(51)			(51)			(51)			(51)	Finance Lead Specialist	Income from Government earmarked for alleviation of hardship for those in need

Reserve	Type	Balance 31/3/2022 £000	Transfer in £000	Transfer out £000	Balance 31/3/2023 £000	Transfer in £000	Transfer out £000	Balance 31/3/2024 £000	Transfer in £000	Transfer out £000	Balance 31/3/2025 £000	Transfer in £000	Transfer out £000	Balance 31/3/2026 £000	Responsible Lead	Summary, Purpose and Commentary
NNDR Pool Income Reserve	Earmarked	(3,344)			(2,744)			(2,449)			(2,449)			(2,449)	Operational Lead – Place and Environment	Income from Cumbria NNDR pool, earmarked for economic development
Income in year from Pool			(896)													
CAFS from pool				50												
Capital cfwds 2021/22: Flood Relief Scheme improvements				50												
Economic Development Fund re-instate budgets				53												
Grange Lido				582												
Great Places Lakes and Dales				33												
Grizedale Arts				35												
Kendal Flood Relief Scheme additional works				425		250										
Kendal Futures Manager				50												
Levelling Up bid preparation				25												
Market Promotion Officer				45		45										
Additional staffing to meet additional demand				126												
Temporary additional resources				23												
NNDR Pool volatility Reserve	Earmarked	(587)			(587)			(587)			(587)			(587)	Finance Lead Specialist	Share of NNDR pool income retained by pool to offset potential future deficits
Customer Connect Reserve	General	(553)			(145)			(85)			(25)			(0)	Finance Lead Specialist	To fund the implementation of the Customer Connect Project, initially using the Customer Connect budgets from 2016/17 revenue budgets not spent during 2016/17.
Digital Innovation Project Capital Spend				64												
Shared ICT Business Partner Fixed Term				15												
Extended Support for Microsoft SQL Server 2012				25		25				25						
Fund Change to Backup and Disaster Recovery Contract				10		10				10						
Extended Support for Microsoft Windows Server 2012						25				25						
PAU Staffing Requests				105									25			
Digital Innovation				189												
Economic Development Fund	General	(239)			0			0			0			0	Operational Lead – Place and Environment	To encourage economic development in the District and to ensure that unused funds in a particular year can be carried forward.
Cultural Compact				18												
Offset one-off budget savings 2021/22				22												
Business Support				38												
Lancaster, South Cumbria and Barrow Economic Region				26												
Kendal Futures Project Dev Fund				135												
General Fund Major Repairs Reserve	Capital	(406)			(38)			169			84			(1)	Operational Lead Delivery and Commercial Services	To fund major repairs and maintenance to General Fund properties that are not capitalisable and would be difficult to accommodate in the annual planned maintenance programme. The Reserve: • acts as a backstop for emergency major repairs. Small amounts of overprogramming accepted in year due to value of slippage in overall capital programme.
Annual contribution			(150)			(150)			(150)			(150)				
Play Area Renewals				65			65			65			65			
Gooseholme Bridge				108												
Grange Lido				292		292										
Capital cfwds 2021/22 Play area renewals				54												
Improving South Lakeland	General	(30)			(30)			(30)			(30)			(30)	Operational Lead – Place and Environment	To match fund schemes within South Lakeland
Insurance Reserve	General	(30)			(30)			(30)			(30)			(30)	Finance Lead Specialist	To meet expected cost of MMI insurance levy
IT Replacement Reserve	Capital	(125)			(71)			(71)			(71)			(71)	Digital Lead Specialist	To fund the replacement of hardware and software with a preference for the updating of the corporate and networking infrastructure.
Annual contribution			(80)			(80)			(80)			(80)		(80)		
Annual spend				134		80		80		80			80			
LABGI	General	(5)			0			0			0			0	Operational Lead – Place and Environment	To fund non-recurring initiatives that contribute directly to one or more of the Council's priority initiatives.
Development Management System				5												
Local Arts Strategic Partnership	Earmarked	(30)			(0)			(0)			(0)			(0)	Operational Lead – Place and Environment	Monies provided towards Arts Strategy and related activities carried forward for use in subsequent years.
To Support Revenue Contributions to Arts Organisations				30												
LSVT Environmental Warranties	Earmarked	(282)			(282)			(282)			(282)			(282)	Finance Lead Specialist	To pay for environmental insurance until 2032 relating to warranties given as part of the housing transfer.

Reserve	Type	Balance 31/3/2022 £000	Transfer in £000	Transfer out £000	Balance 31/3/2023 £000	Transfer in £000	Transfer out £000	Balance 31/3/2024 £000	Transfer in £000	Transfer out £000	Balance 31/3/2025 £000	Transfer in £000	Transfer out £000	Balance 31/3/2026 £000	Responsible Lead	Summary, Purpose and Commentary
Marshall Hooper Reserve	Earmarked	(37)			(37)			(37)			(37)			(37)	Operational Lead – People, Welfare and Income Maximisation	Monies left to the Council as a bequest to be used for housing for the elderly in Grange
Neighbourhood Plans Reserve	Earmarked	(25)			(25)			(25)			(25)			(25)	Strategy Lead Specialist	Grant received for Neighbourhood planning, to be spent on parish referendums etc.
New Homes Bonus Reserve	Capital	(1,626)			0			0			0			0	Finance Lead Specialist	Reserve to enable forward funding of eligible schemes through the Council's New Homes Bonus protocol
Predicted Income 20/21 provisional settlement			(86)													
Affordable homes				481												
Capital cfwds 2021/22: Burton Heritage LIPS				81												
Capital cfwds 2021/22: Disabled Toilets				38												
Capital cfwds 2021/22: LIPS				12												
Capital cfwds 2021/22: Queens park play area LIPS				6												
Grange Lido				550												
Grange Prom				375												
Kendal to Lancaster Canal Path				120												
LIPS				50												
NNDR Surplus Reserve	Earmarked	(7,317)			(290)			(290)			(290)			(290)	Finance Lead Specialist	Timing gap between recognising s31 grant and recognising offsetting NDR collection fund deficits.
2021/22 Covid-19 Grant Timing				6,737												
2020/21 Exceptional Deficit: Statutory Adjustment				290												
Personal Financial Resilience Reserve	Earmarked	(97)			(97)			(97)			(97)			(97)	Strategy Lead Specialist	New reserve created from unclaimed members allowances earmarked to improve financial resilience
Revenue Funds for Capital	Capital	(244)			93			103			3			(97)	Finance Lead Specialist	Monies provided from revenue to support the Capital Programme & fund expenditure that may not be capitalisable: annual contribution £100k. Small amounts of overprogramming accepted in year due to value of slippage in overall capital programme.
Annual contribution			(100)			(100)			(100)			(100)				
Grange flood				150												
Coro Hall Alterations				20												
Grange Regen				157												
Homelessness accommodation				110												
Rothay Park retaining wall							40									
Repairs to Ferry Nab Jetty							25									
Parkside Road Cemetery Roof							45									
Tax Income Guarantee Scheme	General	(168)			(168)			(168)			(168)			(168)	Finance Lead Specialist	Grant received 2020/21 to be offset against Covid-19 related Council Tax losses in 2021/22 onwards
Building Control Fee Income Reserve	Earmarked	11			11			11			11			11	Operational Lead – Place and Environment	Statutory ring fenced reserve to record surpluses and losses on building control.
Local Land Charges Reserve	Earmarked	9			9			9			9			9	Operational Lead – Place and Environment	Statutory ring fenced reserve to record surpluses and losses on local land charges.
Licensing Act Reserve	Earmarked	(185)			(185)			(185)			(185)			(185)	Operational Lead – Place and Environment	Statutory ring fenced reserve to record surpluses and losses on licensing.
Hackney Carriage Licensing Reserve / Misc Licensing Reserve / Gambling Licensing Reserve	Earmarked	0			0			0			0			0	Operational Lead – Place and Environment	Statutory ring fenced reserve to record surpluses and losses on licensing.
Total Reserves excluding working balance		(23,084)	(1,594)	14,592	(10,087)	(530)	1,102	(9,515)	(530)	292	(9,753)	(530)	170	(10,113)		
GF Working balance		(1,500)	0	0	(1,500)	0	0	(1,500)	0	0	(1,500)	0	0	(1,500)	Finance Lead Specialist	Buffer against unforeseen & emergency expenditure in-year, inflationary demands, adverse cash flow, inability to use capital resources.
Total Usable Reserves		(24,584)	(1,594)	14,592	(11,587)	(530)	1,102	(11,015)	(530)	292	(11,253)	(530)	170	(11,613)		

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South Lakeland District Council Council

Wednesday, 13 July 2022

2021/22 Annual Treasury Management Report

Portfolio:	Finance and Assets Portfolio Holder
Report from:	Section 151 Officer
Report Author:	Claire Read – Finance Specialist (Deputy Section 151 Officer)
Wards:	(All Wards);
Forward Plan:	Not applicable

Links to Council Plan Priorities: This reports shows performance against the 2021/22 Treasury Management Strategy, which forms part of the corporate governance arrangements that support all Council plan priorities.

1.0 Expected Outcome and Measures of Success

1.1 The attached report reviews treasury performance during 2021/22 against the Council's Treasury Management Strategy. This is a historic review for noting by members.

2.0 Recommendation

2.1 It is recommended that Council:-

(1) Consider and approval the 2021/22 Annual Treasury Management Report

3.0 Background and Proposals

3.1 The Council is required through regulations issued under the Local Government Act 2003 to produce an annual treasury management report. This is to include a review of activities and the actual prudential and treasury indicators for 2021/22.

3.2 The report at **Appendix 1** meets the requirements of both the Chartered Institute of Public Finance and Accounting (CIPFA) Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

3.3 In line with requirements of the code, the Treasury Management Framework (including Prudential Indicators) was approved prior to the start of the financial year by Council on 23rd February 2021.

3.4 The level of actual external debt has remained at £12.8m, below the Capital Financing Requirement of £24m This shows the Council has not funded revenue activity through borrowing, a key prudential indicator. This has been a prudent strategy which is constantly under review so as to avoid incurring higher borrowing costs in the future when the Council may not be able to avoid new borrowing.

3.5 Interest receipts from the Council's Investments came in on budget at £36k, with the majority of investments out performing relevant benchmarks.

- 3.6 Interest payable on borrowing was in line with budget as no new borrowing was expected or taken in 2021/22 as a result of using internal cash balances to fund capital rather than borrowing.
- 3.7 Looking forward, Inflation is expected to continue to rise amongst a perfect storm of issues and therefore the Bank Rate is expected to rise further during 2022/23 from its current level of 1% as at the time of writing (14 June 2022)

4.0 Appendices Attached to this Report

Appendix No.	Name of Appendix
1	2021-2022 Annual Treasury Management Report

5.0 Consultation

- 5.1 The Treasury Management Framework satisfies statute and guidance issued by Ministry of Housing, Communities and Local Government (MHCLG) and CIPFA. It is mainly a technical document that reflects the decisions made as part of the wider budget process. It was prepared in consultation with the Council's Treasury Advisor (Link Asset Services). Senior management and the Portfolio holder have been consulted. The report presents historic data on treasury performance during 2021/22.
- 5.2 This report will have been to Cabinet on 4th July and Overview & Scrutiny Committee on 8th July and Council will be updated on any comments from them in the meeting.

6.0 Alternative Options

- 6.1 There are no alternative options, the report presents historic data on treasury performance during 2021/22

7.0 Implications

Financial, Resources and Procurement

- 7.1 The report is historic with the financial and resource implications forming part of the out-turn report for 2021/22

Human Resources

- 7.2 This report has no direct impact on the staffing of the Council.

Legal

- 7.3 This report has no direct legal implications

Health and Sustainability Impact Assessment

- 7.4 Have you completed a Health and Sustainability Impact Assessment? No
- 7.5 If you have not completed an Impact Assessment, please explain your reasons: Treasury management out-turn relates to a historic review of activities already approved as part of the 2021/22 Treasury Management Framework

Equality and Diversity

- 7.7 Have you completed an Equality Impact Analysis? No
- 7.8 If you have not completed an Impact Analysis, please explain your reasons: Treasury management out-turn relates to a historic review of activities already approved as part of the 2021/22 Treasury Management Framework.

Risk Management	Consequence	Controls required
Reporting is not compliant with the statutory guidance.	Members do not have the opportunity to scrutinise the Treasury function	Full year treasury management report to be presented to Overview and Scrutiny, Cabinet and Council
Investment and borrowing activity is outside of the approved Treasury Management Framework	The Council is exposed to an unauthorised level of Treasury related risk	Robust governance arrangement to control day to day operations, based on the approved strategy, with regular reporting of compliance

Contact Officers

Claire Read, Finance Specialist and Deputy Section 151 Officer; Tel 01539 793152;
Claire.Read@southlakeland.gov.uk

Background Documents Available

Name of Background document	Where it is available
2021/2 Treasury Management and Capital Strategies (Minute C/101)	Agenda for Council on Tuesday, 23 February 2021, 6.30 p.m. (southlakeland.gov.uk)A

Tracking Information

Signed off by	Date sent	Date Signed off
Section 151 Officer	14/06/2022	16/06/2022
Monitoring Officer	14/06/2022	20/06/2022
CMT	16/06/2022	16/06/2022

Circulated to	Date sent
Lead Specialist	14/06/2022
Human Resources Lead Specialist	14/06/2022
Communications Team	N/A
Leader	N/A
Committee Chairman	N/A
Portfolio Holder	14/06/2022
Ward Councillor(s)	N/A
Committee	N/A
Executive (Cabinet)	29/06/2022
Council	N/A

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4. Investments	8
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6. Conclusions	10



2021-2022 Annual Treasury Management Report

1. Introduction

- 1.1. The Council is required by regulations issued under the Local Government Act 2003 to produce an annual treasury management report including a review of activities and the actual Prudential and Treasury Indicators for 2021/22. This report meets the requirements of both the Chartered Institute of Public Finance and Accounting (CIPFA) Code of Practice in Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).
- 1.2. The report includes:
- Capital Activity during the year;
 - Impact of this activity on the Council's underlying indebtedness (the Capital Financing Requirement, CFR);
 - Reporting of the required prudential and treasury indicators;
 - Overall treasury position identifying how the Council has borrowed in relation to this indebtedness, and the impact on investment balances;
 - Summary of interest rate movements in the year;
 - Review of debt and investment activity.
- 1.3. During 2021/22 the Council complied with its legislative and regulatory requirements. Detailed reports have been presented to Overview and Scrutiny Committee, Cabinet and Council throughout the year as part of the Quarterly Corporate Financial Reports.
- 1.4. Table 1 below provides a summary of the key data for 2021/22:

Table 1: Capital Expenditure, Capital Financing Requirement and Cash Resources

	See also table	2020/21 Actual £000	2021/22 Feb 21 estimate £000	2021/22 Feb 22 estimate £000	2021/22 Actual £000
Capital expenditure	2	5,737	18,787	14,579	10,875
Capital Financing Requirement (CFR)	3	21,227	24,755	24,118	24,043
External debt	4,5,6	12,800	24,755	20,392	12,800
Total Investments (inc. call accounts)	7,8	26,900	24,112	21,335	25,750

2021-2022 Annual Treasury Management Report

2. Capital Expenditure and Financing 2021/22

- 2.1. The Council incurs capital expenditure on long-term assets. These activities may either be:
- Financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resultant impact on the Council's borrowing need;
 - Un-financed capital expenditure which leads to an increase in the Council's CFR. This increases the Minimum Revenue Provision (MRP see 2.6) charged to the revenue account to ensure that resources are set aside to pay for the asset over its useful life.
- 2.2. Table 2 below shows the actual capital expenditure and how this was financed.

Table 2: Capital expenditure and financing.

	2020/21 Actual £000	2021/22 Feb 21 estimate £000	2021/22 Feb 22 estimate £000	2021/22 Actual £000
Capital expenditure	5,737	18,787	14,579	10,875
Resourced by:				
· Capital receipts	668	6,180	2,816	5,589
· Capital grants	894	7,545	6,819	314
· Revenue Reserves	645	2,778	1,079	1,181
Unfinanced capital expenditure	3,529	2,285	3,866	3,791

- 2.3. Explanations of the variances are included within the out-turn report elsewhere on this agenda. Many schemes are delivered through partnerships with third party organisations and it has taken longer than anticipated to get schemes under way, compounded by the impact of lockdowns.
- 2.4. The CFR represents the Council's underlying need to borrow for capital expenditure. It increases when the Council incurs capital expenditure and reduces as resources are applied to capital expenditure.
- 2.5. The CFR is the cumulative unfinanced capital expenditure which has not yet been 'paid for'. It can be understood in terms of an outstanding 'mortgage' balance on the Council's non-current assets.
- 2.6. There are statutory controls in place to ensure that the cost of capital assets is charged to revenue over the life of the assets. This is the annual MRP charge.

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- 2.7. The total CFR can also be reduced by:
- The application of additional capital financing resources (such as unapplied capital receipts); or
 - Charging more than the statutory minimum revenue charge each year through a Voluntary Revenue Provision (VRP)
- 2.8. The Council's 2021/22 MRP Policy (as required by MHCLG guidance) was approved as part of the Treasury Management Strategy Report for 2021/22 on 23rd February 2021.
- 2.9. The Council's CFR for the year is shown in Table 3, and represents a key prudential indicator.

Table3: CFR Movement

CFR	2020/21 Actual £000	2021/22 Feb 21 estimate £000	2021/22 Feb 22 estimate £000	2021/22 Actual £000
Opening balance	18,505	23,658	21,227	21,227
Add unfinanced capital expenditure (as above)	3,529	2,285	3,866	3,791
Less MRP	(807)	(1,188)	(975)	(975)
Closing balance	21,227	24,755	24,118	24,043

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3. Borrowing

- 3.1. A key prudential indicator is to compare the level of gross debt against the CFR. Gross debt should not exceed the CFR in the medium term in order to remain prudent and to ensure revenue activities are not being funded by borrowing. Table 4 highlights the Council's gross borrowing position against the CFR and shows that the Council has complied with this prudential indicator.

Table 4: Gross Debt v CFR

	31 March 2021	31 March 2022
	£000	£000
Gross Debt	12,800	12,800
CFR	21,227	24,043
Over / (under) borrowing	(8,427)	(11,243)

- 3.2. During 2021/22, the council maintained an under-borrowed position increasing from £8.4m to £11.2m. This means that the capital borrowing need, the CFR, was not fully funded with loan debt, as cash supporting the Council's reserves, balances and cash flow was used as an interim measure. This strategy was prudent as investment returns were low and minimising counterparty risk on placing investments also needed to be considered.
- 3.3. The policy of avoiding new borrowing by running down spare cash balances has served well over the last few years. However this was, and will continue to be, kept under review to avoid incurring higher borrowing costs in the future when the Council will not be able to avoid new borrowing to finance capital expenditure.
- 3.4. The Public Works Loans Board (PWLB) lends government money to other public bodies and is the Council's main source of borrowing.
- 3.5. In order to access PWLB borrowing Councils need to complete an annual return splitting the capital programme for the current year and next three years between the following six categories
- Service Spending
 - Housing
 - Economic Regeneration
 - Preventative Action
 - Treasury Management
 - Investment assets bought primarily for yield.

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If the Council has any capital scheme which falls into the last category investment assets bought primarily for yield, then they will be unable to access PWLB funding.

What category a scheme falls into is determined by the Council's Section 151 Officer.

- 3.6. There are strict criteria which schemes have to meet to fall into each category, with the last category being the catch all category. A full review of the capital programme has been completed and the Council currently has no schemes that are deemed to fall into the final category, Investment assets brought primarily for yield. As a result when conditions are right the Council will be able to access the PWLB for borrowing.
- 3.7. Included in the Prudential Code are a number of other indicators for debt, the levels for which are shown in Table 5

Table 5: Summary of Debt and Debt Indicators

	2021/22 £000
Gross Debt	12,800
Authorised limit	34,800
Operational boundary	31,615
Estimate of Financing Costs : Net revenue stream (Feb 20 estimate)	15.14%
Estimate of Financing Costs : Net revenue stream (Feb 21 estimate)	10.67%
Actual of Financing Costs : Net revenue stream	9.28%

- 3.8. The Authorised limit; is the "affordable borrowing limit" required by section 3 of the Local Government Act 2003. This is the level of debt that while not desirable, could be afforded in the short term, but is not sustainable in the longer term. Once set the Council does not have the power to borrow above the authorised limit.
- 3.9. The Operational Boundary; is the limit beyond which external debt is not normally expected to exceed. This is set at a level consistent with the borrowing need (CFR) plus an allowance for unexpected expenditure.
- 3.10. As demonstrated in Table 5 the council has maintained gross borrowing within both its authorised limit and operational boundary for 2021/22.

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- 3.11. The ratio of financing costs to net revenue stream identifies the trend in the cost of capital (borrowing and other long term obligation costs net of investment income). This shows the percentage amount of the net revenue stream which is spent before the Council provides any services. For 2021/22 the actual was 9.28%, which came in below estimates for the year, due to no increase in borrowing and hence interest payable.
- 3.12. In addition to the previously mentioned indicators for debt it is also important to be aware of the maturity structure of borrowing and limits places on fixed and variable rate debt. These are shown in Table 6 below.

Table 6 Maturity Structure of Debt and Limits on Fixed and Variable rate debt.

	31 March 2021	31 March 2022	31 March 2022
	Actual	Approved	Actual
Fixed Interest Borrowings:			
Under 12 months	0.00%	Up to 25%	0.00%
12 Months to 2 Years	0.00%	Up to 25%	0.00%
2 - 5 Years	0.00%	Up to 25%	0.00%
5 to 10 years	0.00%	Up to 100%	0.00%
10 to 20 years	0.00%	Up to 100%	0.00%
20 to 30 Years	6.25%	Up to 100%	6.25%
30 to 40 Years	93.75%	Up to 100%	93.75%
40 years plus	0.00%	Up to 100%	0.00%
	100.00%		100.00%
Limits on Borrowing at	£m	£m	£m
Fixed rate	12.8	30.4	12.8
Variable rate (maturing < 1 year)	0	0	0

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4. Investments

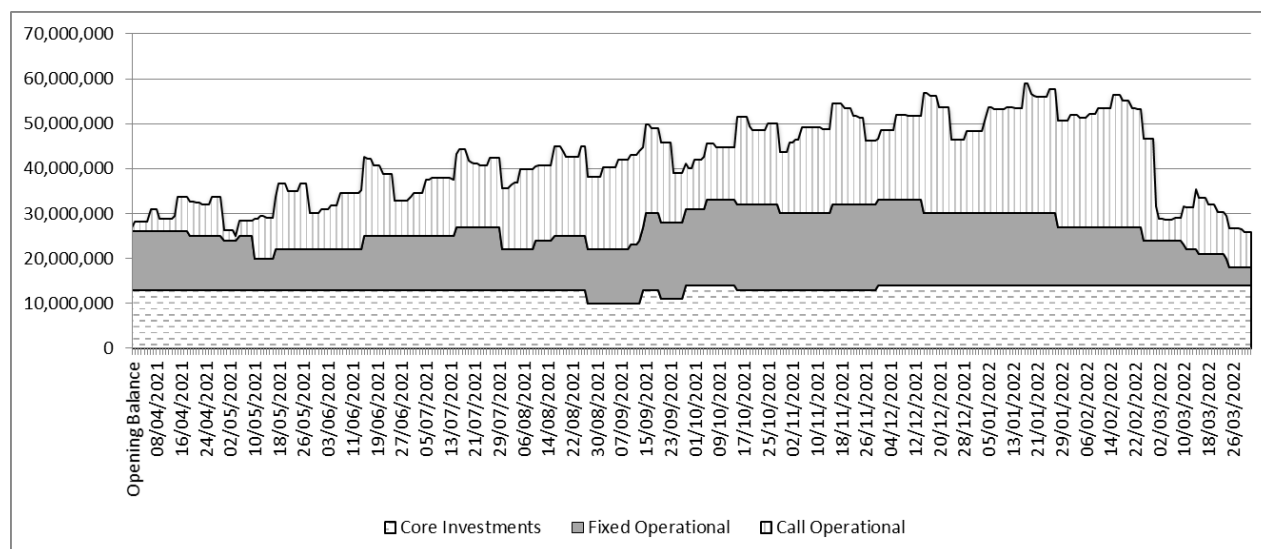
4.1. The Council's investments are all managed in house by the Council's finance team, with the objective to manage risk to ensure the security of investments and maintain adequate liquidity for revenue and capital activities. Procedures and controls to achieve this are well established both through member reporting and officer activity detailed in the Council's Treasury Management Practices.

4.2. At the beginning and end of 2021/22 the Council's investment position was as follows:

Table 7 Investment Position

	31 March 2021 Principal £000	Rate/ Return %	31 March 2022 Principal £000	Rate/ Return %
Call Accounts	900	0.11%	7,750	0.08%
Cash Flow (Operational)	13,000	0.26%	4,000	0.08%
Core Cash	13,000	0.46%	14,000	0.11%
Total Investments	26,900	0.25%	25,750	0.09%

4.3. Chart 1 shows how investment balances have fluctuated over the course of the year.



4.4. Investment returns remained low during 2021/22 with the Bank of England Bank Rate remaining at 0.10% for the majority of the year. As a result income from return on the investment of £36k, equalled the budget.

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- 4.5. With the exception of core cash deposits, the Council's investments outperformed the related benchmark rates. Core Cash performance was only 0.01% off the benchmark rate as a result of the average duration being 4-5 months rather than the straight 6 months of the benchmark.

Table 8 Investment Performance

	Average Annual Return	Benchmark	Variance
Call Accounts	0.08%	-0.04%	0.11%
Cash Flow (Operational)	0.08%	0.02%	0.07%
Core Cash	0.11%	0.13%	-0.01%

Non-Treasury Investments

- 4.6. During 2021/22 the Council carried out a review of all properties carried as investment properties against the latest guidance. As a result 14 properties are no longer classified as investment properties, as they are not held primarily for yield or capital gains and are rented at market or near market rents.
- 4.7. That leaves 11 properties which are classified as investment properties for accounting purposes, of which 5 are retail properties, 5 miscellaneous commercial property and 1 trading/industrial site. These have a combined fair value of £2.541m and are all within the boundaries of SLDC. After expenses the Council earned £119k income from occupiers compared to £322k for the same properties in 2020/21. This gives a return on investments of 4.67% in 2021/22 compared to 13.41% in 2020/21. This is mainly as a result of the caravan site not being able to open in 2021/22, due to the response to the Covid-19 pandemic and planned close down to allow for works to be carried out onsite.

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5. The Economy and Interest Rates

- 5.1. Investment returns remained close to zero for much of 2021/22, as the Bank Rate remained at 0.10% until December 2021 and various Government and Bank of England support packages remained in place resulting in more liquidity in the money markets then demand to borrow.
- 5.2. With the majority of the UK economy getting back up and running in 2021 and with good UK Growth. CPI inflation, which started the year at 1.5%, became the main concern as it steadily increased throughout the year to 7% in March 2022.
- 5.3. As a result the Bank of England (BoE), Monetary Policy Committee (MPC) voted to increase the Bank Rate to 0.25% in December 2021, 0.50% in February 2022 and 0.75% in March 2022.
- 5.4. Looking forward to 2022/23, inflation is expected to continue to rise and be the big economic news story with a number of factors such as of supply side shortages, labour shortages, commodity price inflation and the impact of Russia's invasion of Ukraine and subsequent Western sanctions, combining to push rates up.

6. Conclusions

- 6.1. The Council has operated in line with its Treasury and Prudential Indicators and overall investments return has come in on budget and the majority of the portfolio has performance over benchmark investment rates.
- 6.2. The capital programme out-turn has led to no new borrowing being required as cash reserves have been used to fund capital. The borrowing position will continue to be kept under review.

South Lakeland District Council Council

Wednesday 13th July 2022

The Gambling Act 2005 – Statement of Gambling Licensing Policy

Portfolio:	Economy, Culture and Leisure Portfolio Holder
Report from:	Director of Customer and Commercial Services
Report Author:	Sean Hall – Principal Specialist (Health & Environment)
Wards:	(All Wards);
Forward Plan:	Budget and Policy Framework Decision included in the Forward Plan as published on 15th March 2022

Links to Council Plan Priorities: The revision to the existing policy is prescribed by the Gambling Act 2005. It also links to the following priorities -

Working across boundaries – this is ensuring national standards are adopted by all local authorities to provide safeguards to our communities.

Delivering a fairer South Lakeland – this policy seeks to ensure a consistent standard of application of gambling licensing controls to meet the objectives. The review of this policy sets out the expectations on each of the licensing objectives which may have an impact on the health of a resident.

1.0 **Expected Outcome and Measures of Success**

1.1 A revision of the Council's Statement of Gambling Licensing Policy has been completed. The revised policy has undertaken a formal public consultation process in line with Regulation 7 of The Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2005. The Overview and Scrutiny Committee have also been consulted on the revised Policy at their meeting on 4th March 2022, and The Licensing Regulatory Committee have recommended that this policy be adopted by Council at their meeting on 4th July 2022. If Members are minded to approve the revised draft policy, the matter should then become the new gambling licensing framework for stakeholders within South Lakeland District.

1.2 The revision to this policy has sought to support and strengthen the three Gambling Licensing Objectives namely:

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

2.0 Recommendation

2.1 It is recommended that Council;

- (1) Note the contents of this report and;**
- (2) Note the recommendation from The Overview and Scrutiny Committee dated 4th March 2022, that the revised Statement of Gambling Licensing Policy be adopted following the public consultation, and consideration of any comments received;**
- (3) Note the recommendation from The Licensing Regulatory Committee that the revised Statement of Gambling Licensing Policy be adopted following their meeting on 4th July 2022;**
- (4) Adopt the Statement of Gambling Licensing Policy attached at appendix 1 of this report.**

3.0 Background and Proposals

- 3.1 This report is presented to explain the steps taken for carrying out a review of the Council's Statement of Gambling Licensing Policy, and proposed changes made to the policy, in accordance with the updated Gambling Commission Local Authority Guidance. The revised policy is intended to provide the licensing framework for stakeholders within the administrative area of South Lakeland District Council.
- 3.2 Section 349 of the Gambling Act 2005 (the 'Act') requires licensing authorities before each successive period of three years to
 - (a) prepare a statement of the principles that they propose to apply in exercising their functions under this Act during that period; and
 - (b) publish the statement of policy.
- 3.3 The current statement sets out the basis on which decisions under the Gambling Act 2005 will be made. It strives to achieve a local balance between the commercial interest of the licensed trade alongside the communities they serve and affect. The current statement is to cover the period 2019 to 2022.
- 3.4 Gambling Commission Guidance to Licensing Authorities makes it clear that it is down to the individual licensing authority to develop their own consultation process when revising gambling policy. Additionally, it also makes it clear that the results of any consultation process should typically be published within twelve weeks of the consultation period concluding unless there is reason not to. In instances where this happens it is expected that the relevant authority will publish a brief statement to explain why this is the case.
- 3.5 Additionally, Regulation 7 of the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 covers the procedure to be followed in preparing or publishing a statement or revision –

7.—(1) Before a statement or revision comes into effect, the authority that prepared it must—

(a) publish the statement or revision in accordance with paragraph (2); and
(b) advertise the publication of the statement or revision by publishing a notice in accordance with paragraphs (3) and (4).

(2) The statement or revision must be published by being made available for a period of at least 4 weeks before the date on which it will come into effect—

(a) on the authority's internet website; and

(b) for inspection by the public at reasonable times in one or both of the following places—

- (i) one or more public libraries situated in the area covered by the statement or revision;*
- (ii) other premises situated in that area.*
- (3) The notice referred to in paragraph (1)(b) shall specify—*
 - (a) the date on which the statement or revision will be published;*
 - (b) the date on which the statement or revision will come into effect;*
 - (c) the internet address where the statement or revision will be published in accordance with paragraph (2)(a); and*
 - (d) the address of the library or other premises at which the statement or revision may be inspected in accordance with paragraph (2)(b).*
- (4) That notice shall be published no later than the first day on which the statement or revision is published in accordance with paragraph (2)—*
 - (a) on the authority's internet website, and*
 - (b) in or on one or more of the following places—*
 - (i) a local newspaper circulating in the area covered by the statement;*
 - (ii) a local newsletter, circular, or similar document circulating in the area covered by the statement;*
 - (iii) a public notice board in or near the principal office of the authority;*
 - (iv) a public notice board on the premises of public libraries in the area covered by the statement.*

- 3.6 The Statement of Gambling Licensing Policy is part of the Corporate Budget and Policy Framework and will therefore require approval by Full Council. No further comments have been received during the public consultation period. If approved by the Council, the Statement of Gambling Licensing Policy (Appendix 1) will be considered the final version and adopted.
- 3.7 The revised policy (Appendix 1) has been updated to reflect changes in the national guidance and feedback from the Gambling Commission. It is intended that the revised policy will underpin the licensing framework for matters of this type during the period 2022-2025.
- 3.8 Local Government Reorganisation within Cumbria will result in the formation of a new Westmorland and Furness authority which will be formed by the existing authorities of South Lakeland District Council, Barrow Borough Council, Eden District Council and Cumbria County Council. This change is likely to result in a combined approach to the gambling licensing strategy across the revised area and therefore require fresh revision to policy well within the three year period.
- 3.9 The draft statement of policy attached to the report (Appendix 1) has been updated to reflect changes in the national guidance and feedback from the Gambling Commission.

Policy changes

- 3.10 The revised Statement of Gambling Licensing Policy has been categorised into alphabetical chapters A to R. As an introduction to the chapters a new foreword has been drafted with a revised and updated South Lakeland demographics population table, (chapter B1.1). Although the proposed statement does not make any reduction in the principles currently applied when determining applications under the Act, it has been strengthened in a number of areas as laid out in the following paragraphs.
- 3.11 A risk assessment has been drafted specific to 'Gambling risk' and the risk posed around gambling premises, both upon application and post application, (chapter C1.1.)

- 3.12 The three licensing objectives have been revised and re-worded to give them context around the topics of risk, vulnerability and safeguarding. Each Licensing Objective is broken down into 'criteria', 'considerations' and 'reason' to provide additional clarity. In addition to this, is a new expectation for Gambling Operators themselves, (chapter D1.1 – D3.1).
- 3.13 Chapter Part E is revised and reworded for Premises Licenses and plans to amplify the meaning of premises, premises plans, vessels, vehicles, premises access detail, layout and access. The statement of Principles now clearly lays out the expectations of the authority when considering applications. Responsible Authorities and Interested Parties are discussed in depth and their role in any regulatory matters. Powers of entry and Licence fees have also been added.
- 3.14 Chapters F to K cover the below Gambling premises. These chapters have been revised and re-worded to reflect the Gambling Commission Local Authority Guidance document April 2021. The previous policy listed all of the Mandatory Conditions for each premises, these have been removed to make the statement more concise and less repetitive. The subject topics have been expanded to give them a modern context, when considering most gambling platforms are either online or web based. Each topic now explores the risk to the licensing objectives.
- Adult Gaming Centres,
 - (Licensed) Family Entertainment centres
 - Casino Premises
 - Bingo Premises
 - Betting Premises
 - Tracks
- 3.15 Chapter M introduces Small Society Lottery Licenses. This is probably the most common 'gambling' application received by any Licensing Authority and deserves an explanation of the underestimated process. The guidance for these applications is taken from Gambling Commission Local Authority Guidance document April 2021
- 3.16 Chapter N introduces Permits/Temporary & Occasional Use Notices into a higher position in the statement compared to the old policy to match their 'minor' nature and now sit along Travelling fairs and Small Society Lottery Licences, instead of following on from 'Rights of appeal and Judicial Review.' When drafting this statement it was an intention to keep the Gambling Premises in a consecutive order. Paragraphs N1.1 and N1.2 have divided the initial paragraph of the previous policy to separate location and machine category. Temporary User Notices, point N1.26 has been re-written to reflect the legislation around restrictions, procedure, objections, Counter notices and modifications.
- 3.17 Chapter P, Rights of Appeal and Judicial Review introduces a clear and concise table with regard to this process. Type of decision, act and section and 'who may appeal.'
- 3.18 Chapter R introduces a new topic of Covid-19 safety inside gambling premises regarding operator responsibility and our expectations as a Licensing Authority.

4.0 Appendices Attached to this Report

Appendix No.	Name of Appendix
1	Statement of Gambling Licensing Policy
2	Health and Sustainability Impact Assessment
3	Equality and Diversity Assessment

5.0 Consultation

5.1 Before determining its policy the Authority is required to, and has, consulted with a number of statutory consultees namely:-

- (a) the chief officer of police for the area;
- (b) one or more persons who appear to the authority to represent the interests of persons carrying out gambling businesses in the area; and
- (c) one or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under the Act.

5.2 However, an Authority may consult more widely if it so wishes and would look towards the below organisations.

- The Council's Children Services and Adult Social Care Services
- Trade associations
- Businesses or their representatives involved in gambling
- Ward Councillors and local Members of Parliament
- Faith groups
- Residents Associations
- Voluntary and Community Organisations working with children and vulnerable adults
- Advocacy Groups (e.g.Citizens Advice and Trade Unions)
- Responsible Authorities
- Organisations working with people who are problem gamblers
- The Gambling Commission
- Local planning authority
- Environmental Services in its capacity as the body responsible for the prevention of pollution to the environment and protection of public health
- HM Revenue and Custom

6.0 Alternative Options

6.1 There are no alternative options. The Council has a statutory duty to review its Statement of Gambling Licensing Policy and publish the revised policy before the expiration of the current one. Members of the committee may reject the proposed policy on the grounds that it requires further amendment.

7.0 Implications

Financial, Resources and Procurement

- 7.1 There are no direct financial impacts associated with this report. Established revenue budgets will accommodate the costs of undertaking the consultation process.

Human Resources

- 7.2 There are no staffing implications; however any training and development needs will be identified through the appraisal and one to one process. Any training and development needs will be actioned.

Legal

- 7.3 Section 349 of the Act requires all licensing authorities to prepare and publish a statement of the principles that they propose to apply in exercising their functions under the Act during the three-year period to which the policy applies. The statement of Gambling Licensing Policy can be reviewed and revised by the Licensing Authority at any time.
- 7.4 When determining and publishing a statement of its Policy and licensing function, local authorities must have regard to 'Gambling Commission: Guidance to licensing authorities [April 2021 Update]'. Where revisions to the Guidance are made by the Secretary of State, it will be for South Lakeland District Council to determine whether revisions to its own Gambling Licensing Statement are appropriate, following the consultation as outlined in 5.1.
- 7.5 As detailed in 3.8 above, consideration will be required as part of the Local Government Reorganisation within Cumbria as to when a further review of the Statement of Gambling Licensing Policy will be required to ensure the new authority, commencing on the 1st April 2023, is compliant with the requirements of Section 349 of the Gambling Act 2005 and associated regulations.

Health and Sustainability Impact Assessment

- 7.6 A sustainable impact assessment has been carried out because this proposal is considered to have an impact on Health in the district. The report can be found as Appendix 2
- 7.7 The Policy supports individuals and businesses by providing consistent and clear guidance on how the Council enforces the Gambling Act 2005.
- 7.8 Summary of Health and Sustainability Impacts

		Positive	Neutral	Negative	Unknown
Environment and Health	Greenhouse gases emissions		x		
	Air Quality		x		
	Biodiversity		x		
	Impacts of Climate Change		x		
	Reduced or zero requirement for energy, building space, materials or travel		x		
	Active Travel		x		

Economy and Culture	Inclusive and sustainable development		x		
	Jobs and levels of pay		x		
	Healthier high streets		x		
	Culture, creativity and heritage		x		
Housing and Communities	Standard of housing		x		
	Access to housing		x		
	Crime	x			
	Social connectedness		x		

Equality and Diversity

7.9 Please find attached a full report as appendix 3

7.10 Summary of Equality and Diversity impacts

Please indicate: P = Positive impact; 0 = Neutral; N = Negative; Enter "X"						
Age	P	x	0		N	
Disability	P		0	x	N	
Gender reassignment (transgender)	P		0	x	N	
Marriage & civil partnership	P		0	x	N	
Pregnancy & maternity	P		0	x	N	
Race/ethnicity	P		0	x	N	
Religion or belief	P		0	x	N	
Sex/gender	P		0	x	N	
Sexual orientation	P		0	x	N	
Armed forces families	P		0	x	N	
Rurality	P		0	x	N	
Socio-economic disadvantage	P	x	0		N	

Risk Management	Consequence	Controls required
Failure to review and publish a revised Statement of Gambling Licensing Policy would constitute a contravention of the Gambling Act 2005.	In such circumstances, the Council would be unable to properly fulfil its statutory licensing responsibilities.	Procedures in place to ensure that the Statement of Gambling Licensing Policy is reviewed and subsequently published in accordance with the statutory timetable.

Contact Officers

Sean Hall – Principal Specialist (Health & Environment) Tel 01539 793411. |

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Background Documents Available

Name of Background document	Where it is available
Local Authority Guidance.	Gambling Commission guidance
Current Policy	Existing Gambling Policy
The Gambling Act 2005	https://www.legislation.gov.uk/ukpga/2005/19/content/s
The Gambling Act 2005 (Licensing Authority Policy Statement)(England and Wales) Regulations 2006	https://www.legislation.gov.uk/uksi/2006/636/contents/made

Tracking Information

Signed off by	Date sent	Date Signed off
Section 151 Officer	05/07/22	05/07/22
Monitoring Officer	05/07/22	05/07/22
Director	05/07/22	05/07/22

Circulated to	Date sent
Lead Specialist	N/A
Human Resources Lead Specialist	N/A
Communications Team	N/A
Leader	N/A
Committee Chairman	N/A
Portfolio Holder	N/A
Ward Councillor(s)	N/A
Committee	N/A
Executive (Cabinet)	N/A
Council	N/A

Statement of Gambling Licensing Policy (2022-2025) – Gambling act 2005

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Consultation and Declaration

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

This statement of principles was prepared in 2021 and following consultation was agreed by the Council on the XX 2022. This revised statement of principles was published on XXX 2022 and has effect from XXX 2022.

South Lakeland District Council consulted widely upon this statement before finalising and publishing. A list of those persons this authority consulted is provided at Appendix 1.

The Gambling Act requires that the following parties are consulted by Licensing Authorities:

- The Chief Officer of Police
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005

All references to the "Guidance" refers to the Gambling Commission's Guidance to Local Authorities Version 5 published on 1st April 2021 and further amended on 13th May 2021

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

Name: Principal Licensing Officer

Address: South Lakeland District Council, South Lakeland House, Lowther Street, Kendal, LA9 4UD

E-mail: licensing@southlakeland.gov.uk Tel: 01539-733333

It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

Foreword

Welcome to South Lakeland District Council Statement of Principles under the Gambling Act 2005.

South Lakeland District Council has been responsible for licensing gambling premises since 2007 and this is the xxx edition of our Gambling Policy. In our role as the licensing authority for South Lakeland, we work in partnership with the Gambling Commission and other agencies to regulate gambling in the district. The Commission tends to focus on gambling operators and issues of national or regional importance and we are responsible for regulating gambling premises, permits, notices and registrations in South Lakeland District.

Gambling is a legitimate regulated activity that is enjoyed by a large sector of the population. However, there are a number of people within our society who are at risk of gambling related harm. The Council, as the Licensing Authority under the Gambling Act 2005 has a duty to consider applications which would permit gambling operations in the district to ensure that they meet the fundamental principles of the Act. In doing so the authority must balance the needs of business to profit and grow with the potential impact on those who are vulnerable to being exploited or susceptible to gambling related harm.

The Licensing Authority, in carrying out its functions under the Act 2005 will aim to permit the use of premises for gambling in so far as it thinks it:

- (a) in accordance with any relevant code of practice under section 24
- (b) in accordance with any relevant guidance issued by the Gambling Commission under section 25
- (c) reasonably consistent with the licensing objectives (subject to (a) and (b) above), and
- (d) in accordance with this statement of principles for gambling (subject to (a) to (c) above)

The aim to permit principle provides wide scope for the authority to impose conditions on a premises licence, reject, review, or revoke premises licences where there is a potential conflict with the relevant codes of practice, relevant Commission Guidance and this policy statement.

The Council's statement of principles is intended to be reasonably consistent with the three licensing objectives set out in the Act. These objectives are:

- (a) Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
- (b) Ensuring that gambling is conducted in a fair and open way;

- (c) Protecting children and other vulnerable persons from being harmed or exploited by gambling.

The Licensing Authority must have regard to these licensing objectives in carrying out its licensing functions under the Gambling Act 2005. They embody concerns that the council acknowledged in exercising its licensing powers under previous legislation.

It has had regard to Gambling Commissions Guidance to Licensing Authorities, dated April 2021 in drawing up this statement of principles for gambling.

The Licensing Authority will always consider the merits of each application.

It may make exceptions to its own policies where it is appropriate to do so in order to promote the licensing objectives and it will give reasons for doing this.

This statement of principles, alongside the Council's commitment to everyone sets out how the Council, as a Licensing Authority, will undertake its duty to promote the licensing objectives and carry out its licensing functions under the Gambling Act 2005.

Part A. Purpose.

A1.1 This Statement of Gambling Principles is for the use of applicants, residents, businesses and responsible authorities. Applicants need to have regard to the policies within this statement when considering and preparing their application. Residents and businesses should review the Licensing Authority's policies when considering an application that is near to them. Responsible Authorities should use the policy along with their expertise and any evidence must be considered whether an application is likely to impact on the Licensing Objectives and whether it meets the requirements of the policies within this statement. No matter whether you are an applicant, responsible authority, resident, or other interested party the policies within this statement that apply to the application should be considered.

A1.2 The Functions of the Licensing Authority Licensing authorities are required under the Act to

- be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences
- issue Provisional Statements
- regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- issue Club Machine Permits to Commercial Clubs
- grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres

- receive notifications from alcohol licensed premises (premises licensed to sell/supply Alcohol for consumption on the licensed premises, under the Licensing Act 2003) for the use of two or fewer gaming machines
- issue Licensed Premises Gaming Machine Permits for alcohol licensed premises (premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003) where there are more than two machines
- register small society lotteries below the prescribed thresholds
- issue Prize Gaming Permits
- receive and endorse Temporary Use Notices
- receive Occasional Use Notices for betting at tracks
- provide information to the Gambling Commission regarding details of licences, permits and other permissions issued
- maintain registers of the permits and Licences that are issued under these functions

A1.3 We do not have any powers to deal with the following gambling-related activities: ¹²³

- (a) remote (online gambling)
- (b) the National Lottery
- (c) operating licences
- (d) personal functional licences
- (e) personal management licences
- (f) gambling software
- (g) football pools
- (h) gaming machine manufacturers
- (i) gaming machine suppliers
- (j) gambling advertisements on television or other media
- (k) the number of gaming machines that can be used on premises
- (l) the value of the stakes or prizes allowed on gaming machines

¹ [Licence activities - Gambling Commission](#)

² [Personal Management Licence \(PML\) - Gambling Commission](#)

³ [Personal functional licence \(PFL\) - Gambling Commission](#)

Part B. South Lakeland District Council

B1.1 The Council recognises that good management of its gambling industry, including its impact on residents, amenities, and the local environment, is essential to the continued success of the entire district. The council expects licensed operators to demonstrate best practice by being responsible, open, inclusive and equal operators. It also recognises that there are some people in the district who are vulnerable to gambling-related harm.

B1.2 Overall, the council's approach to gambling and the industry in the district of South Lakeland must strike a delicate balance, advocating for responsible licensed premises and the visitor economy, while also mitigating the possible adverse effects of gambling such as crime and disorder, or the exploitation of vulnerable people. The following policy aims to achieve such a balance.

District Demographics

B1.3 South Lakeland District Council is situated in the County of Cumbria, which contains six District Councils in total. The Council area has a population of approximately 104,905 and covers 600 square miles (1,534 square kilometres). The population profile percentage for residents in 2020 is illustrated below.⁴

Age distribution 2020:

Age range	Number of people
0 to 9 years	8,794
10 to 19 years	10,833
20 to 29 years	9,029
30 to 39 years	9,469
40 to 49 years	11,793
50 to 59 years	16,785
60 to 69 years	15,494
70 to 79 years	14,250
More than 80 years	8,429

Male, female distribution in 2020:

Sex	Number of people	Percentage of population
Male	51,436	49%
Female	53,469	51%

⁴ [South Lakeland \(District, United Kingdom\) - Population Statistics, Charts, Map and Location \(citypopulation.de\)](https://www.citypopulation.de/en/uk/cumbria/south-lakeland/)

Part C. Gambling Risk Assessment Policy

C1.1 The Gambling Risk Assessment Policy applies to all applications. From time to time licence holders will have to review their risk assessment either because of a change in their operation or to ensure it is up to date. This section lays out the expectations of applicants and licence holders to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and to have policies, procedures and control measures to mitigate those risks.

The Licensing Objective Policies (D1, D2 and D3) apply to all applications. Applicants must be able to demonstrate that they will be reasonably consistent with the licensing objectives. The relevant considerations and criteria that the Licensing Authority will take into account are listed within these policies. Each application will be considered on its own merits having regard to this policy and the Gambling Commission's (which may be issued from time to time).

C1.2 The gambling risk assessment within the application should be used to set out how the proposed premises will operate or what the variation to the licence will do to the current operation of the premises. Applicants should include as much detail as possible in their risk assessment to enable responsible authorities and other parties to understand the operation of the premises. The information provided within the risk assessment should consider the policy requirements contained within this statement. The applicant should demonstrate how the applicant and the operation of the premises will promote the licensing objectives. Similar information should be provided by Applicants for reviews and other types of permissions.

C1.3 Residents, businesses and responsible authorities will have regard to the information contained within the risk assessment and therefore it is important to provide as much information upon application as possible. Applicants that do not provide enough information are more likely to receive representations from residents, businesses or responsible authorities. As well as the specific policies, applicants should pay particular attention to the appendices attached to this gambling policy.

C1.4 Applicants should also take into account reasons for specific policies and the unique characteristics surrounding the area in which the venue is located to draft a risk assessment that would address the concerns of responsible authorities and other parties. Specific reference should be made to issues raised in the Local Area Profile.(Appendix xxx)

C1.5 Applicants may also wish to provide supporting documents to the risk assessment. If additional documentation is to be provided, then it should be submitted when the application is made. Applicants should engage with the local community as much as possible on the proposed application before submitting it to the Licensing Authority.

In some cases, pre-engagement with local residents, businesses and responsible authorities can significantly reduce representations to the application and therefore could prevent the need for the application to be determined at a public hearing of the Licensing Authority.

C1.6 Applications for provisional statements or new gambling premises or to vary an existing licence must be accompanied by a suitable and sufficient gambling risk assessment.

C1.7 The gambling risk assessment referred to in C1.6 must include;

1. An assessment of the local area risks, identified by the gambling operator and those identified within the Local Authority's area.
2. An Assessment of the gambling operational risks associated with the new premises or the proposed variation of an existing licence.
3. An Assessment of the premises design risks associated with the proposed or existing interior and exterior layout and design of the premises and;
4. An assessment of the relevant control measures based on systems, design and physical measures that will eliminate or mitigate the risk to one or more of the licensing objectives.

Reasons for Policy C1

C1.8 The Gambling Commission (the Commission) introduced provisions in its social responsibility code within the Licence Conditions and Codes of Practice (LCCP), which require gambling operators to assess the local risks to the licensing objectives, posed by the provision of gambling facilities at each of their premises, and to have policies, procedures, and control measures to mitigate those risks. This change in national policy was intended to provide a well-evidenced and transparent approach to considering and implementing measures to address the risks associated with gambling.

C1.9 Ordinary code provision 10.1.2. Sharing local risk Assessments, states licensees should share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises or otherwise on request.

C1.10 The risk-based approach provides a better understanding of, and enables a proportionate response to risk. This approach includes looking at future risks and thinking about risks in a probabilistic way. Risk is not necessarily related to an event that has happened. Risk is related to the probability of an event happening and the likely impact of that event. In this case, it is the risk of the impact on the licensing objectives.

C1.11 Since the introduction of these code provisions within the LCCP, this Licensing Authority has found a significant variation in the detail and sufficiency of the risk assessments that were submitted along with applications for new or variation applications. Applicants appeared to be treating the requirement for risk assessments as a tick box exercise. Gambling risk assessments are often generic and lacking in relevant local considerations. This approach has meant that risk assessments are often not suitable or sufficient to establish how the applicant has taken account of their operation, design of the premises and the location where the premises are located. Therefore, the Licensing Authority has included its expectations for the risk assessment process within this policy.

Applicants will be expected to meet the requirements of the Gambling Risk Assessment Policy when submitting applications.

C1.12 The Licensing Authority's policy approach within this Statement of Principles is the gambling risk assessment will be the key document that the authority will scrutinize when determining an application. Therefore, applicants must ensure that their risk assessment considers the key elements of the policies within this statement and how it will operate, having regard to the location where the premises will be or is situated. Applicants that provide an inadequate risk assessment are likely to receive representations from the Licensing Authority and other responsible authorities.

Part D. Licensing Objectives and Risk Factors.

I. Preventing Gambling from Being a Source of Crime or Disorder, Being Associated with Crime or Disorder or Being Used to Support Crime.

D1.1 This Licensing Authority will not grant an application for a provisional statement or new gambling premises licence or vary an existing licence that is not reasonably consistent with the objective of preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.

D1.2 When considering *D1.1*, the Licensing Authority will examine the below criteria and take into account any relevant considerations. As set out below in addition to other relevant policies within this statement

D1.3 Criteria:

1. Whether the premises make or will make a contribution to the levels of crime and disorder in the area.
2. Whether the premises will operate in such a way that will be reasonably consistent with the crime and disorder objective.
3. Whether the applicant has met the requirements of policy C1 and provided a suitable and sufficient gambling risk assessment demonstrating how they will implement sufficient mitigation to prevent gambling from being a source of and/or associated with crime or disorder or being used to support crime if the application is granted.

D1.4 Considerations

1. The levels of crime and disorder in and around the venue.
2. The proposed operation of the premises and the types of gambling activities that will be provided.

3. The staffing levels that will be provided during the time when the premises provide facilities for gambling
4. Whether there is a history of crime and disorder associated with the premises, the operator or similar gambling premises uses.
5. Whether the premises operator or similar gambling premises uses have been used by those involved in crime to associate, carryout other criminal activities or dispose of the proceeds of crime.
6. Whether the premises have been designed and considered so as to minimize opportunities for crime and disorder.
7. Whether the operators of the premises have been or will be fully cooperative with enforcement agencies.
8. Whether the Gambling Commission Codes of Practise have been complied with.

Reasons for Policy D1.

D1.5 Applicants for premises licences will have to hold an operator's licence from the Commission (except occupiers of tracks who do not propose to offer gambling themselves). Generally, the licensing authority will not (unless evidence to the contrary comes to light) have to ascertain if the applicant is suitable to hold a premises licence. A gambling operator must meet the Commission's requirements to obtain and hold an operator's licence, whilst the Licensing Authority's concerns are focused on the premises and how the operation of the premises will affect the licensing objectives.

D1.6 This Licensing Authority will have to be satisfied that the premises will not adversely affect the licensing objectives and is compliant with the Commission's guidance, codes of practice and this statement of principles

D1.7 The licensing authority will expect the applicant to consider the measures that they feel are necessary to ensure that the operation of their gambling premises is reasonably consistent with the licensing objective of preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.

D1.8 The Gambling Commission's guidance does envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. If an application is made in an area known to have high levels of crime, the Licensing Authority will consider carefully whether gambling premises are suitable to be located there, considering such factors as, levels of recorded crime; the type of that crime and levels of anti-social behaviour-related complaints

D1.9 Applicants must have an understanding of the local area in which they either operate, or intend to operate, gambling premises. The applicant will have to provide evidence that they meet the criteria set out in this policy and demonstrate that in operating the premises they will be reasonably consistent with this objective. Operators need to be aware of how

the operation of their premises may impact on this objective. The council will expect the applicants to provide details as to their crime prevention measures within their gambling risk assessment.

D1.10 Gambling premises can become a source of crime or disorder. This may not necessarily mean that there are significant numbers of incidents or crime reported within the premises. The presence of gambling premises can provide a location for people to gather who may be involved in criminality in or around that premises or congregate with associates who then perpetrate criminal activity away from the premises.

D1.11 The Licensing Authority, when considering any applications that have been identified by the police as having a problems with criminality, gangs, prostitution, or anti-social behaviour, particularly involving groups who loiter will expect applicants or licensees to demonstrate that they have sufficient measures in place to prevent or deter people involved in unlawful activities from using their premises to support crime or to avoid apprehension. In some locations within the district, the preventative measures put forward by applicants or existing operators may not be sufficient in meeting the licensing objectives because of the risk associated with the premises adding to or being associated with crime and disorder. In those circumstances the Licensing Authority, having had regard to the applicants' submissions and any evidence or views from the police may impose restrictions above that put forward by the applicant or refuse the application.

D1.12 If a licensed premises becomes associated with crime or disorder or supports crime it is likely that action will be taken against the licensee if they are not taking the appropriate action to prevent crime and disorder at the premises. If criminality or disorder takes place inside or outside the premises, either because it is being used by criminals to commit crime in the area or crime is taking place within the premises the Licensing Authority and Police are likely to take immediate steps to address those problems.

D1.13 Depending on the severity of the association with crime and disorder or crime taking place on or around the premises the Police and/or Licensing Authority may seek to review the premises licence which could result in the imposition of additional conditions and/or the modification of existing conditions.

D1.14 There is a distinction between disorder and nuisance. In order to make the distinction, whether a disturbance was serious enough to constitute disorder, the Licensing Authority will consider factors such as whether police assistance was required, how threatening the behaviour was to those who could see or hear it, how frequently it is reported, prevalence of persons loitering outside, the times of day when disorder is reported and the impact on residents.

II. Ensuring that Gambling is Conducted in a Fair and Open Way.

D2.1 This Licensing Authority will not grant an application for a provisional statement or new gambling premises licences or vary an existing licence that is not reasonably consistent with the objective of ensuring that gambling is conducted in a fair and open way.

D2.2 When considering Clause *D2.1*, the Licensing Authority will apply the criteria and take into account any relevant considerations as set out below in addition to other relevant policies within this policy.

D2.3 Criteria:

1. Whether the premises will operate in such a way that will be reasonably consistent with the fair and open licensing objective.
2. Whether the applicant has met the requirements of Policy C1 and provided a suitable and sufficient gambling risk assessment demonstrating how they will implement sufficient mitigation to ensure that gambling is conducted in a fair and open way.

D2.4 Considerations:

1. Whether the premises have been designed so as to ensure gambling is conducted in a fair and open way.
2. Whether sufficient management measures are proposed or are in place to ensure that gambling is conducted in a fair and open way.
3. Whether the management and operation of the premises is open and transparent.
4. Whether the operators of the premises have been or will be fully cooperative with enforcement agencies.
5. Whether the Gambling Commissions Codes of Practice have been complied with.

Reasons for Policy D2

D2.5 To achieve the aim of this licensing objective there is a direct link with the successful achievement of the crime and disorder objective. The intention of the Act and the Crime and Disorder objective is to restrict and prohibit criminals from gambling premises and providing facilities for gambling. Reducing or eliminating the risk of cheating, fraud and oppressive behavior will have support the extent of the achievement of this licensing objective.

D2.6 The Licensing Authority will expect applicants to consider the measures necessary to be reasonably consistent with the licensing objective of ensuring that gambling is conducted in a fair and open way. The Gambling Commission is the body primarily concerned with ensuring that each operator conducts gambling activities in a fair and open way, however, the Licensing Authority will scrutinize the venues operation, design, layout and location to ensure that the application meets this objective

D2.7 The approach taken by the Gambling Commission to ensure gambling is conducted in a fair and open way is that:

1. it expects that not only is gambling fair in the way it is played but that the rules are transparent to players and they know what to expect.
2. it will ensure that the rules are fair, and that easily understandable information is made available by operators to players about, for example: the rules of the game, the probability of losing or winning and the rules and conditions on which business is conducted;
3. it will ensure that operating and personal licences are issued only to those who are suitable to offer gambling facilities or work in the industry;
4. it will ensure that appropriate advertising codes continue to be in place to prevent consumers from being misled;
5. it will ensure that the licences it issues, together with the licence conditions it imposes and the codes of practice it publishes, set appropriate standards of conduct for licence holders (for example, in respect of terms on which gambling is offered and the transparency of such terms) and appropriate technical standards for gaming machines and other equipment used in connection with any licensed activity;
6. in the event of non-compliance, it will ensure that sanctions are imposed, or other appropriate steps taken, which among other things, deter future non-compliance on the part of the relevant licence holder and other licence holders more generally;
7. it will ensure that the investigation and prosecution of offences under the Act – including the offence of cheating under section 42 of the Act – are prioritised by reference to the level of risk posed to the Licensing objectives.

D2.8 The Licensing Authority fully supports the Gambling Commission's approach associated with ensuring gambling is conducted in a fair and open way. The Licensing Authority will communicate any concerns to the Gambling Commission about misleading advertising or any absence of required game rules

D2.9 Where there are allegations or suspected unfair practices and un-transparent gambling practices are being conducted the Licensing Authority, along with the Gambling Commission will investigate and take the appropriate action necessary to ensure compliance with this Licensing objective.

D2.10 Applicants must ensure that the relevant rules and terms and conditions of play are readily available. This can be either on the premises, with posters or leaflets or via the operator's website. Staff must be conversant with the relevant rules and gameplay associated with the gambling products that are offered. A mechanism for grievances or complaints should be provided to all customers who feel that a gambling product or game is unfair or un-transparent.

D2.11 The Licensing Authority will consider each application on its own merits and will look closely at applications for types of premises that can be run by an operator where there is no requirement to hold an operator's licence. Track owners do not necessarily require an operator's licence and any application made by such an unlicensed operator will be scrutinised to ensure that this objective is met. In these circumstances, the applicant would be expected to address how they intend to ensure that gambling will be conducted fairly and openly. In the case of premises that do not hold an operating licence, such as tracks, additional conditions may be required dependent on the risks outlined in the application.

III. Protecting Children and Other Vulnerable Persons from Being Harmed or Exploited.

D3.1 This Licensing Authority will not grant an application for a provisional statement or new gambling premises licences or vary an existing licence that is not reasonably consistent with the objective of protecting children and other vulnerable persons from being harmed or exploited by gambling.

D3.2 When considering clause *D3.1* the Licensing Authority will consider the following criteria associated with protecting children from being harmed or exploited by gambling, taking into account any relevant considerations.

D3.3 Protection of vulnerable persons are set out at D3.10 to D3.16. In addition to other relevant policies within this statement:

D3.4 Criteria (General):

1. Whether the premises will operate in such a way that will be reasonably consistent with the protection of children and other vulnerable persons from being harmed or exploited licensing objective.
2. Whether the applicant has met the requirements of Policy C1 and provided a suitable and sufficient gambling risk assessment demonstrating how they will implement sufficient mitigation to protect children and other vulnerable persons from being harmed or exploited by gambling.

D3.5 Considerations;

1. Has the operator a specific training programme for staff to ensure that they are able to identify children and vulnerable people and take appropriate action to be reasonably consistent with this objective to exclude them from the premises or parts of the premises.
2. If the premises intend to or already operates as an adult only environment has the operator taken effective measures to implement an appropriate proof of age scheme to ensure that no one under the age of 18 is admitted to the premises or restricted areas.

3. Whether the layout, lighting and fitting out of the premises have been designed so as to not attract children and other vulnerable persons who might be harmed or exploited by gambling.
4. Whether sufficient management measures are proposed or are in place to protect children and other vulnerable persons from being harmed or exploited by gambling.
5. Whether any promotional material associated with the premises could encourage the use of the premises by children or young people.

Child/Young Person Safe Guarding

D3.6 The Licensing Authority will expect applicants to demonstrate that they will have systems and processes in place to adequately safeguard children as set out within the criteria below:

D3.7 Criteria (safeguarding of children)

1. Whether the applicant has met the requirements of Policy C1 and provided a suitable and sufficient gambling risk assessment demonstrating how they will implement sufficient mitigation to protect children from being harmed or exploited by gambling.

D3.8 In operating and managing a licensed gambling premises the applicant has designated one or more senior staff members within the organisation with the following responsibilities in relation to safeguarding children and protecting them from harm.

1. Ensuring safeguarding children, including child sexual exploitation (CSE) training is provided to all staff.
2. Monitoring and recording whether all staff have received the minimum (initial and refresher) safeguarding children training.
3. Ensuring all staff have read and know where to find the organisations safeguarding of children policy and where they can access additional information on safeguarding from, e.g. Government Guidance "What to do if you're worried a child is being abused".
4. Provide advice and support to staff when they have a concern about safeguarding a child.
5. Have a system in place to record all concerns and actions taken associated with the safeguarding of children by staff.
6. Be the contact person for the council's Children's Services Department and the police in relation to all incidents or concerns related to the safeguarding of children on or linked to the operation of the gambling premises
7. Ensure all staff are made aware that if the person who they suspect may be harming children is senior to them in the organization hierarchy that they can contact the council's Children services, or Police.

D3.9 The applicant has or intends to implement safeguarding training to ensure that their staff have a basic awareness of child protection issues. This includes:

1. Being alert to the possibility of child abuse, CSE and neglect.
2. A knowledge of the signs of an abusive or potentially abusive event or set of circumstance
3. Knowing who in the organisation to raise safeguarding concerns.
4. Being competent in taking the appropriate immediate or emergency action to protect a child where there are safeguarding concerns.
5. Knowing how to refer a safeguarding concern to the council's Children's Services Department and/or police.

Other Vulnerable Persons (Adult)

D3.10 This Licensing Authority will consider the following criteria when assessing the proposed and existing measures associated with protecting other vulnerable persons (adults) from being harmed or exploited by gambling.

D3.11 Criteria (Other Vulnerable Persons (Adults))

1. Whether the applicant has provided a suitable and sufficient gambling risk assessment as required by policy C1 to reduce or eliminate the risk to other vulnerable persons from being harmed or exploited by gambling.
2. The applicant has sufficient policies, procedures and mitigation associated with the following risks to other vulnerable persons being harmed or exploited by gambling:
 - i. The cognitive capacity of the person to make informed decisions relating to their gambling
 - ii. Establishing the means to which a person can afford to gamble to the extent and frequency of their gambling activity
 - iii. The approach to active and passive intervention for customers who show signs of at-risk behaviour, gambling beyond their means or are likely to be problem gamblers.
 - iv. The approach to managing and helping customers who appear to have addictive gambling tendencies and/or has self-excluded themselves from gambling from the premises or gambling operator and continues to attempt to gamble.
 - v. How vulnerable people can gain access to support, information on appropriate gambling treatment

D3.12 The applicant has or intends to implement training to ensure that all staff, who interact with customers are aware and can demonstrate their understanding of the relevant organisational policies and procedures.

D3.13 The Licensing Authority will expect applicants to demonstrate that they will have systems and processes in place to adequately safeguard other vulnerable persons (adults) as set out within the criteria below:

D3.14 Considerations (Other Vulnerable Persons (Adults))

1. Whether the applicant has met the requirements of Policy C1 and provided a suitable and sufficient gambling risk assessment demonstrating how they will implement sufficient mitigation to safeguard other vulnerable persons (Adults) from being harmed or exploited by gambling.
2. In operating and managing a licensed gambling premises the applicant has designated one or more senior staff members within the organisation with the following responsibilities in relation to safeguarding vulnerable adults and protecting them from harm.
3. The applicant has or intends to implement safeguarding training to ensure that their staff have a basic awareness of protecting vulnerable persons. This includes:
 - I. Ensuring safeguarding of adults training is provided to all staff
 - II. Monitoring and recording whether all staff have received the minimum (initial and refresher) safeguarding adults training.
 - III. Ensuring all staff have read and know where to find the organisations safeguarding of adult's policy and where they can access additional information on safeguarding adults from, e.g. Government or other agency, charity guidance.
 - IV. Provide advice and support to staff when they have a concern about safeguarding a at risk adults
 - V. Have a system in place to record all concerns and actions taken associated with the safeguarding of adults by staff
 - VI. Be the contact person for the council's Adult Services Department, the police or other agency in relation to all incidents or concerns related to the safeguarding of at-risk adults on or linked to the operation of the gambling premises.
 - VII. Ensure all staff are made aware that if the person who they suspect may be harming a vulnerable adult is senior to them in the organisation hierarchy that they can contact the council's Adult's Services Department and the police directly.

D3.15 For the purposes of this policy any reference to “children” or “child” will include any person who meets the definition of a child and young person within section 45 of the Gambling Act 2005, therefore such references will apply to anyone under the age of 18.

Reasons for Policy

D3.16 This Licensing Authority will expect applicants to consider the measures necessary to be reasonably consistent with the licensing objective of protecting children and other vulnerable persons from being harmed or exploited by gambling.

D3.17 The Licensing Authority believes that this licensing policy places a significant responsibility on the applicant when apply for a licence and then operating their gambling premises. Whilst gambling operators will focus on the obvious protections associated with this licensing objective, such as restricting access to gambling by children or providing information to customers who may be problem gamblers the Licensing Authority believes that operators must consider other risks to children and vulnerable adults associated with their operation or their customers.

D3.18 It is noted that the Act and Commissions Guidance does not define the term vulnerable persons. The Commission states, “it will for regulatory purposes assume that this group includes 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, alcohol or drugs”. This is the definition of vulnerable persons the council will use in its consideration of applications.

D3.19 The Licensing Authority have approached this policy in two parts. The first part relates to protecting children from harm or being exploited by gambling. The second part focuses on adults and the risk of harm or exploitation that they may face associated with gambling. The Licensing Authority has indicated within in its Local Area Profile (LAP) and within other policies within this statement that some locations and gambling operations may generate a greater risk of gambling harm due to the resident populations, age, social and economic backgrounds, etc. These are key factors when considering the local risks associated with the application.

D3.20 This Licensing Authority will expect applications to take on their statutory duty within the Act to be reasonably consistent with this licensing objective. However, operators also have a wider moral duty to protect and support their customers or those in the community that may interact with their premises or staff.

Risk of Vulnerability to Gambling Related Harm.

Young people.

D3.21 Rates of problem gambling among young people who gamble are higher than older adults and youth gambling behaviours are consistent with impacts of harm. These age

groups are less likely to gamble generally but those that do are more likely to experience difficulties with their behaviour.

Unemployed and constrained economic circumstance

D3.22 Generally, those of lower income are less likely to gamble but those that do spend a higher proportion of their income on gambling. This is highlighted as a concern given the lesser ability of lower income households to protect themselves from financial instability.

D3.23 There is evidence that those in debt and those using money lenders and/or pawnbrokers are more likely to be problem or at risk gamblers. The relationship between constrained economic circumstances and gambling problems is likely to be complex and multi-faceted. It may be mediated by other economic opportunities and personal feelings about how well off you are compared with others. Despite this complexity, there is a consistent body of evidence showing that, for whatever reason, those who are unemployed and who gamble are more likely to experience adverse outcomes from their gambling than those in paid employment.

Homeless

D3.24 The rates of problem gambling are higher among those who are homeless than those who are not. Although studies are small, they show that there is a significant relationship with gambling preceding homelessness. Little is known about why rates of problem gambling among homeless population groups is higher than the general population but given associations with other mental health conditions, homeless people should be considered a vulnerable group.

Mental ill health.

D3.25 There is a strong association between mental ill health and problem gambling. Associations were found between problem gambling and general anxiety disorder, phobia, obsessive compulsive disorder, panic disorders, eating disorders, probably psychosis, attention deficit, hyperactivity disorder, post-traumatic stress disorder harmful and hazardous levels of alcohol consumption and drug addiction. Overall, three quarters of problems gamblers seeking treatment also experience co-morbid mental health disorders.

D3.26 Being a problem or at-risk gambler is associated with latter onset of major depressive disorder, alcohol use and dependence, drug use and experience of any mental disorder. Illegal drug use and experience of any mental disorder is also associated with the subsequent onset of at risk and problem gambling. These findings seem to confirm the conclusion that the relationship between problem gambling and mental ill health may be cyclical.

Substance abuse/misuse.

D3.27 The evidence base relating to the relationship between substance abuse/misuse and experience of problem gambling broadly measures that of mental ill health. Evidence from British based surveys have shown that rates of problem gambling were higher among those with alcohol dependence (3.4%) or drug dependence (4.4%) than the general population (0.74%). A systemic review of those seeking treatment for gambling problems showed that 15% also experience alcohol dependence and 7% have other substance abuse disorders. There is strong evidence that alcohol and substance misuse are associated with problem gambling. As with other mental health conditions, these conditions can occur at the same time.

Personality Traits/cognitive distortions.

D3.28 There is a strong body of evidence highlighting the relationship between various personality traits, such as cognitive distortions or impulsivity, with problem gambling. Cognitive distortions such as erroneous perceptions of gambling and illusion of control are well established risk factors for problem gambling. However little research has been conducted to explore the complex interaction of personality traits with other factors and their combined influence on the experience of broader gambling harms. Certain personality traits and/or cognitive distortions are just one potential aspect of vulnerability which is likely to be affected by a range of other factors.

Protecting (Safeguarding) Children.

D3.29 A child and young person are defined as any person who is less than 16 years old and a young person is defined as a person who is not a child but who is less than 18 years old. For the purposes of this policy and the interpretation of this licensing objective the Licensing Authority, when referring to a child or children will mean anyone under the age of 18 years of age.

D3.30 The location of the premises may be a significant factor if for example the premises are located near a school, hostel or other sensitive premises. Other policies specifically deal with location although the applicant will have to demonstrate that there are suitable control measures to be reasonably consistent with this objective.

D3.31 Persons under 18 cannot be admitted to many types of gambling premises. New gambling premises or variations to existing premises that are in close proximity to schools or main routes to schools will expect the applicant to have carefully considered their operation and any potential for exposing children and young people to gambling. Operators should demonstrate policies and procedures that will prevent children and young people from entering premises or partaking in gambling activities.

D3.32 Whilst some gambling premises may restrict access to children, other types of premises can permit access to children. Bingo premises and Family Entertainment Centres

are gambling premises which permit access to the premises by children. However, some areas within these premises may have restricted access to children, such as where adult only gaming machines are located. Applicants and licensees must ensure that children do not gain access to these areas and age verification is conducted to ensure compliance.

D3.33 The Licensing Authority views underage access to age-restricted areas extremely seriously and the onus is placed firmly on the licence holder to ensure that appropriate checks are in place to prevent and deter opportunities for children and young people to gain access to category B or C gaming machine areas. Underage access to category B or C gaming machine areas in licensed Bingo and Family Entertainment Centres is an offence and the display of notices prohibiting underage access is a requirement of the mandatory conditions attached to all licences.

D3.34 It is the Licensing Authority's view that preventing underage access should be a major consideration for any applicant or operator and effective measures such as age verification checks are a simple solution to this issue. Therefore, failure to implement effective measures and enforce this requirement by operators will be dealt with strictly by the Licensing Authority. Operators can expect serious or repeated breaches of these requirements to be dealt with by review proceedings.

D3.35 Gambling operators can use procedures, processes, and control measures to monitor and prevent children accesses adult gambling content in premises. These may include:

1. challenge/think 21 schemes, with limitations on the types of recognised proof of age accepted which are operated at the door of the premises, at the entrance points to age restricted areas within the premises and in any bars within the premises selling alcohol products.
2. security and CCTV is operated at the door or within the premises to identify and prevent access by children amongst the other role of detecting and preventing crime.
3. signage prominently displayed regarding the prohibition of under 18s at the entrance points to the premises, adult only areas, and bars within the premises and on age restricted gambling products, such as gaming machines.

Protecting (Safeguarding) Vulnerable Adults

D3.36 The Care Act 2014 imposes a requirement on the Authority to "make enquiries if it has reasonable cause to suspect that an adult in its area, whether or not ordinarily resident there, has needs for care and support, is experiencing, or is at risk of, abuse or neglect, and as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it".

D3.37 The Authority must make whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the adult's case (whether under this Part or

otherwise) and, if so, what and by whom. “Abuse” includes financial abuse; and for that purpose, “financial abuse” includes having money or other property stolen, being defrauded, being put under pressure in relation to money or other property, and having money or other property misused.

D3.38 All adults have the right to be protected from abuse and poor practice. This is regardless of their:

- age
- ability or disability
- gender
- race
- religion
- ethnic origin
- sexual orientation
- marital status
- transgender status

D3.39 It is the Licensing Authority’s view that best practice in safeguarding means committing to both a legal and moral responsibility to all staff and customers.

D3.40 When looking at the risks of harm to vulnerable adults in and around the gambling environment it is important that gambling operators consider the wider harms that may be identifiable in their customers and staff. These may include one, more or a combination of the following:

Self-neglect

This covers a wide range of behaviour, but it can be broadly defined as neglecting to care for one’s personal hygiene, health, or surroundings. An example of self-neglect is behaviour such as hoarding.

Modern Slavery

This encompasses slavery, human trafficking, forced labour, and domestic servitude.

Domestic Abuse

This includes psychological, physical, sexual, financial, and emotional abuse perpetrated by anyone within a person’s family. It also includes so-called “honour” based violence.

Discriminatory

Discrimination is abuse that centre on a difference or perceived difference, particularly with respect to race, gender, disability, or any of the protected characteristics of the Equality Act.

Physical

This includes hitting, slapping, pushing, kicking, restraint, and misuse of medication. It can also include inappropriate sanctions.

Sexual

This includes rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault, or sexual acts to which the adult has not consented or was pressured into consenting.

Financial or Material

This includes theft, fraud, internet scamming, and coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance, or financial transactions. It can also include the misuse or misappropriation of property, possessions, or benefits.

Neglect and Acts of Omission

This includes ignoring medical or physical care needs and failing to provide access to appropriate health social care or educational services. It also includes the withdrawing of the necessities of life, including medication, adequate nutrition, and heating.

Emotional or Psychological

This includes threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation, or withdrawal from services or supportive networks.

Mate Crime

A 'mate crime' is when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them. A mate crime is carried out by someone the adult knows, and it often happens in private. In recent years there have been a number of Serious Care Reviews relating to people with a learning disability who were seriously harmed, or even murdered, by people who purported to be their friend.

Radicalisation

The aim of radicalisation is to inspire new recruits, embed extreme views and persuade vulnerable individuals to the legitimacy of a cause. This may be direct through a relationship, or through social media.

Gambling Operators Duty

D3.41 The Licensing Authority believes that gambling operators have a responsibility to protect adults who may or may not be partaking in a gambling activity provided at the premises. Staff working in gambling premises, on the door providing security, taking bets in a betting shop, floor walker or croupier in a casino need to be able to identify adults who are vulnerable.

D3.42 Gambling operators have a duty of care to protect (safeguard) children and other vulnerable people under the Act. Individuals who work for the gambling operator need to be informed to a sufficient level to ensure that complaints and concerns about children and adults at risk are properly identified and acted upon. Gambling operators that fail to assess the risk and implement poor and ineffective processes in this area are likely to fail to meet this policy, the licensing objective under the Act and their wider social responsibility and duty of care, which at worst could leave adults or children at risk to harm.

D3.43 Gambling operators are expected to review the risk and at the very least implement a Safeguarding Adults Policy and Procedure document that should be separate from any Safeguarding Children Policy and Procedure document. The Safeguarding Adults Policy and Procedure Document should be focused on ensuring that processes are put in place to keep adults safe. An appropriate referral model should be developed that offers direction to staff on how to respond, what they should record, and when they should report internally and externally to statutory agencies.

D3.44 As part of the Safeguarding Adults Policy and Procedures put in place by a gambling operator; they will also need to ensure that staff are suitably trained and that someone in the organisation can act as the point of contact for staff concerns on adult safeguarding.

D3.45 Several organisations provide training and advice to businesses on how to safeguard adults. A directory of organisations and useful contacts for support and information on safeguarding adults is available at Appendix xxxx.

GamCare Accreditation

D3.46 GamCare is a charity and leading provider of free information, advice, and support for anyone affected by problem gambling. Part of their goal is to work with the gambling industry to support customers and prevent people from experiencing gambling – related harm.

D3.47 GamCare has established the Safer Gambling Standard. This is an independent quality standard that assesses the measures gambling businesses have put in place to protect people from experiencing gambling-related harm. The Standard offers four levels of award from Base Level to Advanced Level 3.

D3.48 Businesses are required to meet 10 areas which are the foundation to building a

safer gambling approach. The assessment looks at 73 criteria, 52 of which are expected of businesses to meet the Base Level Standard, with the remaining Advanced Level criteria measuring the degree to which businesses exceed the Base Level. Three of the Advanced Level criteria are mandatory for any businesses wishing to achieve Advanced Levels. The 10 areas are:

1. Corporate Governance and Risk Management
2. Collaboration and Sharing Best Practice
3. Safer Gambling Spend and Contribution to RET
4. Protection of Children, Young Adults and Vulnerable Customers
5. Customer Information, Profiling, and Interaction
6. Production Design and Innovation in Safer Gambling Tools
7. Self-Exclusion
8. Advertising and Promotion
9. Staff Training and Development
10. Addressing Problem Gambling Amongst Staff

D3.49 Please visit the GamCare website to find out more about the GamCare Safer Gambling Standard - <https://www.gamcare.org.uk/>

Part E. Premises Licenses and plans.

E1.1 Where an individual or company uses premises, or causes or permits premises to be used, to offer gambling, they will need to apply for a premises licence.

E1.2 persons may only make an application for a premises licence (which includes companies or partnerships):

- who are aged 18 or over and
- who have the right to occupy the premises and
- who have an operating licence which allows them to carry out the proposed activity.
- who have applied for an operating licence to allow them to carry out the proposed activity. The premises licence cannot be determined until an operating licence has been issued.

E1.3 In accordance with s.150 of the Act, premises licences can authorise the provision of facilities for;

- casino premises,
- bingo premises,
- betting premises including tracks and premises used by betting intermediaries,
- adult gaming centre premises, or
- family entertainment centre premises.

E1.4 By distinguishing between premises types, the act makes it clear that the gambling activity of the premises should be linked to the premises described. The Act does not permit premises to be licensed for more than one of the above activities.

Meaning of premises

E1.5 In the Act, 'premises' are defined as including 'any place'. S.152 therefore prevents more than one premises licence applying to any place. However there is no reason in principle why a single building could not 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 reasonably be regarded as being different premises.

E1.6 In most cases the expectation is that a single building/plot will be the subject of an application for a licence, for example, 32 High Street. But that does not mean that 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing authority.

Plans

E1.7 Regulation 4 of The Gambling Act 2005⁵ requires applicants to submit plans of the premises with their application, in order to ensure that the Licensing Authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the Authority to plan future premises inspection activity. If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead. Provisional statements are covered at point N1.1

E1.8 The Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007 states that a plan should detail.

- The extent of the boundary or perimeter of the premises
- Where the premises include, or consist of, one or more buildings, the location of any external or internal walls of each such building
- Where the premises form part of a building, the location of any external or internal walls of the building which are included in the premises
- Where the premises are a vessel or a part of a vessel, the location of any part of the sides of the vessel, and of any internal walls of the vessel, which are included in the premises
- The location of each point of entry to and exit from the premises, including in each case a description of the place from which entry is made or to which the exit leads.

E1.9 It is the Licensing Authority's policy that it will expect applicants for new premises licences and variations to provide a plan showing the indicative layout of the plan. The

⁵ [Gambling Act 2005 \(Premises Licences and Provisional Statements\) Regulation 2007](#)

Gambling Commission whilst not prescriptive on premises plans themselves, advice that 'The plan must show the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence'

E1.10 The Licensing Authority will consider proposed premises plans to be appropriate, in conjunction with the premises' Gambling Risk Assessment, to effectively assess the provision of gambling facilities at the premises. Where this information is not provided, it is more likely that a representation will be made in order to enable the Licensing Authority to accurately assess the likely effect of granting the application relative to the Licence conditions and Gambling Commissions Licence Conditions and Code of Practice and licensing objectives.

E1.11 The premises plan in itself is only one means by which this Licensing Authority may seek reassurance that the requirements will be met. An additional factor to the proposed plan may be the conditions attached to the premises licence application regarding lines of sight between the counter and the gaming machines, staffing arrangements or security devices.

Vessels

E1.12 The Act permits premises licences to be granted for passenger vessels. Separate application forms are prescribed for vessels under the Premises Licences and Provisional Statements Regulations (SI 2007/459 or SSI 2007/196). The definition of a vessel in s.353(1) of the Act is:

- Anything (other than a seaplane or amphibious vehicle) designed or adapted for use on water
- A hovercraft
- Anything, or part of any place, situated on or in water.

E1.13 The Act allows pleasure boats to apply for premises licences. As with multi-purpose buildings, the part of the vessel where gambling takes place will be licensed and the usual restrictions on access for children will apply. The Act applies in relation to a vessel that is not permanently moored or berthed, as if it were premises situated in a place where it is usually moored or berthed. The licensing authority will consider an application for a premises licence in respect of a vessel where it is usually moored or berthed.

Vehicles

E1.14 Vehicles (trains, road vehicles, aircraft, sea planes and amphibious vehicles, other than a hovercraft) may not be the subject of a premises licence and therefore all forms of commercial betting and gaming will be unlawful in a vehicle in Great Britain.

Premises Access Detail.

<i>Type of premises</i>	<i>Access provision</i>
Casinos	<ul style="list-style-type: none"> The principal entrance to the premises must be from a 'Street' No entrance to a casino must be from premises that are wholly or mainly accessible by children and/or young persons No entrance must be able to enter a casino directly from any other premises which holds a gambling premises licence.
AGC's	<ul style="list-style-type: none"> No customer must be able to access the premises directly from any other licensed gambling premises
Betting Shops	<ul style="list-style-type: none"> Access must be from a street or from other premises with a betting licence No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind unless that shop is itself a licensed betting premises.
Tracks	<ul style="list-style-type: none"> No customer must be able to access the premises directly from a casino or AGC
Bingo Premises	<ul style="list-style-type: none"> No customer must be able to access the premises directly from a casino an AGC or a betting premises other than a track.
FEC's	<ul style="list-style-type: none"> No customer must be able to access the premises directly from a casino, an AGC or a betting premises, other than a track

Multiple activity premises – layout and access

E1.16 With the exception of bingo clubs, tracks on race-days and licensed FECs, children will not be permitted to enter licensed gambling premises. Therefore businesses will need to consider carefully how they wish to configure their buildings if they are seeking to develop multi-purpose sites.

E1.17 The Licensing authorities will take particular care in considering applications for multiple premises licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular, they should be aware of the following:

1. The third licensing objective seeks to protect children from being harmed or exploited by gambling and premises should be configured so that children are prohibited from participating in gambling, such that they are not invited to participate in, have accidental access to, or closely observe gambling.
2. Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not 'drift' into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
3. Customers should be able to participate in the activity named on the premises licence.

Single and combined Licenses

E1.18 Only one premises licence may be issued for any particular premises at any time although, in some circumstances, the licence may authorise more than one type of gambling. For example, a bingo licence will also authorise the provision of gaming machines. Details of the gambling permissible under each type of licence are set out in the Act and in the premises specific parts of this guidance.

E1.19 The exception to this relates to tracks, that is a horse racing course, dog track or other premises where races or sporting events take place, which may be subject to more than one premises licence, provided each licence relates to a specified area of the track.

Premises Licence conditions

E1.20 Conditions on premises licences should relate only to gambling, as considered appropriate in the light of the principles to be applied by licensing authorities under S.153. Accordingly, if the Commission's Licence conditions and codes of practice (LCCP) or other legislation places particular responsibilities or restrictions on an employer or the operator of premises, it would not be appropriate to impose the same conditions on a premises licence.

E1.21 Conditions will sometimes be general in nature attaching to all licences or all licences of a particular class, or they may be specific to a particular licence.

Display of rules

E1.22 It is a mandatory condition of premises licences that clear and accessible information about the terms on which a bet may be placed must be displayed at betting premises, including tracks.

Application for premises Variation S.187: Material Change.

E1.23 Guidance from the Commission has been that an application for a variation will only be required where there are material changes to the layout of the premises. What constitutes a material change will be a matter for the Licensing Authority to decide on a case by case basis, however a common sense approach will be adopted, when considering an application for variations, the Licensing Authority will have regard to the principles to be applied as set out in s.153 of the Act.

Notice of application

E1.24 The Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007 require the applicant to publish a notice of their application and to notify responsible authorities and other persons about the application. These also apply, with one

or two modifications, in relation to applications for provisional statements and applications that can be made in relation to a premises licences.

- The Notice must be served in three ways:
- A notice placed outside the premises for 28 consecutive days in a place where it can be read conveniently
- In a newspaper or newsletter of local relevance, on at least one occasion within ten days of the application being made
- To all responsible authorities, which includes the Commission, within seven days of the application being made.

A licence application, and any licence subsequently issued, is not valid if the relevant notifications have not been made.

Representations to an application

E1.25 In dealing with an application, the Licensing Authorities is obliged to consider representations from two categories of person, referred to in the Act as 'responsible authorities' and 'interested parties'. Representations from other parties are inadmissible.

E1.26 Having determined that the representation is admissible, the Licensing Authority must consider its relevance. Only representations that relate to the licensing objectives, or that raise issues under this licensing policy statement, or the Commission's guidance or codes of practice, are likely to be relevant.

E1.27 The Licensing Authority will not take into account representations that are:

- repetitive, vexatious or frivolous
- from a rival gambling business highlighting unwanted competition
- moral objections to gambling
- concerned with expected demand for gambling,
- anonymous

E1.28 Details of applications and representations referred to a Licensing Sub-Committee for determination will be published in reports that are made publicly available and placed on the Council's website in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000. Personal details will however be removed from representations in the final website version of reports.

E1.29 Names and addresses of people making representations will be disclosed to applicants and only be withheld from publication on the grounds of personal safety where the Licensing Authority is specifically asked to do so.

Responsible Authorities

E1.30 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The

principles are:

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

E1.31 This authority has consulted with both the Cumbria Safeguarding Children Board and Cumbria County Council Children's Services. This Authority considers that Cumbria County Council Children's Services is best able to fulfil the role of advising the Authority about the protection of children from harm for the purposes of Section 157(b) of the Act.

E1.32 The Responsible Authorities are:

- The Council's Licensing Service (as licensing authority)
- The Gambling Commission
- The Chief Officer of Police
- The Fire & Rescue authority
- The Council's Planning Department (as planning authority)
- The Council's Environmental Health Consultation Team (as the authority minimising or preventing the risk of environmental pollution and/or harm to human health)
- H.M. Revenue and Customs.

E1.33 The Secretary of State has not prescribed any further Responsible Authorities.

E1.34 The contact details of all the Responsible Authorities under the Gambling Act 2005 are available via the Council's website at: www.southlakeland.gov.uk

Interested Parties

E1.35 Interested parties can make representations about licence applications, or apply for a review of an existing licence.

E1.36 These parties are defined under S.158 Gambling Act 2005 as follows: "For the purposes of this part a person is an interested party in relation to a premises licence or in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person.

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

E1.37 When determining whether a person is an interested party for the purposes of the act the Licensing Authority will not apply rigid rules but will apply the principle that 'each case will be decided upon its merits.

E1.38 In determining whether a person or organisation "has business interests" the Licensing Authority will adopt the widest possible interpretation and include residents' and tenants' associations, trade associations, trades unions, partnerships, charities, faith groups and medical practices, as appropriate.

E1.39 The Licensing Authority will regard bodies such as trade associations, trade unions, residents' and tenants' associations, and professional advisors such as solicitors, barristers and consultants, as capable of representing interested parties where they are satisfied that the interested party has asked for representation. The Licensing Authority will only regard representative bodies as interested parties in their own right if they have a member who can be classed as an interested person under the terms of the Act.

E1.40 In principle, the Licensing Authority will allow any person to represent an interested party, but we may seek to have it confirmed that the person genuinely represents the interested party. The Licensing Authority will generally require evidence that a person/body (e.g. an advocate or relative) 'represents' someone. If persons representing interested parties are Councillors or Members of Parliament, then no specific evidence of being asked to represent an interested person will be required as long as they represent the area likely to be affected.

E1.41 If individuals wish to approach their Ward Councillor to ask them to represent their views, then those Councillors shall not sit on a Licensing Sub-Committee that meets to determine the licence application. If there are any doubts, then either interested parties or Councillors should contact the Licensing Service for advice.

Person living close to the premises

E1.42 There are a number of factors that licensing authorities should take into account when determining whether a person 'lives sufficiently close to the premises'. These might include:

- the size of the premises
- the nature of the premises
- the distance of the premises from the location of the person making the representation
- the potential impact of the premises such as the number of customers, routes likely to be taken by those visiting the establishment
- the circumstances of the person who lives close to the premises. This is not their personal characteristics, but their interests which may be relevant to the distance from the premises

Exchange of Information

E1.43 The Licensing Authority are required to set out the principles we will apply when exchanging information with the Gambling Commission and other organisations.

E1.44 The Commission can require the council to provide specific information if it forms part of our licensing register or if we hold it in connection with our licensing functions under the 2005 Act. Currently the Commission requires the authority to submit a return at the end of each financial year, which is subsequently included in the Department for Communities and Local Government Single Data List. We will therefore continue to provide the following details to the Commission:

- a) permits issued
- b) temporary use notices issued
- c) occasional use notices issued
- d) premises inspections conducted
- e) reasons for and outcomes of reviews

E1.45 When the Licensing Authority exchange information with the Commission and other persons or bodies, the Licensing Authority will act in accordance with the provisions of the 2005 Act and the Data Protection Act 1998. The Licensing Authority will also have regard to any guidance issued by the Commission or Information Commissioner, in addition to any relevant regulations issued by the Secretary of State under powers provided in the 2005 Act.

E1.46 The Licensing Authority may also exchange information with other persons or bodies listed below for use in the exercise of functions under the 2005 Act.

- a) a constable or police force
- b) an enforcement officer
- c) a licensing authority
- d) HMRC
- e) the First Tier Tribunal
- f) the Secretary of State

E1.47 If the Licensing Authority establish protocols with any of these bodies relating to the exchange of information, we will make them available on our website.

Inspection and Criminal Proceedings

E1.48 One of the main concerns for the Licensing Authority is to ensure compliance with the venue premises licence and other permissions which the council grants. The Gambling Commission will be the enforcement body for operating licences and personal licences.

However the Licensing Authority will be alert to the way premises are operated and will notify the Gambling Commission if it becomes aware of matters of concern in the operation of the premises. (Concerns about manufacture, supply or repair of gaming machines will not be dealt with by the Licensing Authority.) The Licensing Authority will approach the Commission with a view to taking a multi-agency approach.

E1.49 The Licensing Authority will achieve compliance through encouraging a sense of community, improved communication and proactive work with licensee's and businesses. Such proactive work may include training, giving advice and information, and initiatives that

educate, inform and encourage partners and stakeholders to work together efficiently and effectively.

E1.50 The Licensing Authority operates a risk-based approach to compliance. In carrying out its inspection function. The Licensing Authority will operate within the principles of natural justice and take into account the Human Rights Act 1998.

It will have regard to the Commissions Guidance and will endeavour to avoid unnecessary duplication with other regulatory regimes as far as possible and 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.

E1.51 As per the Gambling Commission's Guidance to Licensing Authorities, this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible. This council has adopted and implemented a risk-based inspection programme, based on,

- The licensing objectives
- Relevant codes of practice
- Guidance issued by the Gambling Commission, in particular at Part 36.6
- The principles set out in this statement of licensing policy

E1.52 This may include test purchasing activities to measure the compliance of licensed operators with aspects of the Gambling Act. When undertaking test purchasing activities, this licensing authority must undertake to liaise with the Gambling Commission and the operator to determine what other, if any, test purchasing schemes may already be in place. Irrespective of the actions of an operator on their overall estate, test purchasing may be deemed to be an appropriate course of action.

E1.53 The principles to be applied by the council in exercising its functions are under Part 15 of the Act with respect to the inspection of premises; and under section 346 of the Act to institute criminal proceedings. The council will also consider its powers under the Licensing Act 2003 to review Club and Premises licences, which gives the council the ability to suspend, amend or revoke either licence in circumstances where it sees fit.

Powers of entry

E1.54 The Gambling Act 2005 states that authorized persons constables and enforcement officers may enter premises if they reasonably suspect that facilities for gambling are being, are about to be, or have been provided on the premises. This would include a private club but does not apply if the suspected gambling is private or non-commercial gaming or betting.

Licence Fees.

E1.55 We will calculate and collect fees from gambling operators to meet the costs of carrying out our licensing functions under the 2005 Act. The intention of the government is that fees will cover our costs for administration (including hearings and appeals), inspection and enforcement of the licensing regime. The current fees are detailed on our website.

Review of a premises Licence

E1.56 Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the Licensing Authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below:

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

The request for a review will also be subject to the consideration by the licensing authority as to whether the request is frivolous, vexatious, or whether it will certainly not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review

The licensing authority can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason which it thinks is appropriate.

Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.

The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.

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

- Add, remove or amend a licence condition imposed by the licensing authority;
- Exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
- Suspend the premises licence for a period not exceeding three months; and
- Revoke the premises licence.

In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in s153 of the Act, as well as any relevant representations.

In particular, the licensing authority may initiate a review of the premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them. Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:

- The licence holder;
- The applicant for review (if any);
- The Gambling Commission;
- Any person who made representations;
- The Chief Officer of Police or Chief Constable;
- Her Majesty's Commissioners for Revenues and Customs.

In determining what action, if any, we should take following a review, we will have regard to any relevant representations and the 'Aim to Permit' principle.

Part F. Adult Gaming Centres

F1.1 Persons operating an Adult Gaming Centre (AGC) must hold a gaming machines general operating licence (Adult Gaming Centre) from the Commission and must seek a premises licence from the licensing authority. A premises licence for an Adult Gaming Centre enables the holder to make an unlimited number of gaming machines available for use. Of the total number, up to 20% of the gaming machines can be category B3 or B4 gaming machines and the remainder are limited to category C or D gaming machines. If the premises held an Adult Gaming Centre premises licence prior to 13 July 2011, the holder

can provide either up to four B3 or B4 gaming machines or up to 20% of the total number of gaming machines, whichever number is greater.

F1.2 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises. The location, layout and management of gaming machines is also of high significance. Operators should consider appropriate locations of the following when designing the layout of the premises to minimise the opportunity for under 18's to gain access.

- All Entrances
- ATM machines located on the premises
- Entry control points
- Higher category gaming machines
- Cashier points
- CCTV
- Security personal

F1.3 Applications for Adult Gaming Centres must provide the minimum requirements as set out in the Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007. Application forms only allow for a limited amount of information to be provided. The Licensing Authority would recommend, where appropriate, that applications include the following additional information:

- (a) policies and procedures
- (b) operating manual
- (c) staff training measures
- (d) security provisions
- (e) Gambling risk assessment
- (f) proof of age scheme
- (g) CCTV measures including the location of CCTV coverage on plans
- (h) details of entry control systems
- (i) supervision of entrances and machine areas
- (j) location of entrances
- (k) any notices and signage to be displayed

(l) self-exclusion schemes

(m) provision of information leaflets / helpline numbers for Organisations, (e.g. GamCare)

F1.4 Adult Gaming Centres are subject to the Licence Conditions and Codes of Practice which is set by the Gambling Commission. As such, these are issues that the Licensing Authority will not need to consider in determining applications and, in the interests of avoiding duplication of regulation, will focus on premises specific issues.

F1.5 Adult Gaming Centres are the subject of mandatory and default conditions under the Gambling Act 2005 (Mandatory and Default Conditions) Regulations 2007.

Variation of a licence

F1.6 The Licensing Authority recommends that any application to vary an Adult Gaming Centre premises licence includes a full and detailed description of the proposed variation:

(a) where an application is made to vary the layout of the premises, a detailed description of the proposed changes;

(b) where an application is made to add, change or remove a condition on the premises licence, an explanation as to why the amendment is required and appropriate;

(c) where the application can have a bearing on the licensing objectives, the Licensing Authority will expect a revised risk assessment to be provided with the application detailing what measures are in place to mitigate any potential risks.

Advertising of AGC

F1.7 Applicants will be expected to assess the associated risk with advertising the Adult Gaming Centre, the entertainment and/or any gambling activities that are visible from the exterior of the premises, advertised in the local area or advertised to a wider geographical area beyond or the local area. The operator must ensure that advertisements are not placed on or near locations such as schools, community centres, religious or places of worship, homelessness hostels or addiction clinics.

Alcohol Consumption

F1.8 The consumption of alcohol in AGCs is prohibited at any time during which facilities for gambling are being provided on the premises.

Part G. (Licensed) Family Entertainment Centres

G1.1 The Act creates two classes of Family Entertainment Centres (FEC). This section of the policy concerns licenced FECs. Persons operating a licensed FEC must hold a gaming machine general operating licence (Family Entertainment Centre) from the Commission and must seek a premises licence from the Licensing Authority. They will be able to make

category C and D gaming machines available to their customers. Unlicensed FECs provide category D machines only and are regulated through FEC gaming machine permits (see Section N of this policy).

G1.2 This Licensing Authority will specifically have regard to the need to protect children and young persons. Children and young persons will be permitted to enter an FEC and may play on the category D machines. They are not permitted to play on a category C machines, and it is a requirement that there must be clear segregation between the two types of machines, so that children do not have access to category C machines.

G1.3 This licensing authority will refer to the Gambling Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. It will normally impose conditions on granting licences which accord with the above. This licensing authority will also make itself aware of and impose any mandatory or default conditions on these premises licences.

G1.4 This Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:

- Proof of age schemes
- CCTV – this should be of sufficient quality that it will be of use in evidence
- Supervision of entrances/machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- Self-exclusion schemes– these are schemes whereby individuals who acknowledge they have a gambling problem ask to be barred from certain premises
- Provision of information leaflets/helpline numbers for organisations such as GamCare.
- Measures/training for staff on how to deal with suspected truant school children on the premises

G1.5 Licensed Family Entertainment Centres are also the subject of Mandatory Conditions under the Gambling Act 2005 (Mandatory and Default Conditions) Regulations 2007.

Part H. Casino Premises

H1.1 Under the Act, licensing authorities in England and Wales have the role of issuing premises licences for casinos and monitoring those licences. Casino's as with all gambling premises, are subject of dual regulation by the gambling commission, via personal and operating licences and the Licensing Authority, via premises licences. Casinos are subject to the Licence Conditions and Codes of Practice (LCCP) which are set by the gambling commission.

H1.2 New casino premises licences issued under the Act will fall into one of two categories namely large casino premises licence or small casino premises licence. These are subject to separate regulations, involving a two-stage application process, detailed below.

H1.3 There is a third category of casino that is permitted through transitional arrangements under Schedule 18 of the Act, which may be referred to as 1968 Act converted casinos. Most of these casinos fall below the size thresholds of the other two categories. Such casinos may operate as card clubs without offering casino games.

H1.4 The gaming machines permitted to be made available in new casinos are related to the number of gaming tables available for use (SI 2009/1970 The Gambling Act 2005 (Gaming Tables in Casinos) (Definitions) Regulations 2009).

- no more than eight large casino premises licences will be permitted. Large casinos will have a minimum total customer area of 1,500m². This category of casino will be able to offer casino games, bingo and/or betting and up to 150 gaming machines in any combination of categories B1 to D (except B3A lottery machines) provided that a maximum ratio of 5:1 gaming machines to gaming tables is met.
- no more than eight small casino premises licences will be permitted. Small casinos will have a minimum total customer area of 750m². A small casino will be able to offer casino games, betting and up to 80 gaming machines in any combination of categories B1 to D (except B3A lottery machines) provided that a maximum ratio of 2:1 gaming machines to gaming tables is met.

H1.5 Section 7(1) of the Act states that 'a casino is an arrangement whereby people are given an opportunity to participate in one or more casino games'. Casinos games are defined by the Act to mean a game of chance, which is not equal chance gaming. Equal chance gaming is gaming which does not involve playing or staking against a bank, and where the chances are equally favorable to all participants.

Protection of children and young persons

H1.6 No-one under the age of 18 is permitted to enter a casino and operators are required to display notices to this effect at all entrances to a casino. Children and young persons are not allowed to be employed at premises with a casino premises licence.

No Casino resolution

H1.7 This licensing authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should this licensing authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the Full Council.

Casino Premises Licence Applications.

H1.8 The Licensing Authority does not qualify to issue new Casino Premises Licences and does not have any existing venues. The Secretary of State decided the Local Authority areas to be licensed in January 2007 following a lengthy consultation with the Casino Advisory Panel. The final report can be examined here [Casino Advisory Panel](#).

H1.9 Should this Licensing Authority be authorized by the Secretary of State to issue a Casino Premises Licence we may invite applications for a premises licence. The governance of inviting applications is set out at ; [The Gambling \(Inviting Competing Applications for Large and Small Casino Premises Licences\) Regulations 2008](#). The applications may be in the form of an application for a full grant or for the application of a provisional statement. An application for a provisional statement will be treated in the same way as an application for a casino premises licence and may be included in a two stage determination process. If an application for a provisional statement is successful in the process, then it is not necessary for a further two-stage licensing process to be held when a casino premises licence application is eventually made by the operator to whom the statement has been issued.

H1.10 If the Local Authority were to receive more applications than available licences, the act lays down a framework for a two-stage process for considering applications.

Stage one

H1.11 If more applications are received than the number of available licences, this Licensing authority will determine each application on an unlimited availability basis. Each application must be considered separately and no reference made to the other applications received. During this first process each of the other applicants will be classed as an 'Interested Party' and may make representations

H1.12 Stage one will be completed by the provisional grant of the premises licence, which will be disclosed to the applicant and any other parties who made any representations. The provisional decision of the licensing Authority may be appealed.

Stage two

H1.13 Stage two will only apply when the number of provisional grants made under stage one exceeds the number of available casino premises licences. If this is the case the

Licensing authority will grant the applications which in our opinion offers the greatest benefit to the area. There is no right of appeal at stage two.

H1.13 There are mandatory conditions relating to small casinos, large casinos, and converted casinos premises licence which are detailed in section 17 of the guidance.

H1.14 The council in considering any applications would consider whether any potential application would meet the Licensing Objectives policies and any other relevant guidance within this policy.

Part I. Bingo Premises.

I1.1 There are two types of 'Bingo' which have no statutory definition in the act.

- Cash Bingo - Linked directly to the stakes paid in
- Prize Bingo – Various prizes not linked to stakes paid in.

I1.2 Cash Bingo is the main type of bingo played in commercial premises with Bingo as a whole classed as equal chance gaming.

I1.3 Bingo premises, as with all gambling premises, is the subject of dual regulation by the Gambling Commission, via personal and operating licences, and the Licensing Authority, via premises licences. The Gambling Commission, in considering, issuing and maintaining personal and operating licences, considers the operator's suitability and ensures the operator has policies and procedures in place to cover various issues such as anti-money laundering and reporting procedures. Bingo premises are subject to the Licence Conditions and Codes of Practice which are set by the Gambling Commission. As such, these are issues that this Licensing Authority will not need to consider in determining applications and, in the interests of avoiding duplication of regulation, will focus on premises specific issues.

Prize Bingo

I1.4 As well as commercial bingo premises, bingo can be found in other gambling premises. Prize bingo is traditionally a game played in arcades, especially seaside amusement arcades. Operators wishing to offer prize Bingo will be subject to allowances for prize gaming in the act regarding participation fees and prizes. Adult Gaming Centres, licensed and unlicensed Family Entertainment Centres, travelling fairs, (or any premises with a prize gaming permit) are able to offer prize gaming, which includes prize bingo.

I1.5 In this form of gaming, the nature of the prize must not be determined by reference to the number of people playing the game and the nature or the size of the prize must not be determined by reference to the amount paid for or raised by the gaming.

Gaming Machines at Bingo Premises

11.6 A Bingo premises licence permits the holder to make an unlimited number of gaming machines available for use. Of the total number, up to 20% of the gaming machines can be category B3 or B4 gaming machines and the remainder are limited to category C or D gaming machines. If the premises held a Bingo premises licence prior to 13 July 2011, the holder can provide either up to eight B3 or B4 gaming machines or up to 20% of the total number of gaming machines, whichever number is greater.

11.7 The gaming machines must remain within the licensed area covered by the premises licence. In the unusual circumstances that an existing bingo premises covered by one premises licence applies to vary the licence and acquire additional bingo premises licences (so that the area that was the subject of a single licence will become divided between a number of separate licenced premises) is not permissible for all the gaming machines to which each of the licence brings an entitlement to be grouped together within one of the licensed premises.

Control of where gaming machines may be played (Bingo)

11.8 Unless a bingo premises operator offers substantive facilities for non-remote Bingo it should not make gaming machines available for use on the premises. The current regulations prescribes that all category B gaming machines may only be made available in licensed gambling premises and not in locations which may prompt more ambient gambling such as pubs. Clear gambling venue identity allows individuals to make a clear choice if they wish to enter.

11.9 This Licensing Authority will take a high regard to the relevant codes of practice on 'controlling where gaming machines may be played under section 153 of the Gambling Act 2005. We will not operate a 'one size fits all' when regarding how a Bingo premises should look and function, ensuring the premises licensed for Bingo is actually functioning as such and not illegally offering higher stake and prize gaming machines.

Protection of children and young persons.

11.10 Bingo premises can employ 16 and 17 year olds at the premises provided their duties are not connected with the gaming or gaming machines. Operators will need to demonstrate in any application how they will adhere to the third licensing objective of protecting children from gambling-related harm. Such measures should form part of the risk assessment.

11.11 Children can access bingo premises but are not permitted to participate in bingo games or access areas containing category B or C gaming machines. Operators will need to demonstrate policies and procedures at the premises which ensure that the operation will not impact upon the third licensing objective of protecting children from being harmed or exploited by gambling.

Age Verification

i1.12 Premises licence applicants at a minimum must demonstrate that they have an age verification policy in place for the premises, that meets the Licensing Objective and any guidance in this policy. Operators should consider age verifications schemes and methods of recording any refusals.

Default Conditions.

I1.13 Bingo premises are also the subject of mandatory and default conditions under the Gambling Act 2005 (Mandatory and Default Conditions) Regulations 2007.

Bingo facilities in Bingo premises may not be offered between the hours of midnight and 09:00hours. However, there are no hourly restrictions on access to gaming machines in Bingo premises. Default conditions can be removed and or varied

Bingo in clubs and alcohol-licensed premises

I1.14 As mentioned Bingo is a classed as equal chance gaming permitted on alcohol-licensed premises, clubs, miners and welfare institutes, under the allowances for exempt gaming in Part 12 of the Act, there are regulations setting controls on this form of gaming, to ensure that it remains low stakes and prize activity.

I1.15 Where the level of bingo played in these premises reaches £2,000 in any seven day period either in money or prizes awarded in an annual period, there is a legal duty on the Licensee or club to inform the Commission as soon as is reasonably practicable. Stakes or prizes above that limit will require bingo operators' licence and corresponding personal and premises licence. The aim of these provisions is to prevent bingo becoming a predominant commercial activity on such non-gambling premises.

Part J. Betting Premises

J1.1 The Act contains a single class of licence for betting premises although within this, there are different types of premises which require licensing. Betting Premises allow for gambling which can take place other than at a race track. (Please note there are betting offices on tracks which will have a separate licence to the track.)

J1.2 The Act also permits betting intermediaries to operate from premises. S.13 of the Act defines a betting intermediary as a person who provides a service designed to facilitate the making or acceptance of bets between others. A betting intermediary can apply for a betting premises licence to offer intermediary services upon the premises, such as a premises based trading room.

Gaming Machines

J1.3 Betting premises will be able to provide up to four gaming machines of category B, C or D. Regulations state that category B machines at betting premises are restricted to sub-category B2, B3 and B4 machines.

Self-service betting terminals, SSBT's.

J1.4 S.235(2)(c) provides that a machine is not a gaming machine if it is designed or adapted for use to bet on future real events. Some betting premises may make available machines that accept bets on live events, such as horse racing, as a substitute for placing a bet over the counter. These SSBTs are not gaming machines and therefore neither count towards the maximum permitted number of gaming machines, nor have to comply with any stake or prize limits. SSBTs merely automate the process that can be conducted in person and the Act exempts them from regulation as a gaming machine.

J1.5 However, where a machine is made available to take bets on virtual races (that is, results and/or images generated by computer to resemble races or other events) that machine is a gaming machine and counts towards the maximum permitted number of gaming machines, and must meet the relevant category limitations for the premises.

J1.6 The Gambling Commission's current view is that SSBT's is a form of remote communication and that an operator will have to apply for a remote licence, if SSBT's are used to facilitate the making or accepting of bets by others.

J1.7 Applicants should be aware of section 181 of the act which contains an express power for any licensing authorities to restrict the number of SSBTs, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence or to a casino premises licence.

Controlling where gaming machines may be played.

J1.8 Gambling Operators should be mindful of the following,

- non-remote gambling should be confined to dedicated gambling premises
- the distinctions between different types of licensed gambling premises are maintained
- gambling activities are supervised appropriately
- within casino, bingo and betting premises, gaming machines are only made available in combination with the named non-remote activity of the operating licence

J1.9 Category B gaming machines may only be made available in licensed gambling premises and not in locations which may prompt more ambient gambling such as pubs.

Protection of children and young persons

J1.10 Children and young persons are not permitted to enter premises with a betting premises licence, although exemptions apply to tracks.

Default conditions attached to betting premises licence:

The full set of conditions are contained within parts 1 and 2 of Schedule 5 of the Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007.

Part K. Tracks

K1.1 S.353 of the Act defines a track as a horse racecourse, greyhound track or other premises on any part of which a race or other sporting event takes place or is intended to take place.

K1.2 Applications for a provisional statement or new betting track premises licence or to vary an existing betting track licence will generally be granted subject to:

- The application and proposed operation meeting the requirements of the Gambling Commissions Licence Conditions and Codes of Practice and Guidance to Licensing Authorities.
- Premises plan to a scale with sufficient detail. (discussed at point E1.7)
- The application and proposed operation meet the criteria and considerations within this policy at points D1, D2 and D3.
- The applicant having undertaken an assessment of the local area risks as defined within Risk Assessment Policy C1..
- The applicant meeting the requirements of the other relevant policies within this section.

K1.3 Only one premises licence can be issued for any particular premises at any time unless the premises are a 'track'. A track is a site or venues where sporting events do or could take place, and accordingly could accommodate the provision of betting facilities.

Examples of a track include:

- A horse racecourse (racecourses)
- A greyhound track
- A point-to-point horserace meeting
- Football, cricket and rugby grounds
- An athletics stadium
- A golf course
- Venues hosting darts, bowls, or snooker tournaments
- A premises staging boxing matches
- A section of river hosting a fishing competition
- A motor racing event

K1.4 The list is not exhaustive as in theory, betting could take place at any venue where a sporting or competitive event is occurring. While many of these venues are not commonly understood to be 'tracks', they fall within the definition of 'track' in the Act.

K1.5 All tracks will require a primary 'general betting premises licence' that the track operator will hold. It should be noted that track operators do not require an operating licence from the Gambling Commission although they may apply for one. This is because the various other gambling operators offering betting at the track will each hold an operating licence.

K1.6 Tracks may also be subject to one or more premises licences, provided each licence relates to a specified area of the track.

K1.7 A track premises licence permits the premises to be used for the provision of facilities for betting, but does not permit the licence holder to provide casino, bingo or other types of gambling on tracks, as these activities must be the subject of separate premises licences.

On-course betting

K1.8 The on-course betting operator is one who comes onto the track, temporarily, while races or sporting events are taking place. On-course betting operators tend to offer betting only on the events taking place on the track, that day.

Off-course betting

K1.9 Off-course betting operators are typically those who provide betting facilities from betting premises such as those found on the high street. In addition to such premises, betting operators may operate self-contained betting premises or designated areas such as a row of betting kiosks within the track premises.

Gaming Machines

K1.10 A track premises licence does not of itself entitle the holder to provide gaming machines, as this type of premises licence can be held without any corresponding operating licence.

K1.11 However, by virtue of s.172(9) of the Act, track owners holding both a track premises licence and a pool betting operating licence issued by the Commission (currently only greyhound tracks), may site up to four gaming machines within categories B2 to D on the track.

K1.12 The provision of off-course betting facilities is generally conducted in reliance on the track premises licence held by the occupier of the track and consequently the off-course operator is prohibited from making any gaming machines available for use unless they hold a separate betting premises licence in relation to part of the track.

K1.13 Some tracks will also hold an alcohol licence and as such they will be automatically entitled under s.282 of the Act to two gaming machines of category C or D. This permission is activated by notifying the licensing authority and paying the required fee

K1.14 Applications for licensed premises gaming machine permits to allow more than two gaming machines are not permitted where the gambling premises are, or are part of, premises already covered by a premises licence including a betting premises licence in respect of a track

K1.15 Children and young persons can play category D gaming machines on a track, but are not allowed to play other categories of machine.

Protection of children and young people

K1.16 Persons under 18 years old are not permitted to enter premises when betting facilities are being provided, other than at tracks. This dispensation allows families to attend premises such as greyhound tracks or racecourses on event days, and children to be permitted into areas where betting facilities are provided, such as the 'betting ring', where betting takes place.

K1.17 The exemption allowing children access to betting areas on tracks does not extend to areas within a track where category C or above machines are provided, or other premises to which under 18 year olds are specifically not permitted access.

K1.18 As under-18s are permitted to enter betting areas on track event days, The Commission has attached a condition to all pool betting operating licences that the operator must:

- Have and put into effect policies and procedures designed to prevent underage gambling
- Monitor the effectiveness of these.

K1.19 This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. This licensing Authority will place an emphasis on the third Licensing Objective '*The Protection of Children and Vulnerable Persons from being Harmed or Exploited*'.

K1.20 This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons

Display of rules

K1.21 It is a mandatory condition of premises licences that clear and accessible information about the terms on which a bet may be placed must be displayed at betting premises, including tracks. The rules should be made available at suitable central locations. The track premises licence holder should make the necessary arrangements to ensure that betting rules are accessible to all customers, regardless of which area of the track they are in.

K1.22 This authority appreciates it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on the track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the “five times rule” (commonly known as betting rings) must be indicated on the plan (See Guidance, para 20.46).

Part L. Travelling Fairs

L1.1 This licensing authority is responsible for deciding whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

L1.2 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair:

For the purposes of this Act –

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

a fair held on a day in a calendar year is a “travelling fair” if provided - wholly or principally by persons who travel from place to place for the purpose of providing fairs, and

At a place no part of which has been used for the provision of a fair on more than 27 days in that calendar year. It is noted that the 27-day statutory maximum for the land being used as a fair, applies on a calendar year basis, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

Part M. Small Society Lottery Licences,

M.1.1 Any raffles where the tickets are sold on the same day and the same event where the draw is made would be considered to be incidental non-commercial lotteries and exempt from this process.

Operating a Lottery

M1.2 The purpose of a small society lottery is to raise money for causes that are non-commercial. These causes must be related to the purpose of the charity.

M1.3 The Gambling Act 2005 (the Act) requires that a minimum proportion of the money raised by the lottery is channeled to the goals of the society that promoted the lottery. The limits placed on small society lotteries are as follows:

- a) 20% of the proceeds must go to the purposes of the society.
- b) The maximum prize is £25,000.
- c) The proceeds of each lottery are under £20,000
- d) The aggregate of the proceeds each calendar year is under £250,000.
- e) Rollovers are only permitted where every lottery affected is a small society lottery promoted by the same society and the maximum single prize is £25,000.

Tickets

M1.4 Lotteries may involve the issuing of physical or virtual tickets to participants (a virtual ticket being nonphysical, such as an email or a text). When a person purchases a ticket, he must also receive a document which:

- (a) Clearly identifies the promoting society;
- (b) states the price of the ticket;
- (c) states the name and address of the promoter, or external lottery manager; and
- (d) either states the date of the draw, or enable the date of the draw to be determined.

M1.5 This information could be printed on the ticket, or the rear of the ticket, or sent electronically in such a way as the person can save the information or print it out.

M1.6 The price payable for each ticket must be the same and must be paid to the promoter before the person is given the ticket. Membership into a small lottery must not be dependent on making any payment other than the price of the ticket. There is no limit on the price of the ticket.

M1.7 The Act Requires that lottery tickets may only be sold by persons that are aged 16 years or over to another person who must also be over the age of 16 years of age.

M1.8 Lottery tickets must not be sold to another person in the street. Tickets may however be sold in the street from a solid structure such as a kiosk. Tickets may be sold door to door.

Prizes

M1.9 Prizes can be awarded as cash or as a non-monetary fund.

Refusal of an application

M1.10 An application for a Small society Lottery Licence maybe refused for any of the following reasons'

- An operating licence held by the applicant for registration has been revoked or an application for an operating licence made by the applicant for registration has been refused, within the past five years.
- The society in question cannot be deemed non-commercial.
- A person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence, listed in Schedule 7 of the Act.
- Information provided in or with the application for registration is found to be false or misleading.

M1.11 In the event of an application being rejected, the applicant will be invited to make representations within 28 days from the date the notice was issued. The Licensing Authority will also give notice to the gambling commission inviting them to make representation within 14 days from the date the notice was given. If representations are received all parties will be invited to attend a Licensing Sub-Committee hearing.

Revocation.

M1.12 This Licensing Authority may determine to revoke the registration of a society if it thinks that they would have had to, or would be entitled to, refuse an application for registration if it were being made at that time. The Society will be allowed to make representations.

Appeals to the decision.

M1.13 Following the conclusion of any hearings and receipt of representations, paragraph 51 of Schedule 11 of the Act then requires this authority to notify the applicant or the society as soon as possible if their registration is still to be revoked, or if their application for registration has still been rejected.

M1.14 The applicant or society may decide to make an appeal against the decision, and has 21 days following receipt of the notice of the decision to lodge an appeal, which must be made directly to the local Magistrates.

Part N. Permits/Temporary & Occasional Use Notice

Unlicensed Family Entertainment Centre Gaming Machine Permits.

N1.1 Family Entertainment Centres (FECs) are commonly located at seaside resorts, in airports and motorway service stations, and cater for families, including unaccompanied children and young persons. The machines must be in a designated area.

N1.2 Unlicensed FECs are able to offer only category D machines in reliance on gaming machine permit. Any number of category D machines can be made available with such permit subject to other considerations, such as fire regulations and health and safety. Permits cannot be issued in respect of vessels or vehicles.

N1.3 If the operator of a Family Entertainment Centre wants to make category C machines available in addition to category D machines, the operator will need to apply for a gaming machine general operating licence (Family Entertainment Centre) from the Commission and a premises licence from the Licensing Authority.

N1.4 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the Licensing Authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (s238 of the Act).

N1.5 The Act states that a Licensing Authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 24. The Gambling Commission's Guidance also states "In its statement of policy, a licensing authority may include a statement of principles that it proposes to apply when exercising its functions in considering applications of permits. In particular it may want to set out the matters that will take into account in determining the suitability of the applicant. Given that the premises is likely to appeal particularly to children and young persons, licensing authorities may wish to give weight to matters relating to protection of children from being harmed or exploited by gambling and to ensure that staff supervision adequately reflects the level of risk to this group." (para, 24.6). A plan for unlicensed FEC's will be submitted.

N1.6 The Guidance states: "... An application for a permit may be granted only if the Licensing Authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application. Licensing Authorities might wish to consider asking applications to demonstrate:

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

N1.7 It should be noted that a Licensing Authority cannot attach conditions to this type of permit.

N1.8 This Licensing Authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures/training for staff as regards suspected truant school children on the premises, measures/training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on/around the premises.

N1.9 This Licensing Authority will also expect, as per Gambling Commission Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant has no relevant convictions (Schedule. 7 of the Act) and that staff are trained to have a full understanding of the maximum stakes and prizes.

(Alcohol) Licensed Premises Gaming Machine Permits.

N1.10 Automatic entitlement: up to 2 machines - There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The operator of the premises merely needs to notify the Licensing Authority and pay the prescribed fee. The Licensing Authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (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.

N1.11 Permit: 3 or more machines - If the operator of alcohol licensed premises wishes to have more than 2 machines, then an application must be made for a permit and the Licensing Authority must consider that application based upon the licensing objectives, any

guidance and code of practice issued by the Gambling Commission issued under Section 24 & 25 of the Gambling Act 2005, and “such matters as they think relevant.”

N1.12 This Licensing Authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines.

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

N1.13 This Licensing Authority recognises that some operators of alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

N1.14 The Licensing Authority may decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

N1.15 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.

Prize Gaming Permits.

N1.16 The Gambling Act 2005 states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority proposes to consider in determining the suitability of the applicant for a permit”.

N1.17 This Licensing Authority has prepared a Statement of Principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should demonstrate:

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

N1.18 Prize gaming may be provided in bingo premises as a consequence of their bingo operating licence. Any type of prize gaming may be provided in Adult Gaming Centres and licensed Family Entertainment Centres. Unlicensed family entertainment centres may offer equal chance prize gaming under a gaming machine permit. Prize gaming without a permit may be provided by travelling fairs, providing that none of the gambling facilities at the fair

amount to more than an ancillary amusement. Children and young people may participate in equal chance gaming only.

N1.19 In making its decision on an application for this permit the Licensing Authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance (Schedule. 14 para. 8(3) of the Act).

N1.20 It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the Licensing Authority cannot attach conditions. The conditions in the Act are:

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

Club Gaming and Club Machines Permits.

N1.21 Members Clubs and Miners' Welfare Institutes (but not Commercial Clubs) may apply for a Club Gaming Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B3A, B4, C or D), equal chance gaming and games of chance.

N1.22 Members Clubs and Miner's Welfare Institutes – and also Commercial Clubs – may apply for a Club Machine Permit. A Club Machine Permit will enable the premises to provide gaming machines (up to 3 machines of categories B, C or D). N.B. Commercial Clubs may not site category B3A gaming machines offering lottery games in their club.

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

25.44 The licensing authority has to satisfy itself that the club meets the requirements of the Act to obtain a Club Gaming Permit. In doing so it will take account of a number of matters outlined in sections 25.45-25.47 of the Gambling Commission's guidance. These include the constitution of the club, the frequency of gaming, and ensuring that there are more than 25 members. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations".

The club must be conducted 'wholly or mainly' for the purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs.

N1.23 The Guidance also states that licensing authorities may only refuse an application on the grounds that:

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

N1.24 There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule. 12 paragraph 10). As the Gambling Commission's Guidance for local authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced." and "The grounds on which an application under the process may be refused are:

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

N1.25 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

Temporary Use Notices (TUN)

N1.26 The Gambling Act 2005 enables the holder of an operating licence to give a Temporary Use Notice in respect of premises to a Local Authority. They are often used to run poker tournaments for example. The TUN authorises the premises to lawfully be used for short periods to provide facilities for gambling without the appropriate premises licence, normally expected.

Restrictions.

N1.27 The Act under sets out restrictions on the type of gambling to be offered under a TUN. These restrictions are:

- It can only be used to offer gambling of a form authorised by the operator's operating licence, and consideration should therefore be given as to whether the form of gambling being offered on the premises will be remote, non-remote, or both
- Gambling under a TUN may only be made available on a maximum of 21 days in any 12 month period for any or all of a named set of premises
- It can only be used to permit the provision of facilities for equal chance gaming, and where the gaming in each tournament is intended to produce a single overall winner
- Gaming machines may not be made available under a TUN.

Procedure

N1.28 The holder of the operating licence must give notice to the Licensing Authority in whose area the premises are situated. The Secretary of State has prescribed the form of the notice which must specify information including:

- The type of gaming to be carried on
- The premises where it will take place
- The dates and times the gaming will take place
- Any periods during the previous 12 months that a TUN has had effect for the same premises.
- The date on which the notice is given
- The nature of the event itself.

N1.29 A TUN must be lodged with the Licensing Authority not less than three months and one day before the day on which the gambling event will begin. The application, fee and counter- notices are specified by the Secretary of State. The application must be copied to:

- The Commission
- The Police
- HM Commissioners for Revenue and Customs
- If applicable, any other Licensing Authority in whose area the premises are situated.

Objections.

N1.30 If no objections are made within 14 days of the date of the notice, the Licensing Authority must endorse the notice as valid and return it to the person who gave it. If the endorsed copy of the notice is lost, stolen or damaged, the person who gave the notice may request a new endorsed copy from the Licensing Authority, subject to a payment of a fee.

N1.31 The Licensing Authority and other responsible authorities must have regard to the Licensing objectives and if they consider that the gambling should not take place, or if only with modifications, they must give notice of an objection to the person who applied for the TUN. Such a notice must be copied to the Licensing Authority (unless it is given by the Licensing Authority).

N1.32 The Licensing Authority will give a notice of objection within 14 days of the date of the TUN. This Licensing Authority will adhere to the Gambling Act procedures to ensure that such notices are considered without delay so that, where appropriate, the opportunity to lodge an objection is not missed.

N1.33 Where the Licensing Authority receives an objection notice, it must send a written acknowledgement as soon as reasonably practicable to the applicant. A written acknowledgement may include one sent by electronic mail.

N1.34 An objection may be withdrawn by giving written notice to those to whom the notice of objection was sent and copied.

N1.35 Where the premises are situated in the area covered by more than one authority, the person giving an objection notice must send the notice to one authority and copy to the other(s).

N1.36 As notices may be given by different operators in respect of the same premises, the Licensing Authority will always check whether a counter-notice is appropriate.

Counter notices.

N1.37 If the premises have been the subject of one or more TUN for more than a total of 21 days in the past 12 months, the Licensing Authority will issue a counter-notice that has the effect of stopping the TUN coming into effect. Failure to comply with the counter-notice will be an offence. The Licensing Authority may issue a counter-notice which limits the number of days that the TUN comes into effect, bringing it within the 21-day limit. Such counter-notices require consultation with the applicant to ensure that the restrictions they impose do not result in an unworkable event.

N1.38 If the Licensing Authority gives a counter-notice, it must give reasons for doing so and must copy the counter-notice to all those who receive copies of the TUN.

N1.39 If the Licensing Authority decides not to issue a counter-notice, the TUN will take effect. The Authority must give notice of its decision to the person who gave the TUN and others to whom it was copied.

Modification

N1.40 Those who raise objections may offer modifications to the notice that will alleviate their concerns. Remedies may include a reduction in the number of days when gambling occurs or a restriction on the type of gambling is permitted. If the modifications are accepted by the applicant, a new TUN must be prepared and the original notice withdrawn. The three-month time limit and fee will not apply to the new notice. The person who made the original objection and proposed the modification may not object to the new notice, but others whom it is copied may object. If there are no new objections, there will be no need for a hearing.

Where a Temporary User Notice May be Held.

N1.41 The same set of premises may not be the subject of a TUN for more than 21 days in any 12 month period, but may be the subject of several notices provided that the total does not exceed 21 days.

N1.42 A notice may not be given in respect of a vehicle. A notice may be given in respect of a vessel, but only if it is a passenger vessel or a vessel that is situated at a fixed place. A vessel at a fixed place would include a structure on water that is not intended to be able to move (such as an oil rig, or an artificially constructed island in the middle of a lake).

N1.43 It is an offence not to produce the notice endorsed by the authority when request to do so by a constable, an officer of HM Revenue and Customs, an enforcement officer, or an authorised local authority officer.

Hearings to determine.

N1.44 If objections are received, the Licensing Authority must hold a hearing to listen to representations from the person who gave the TUN, all the objectors and any person who was entitled to receive a copy of the notice. If all the participants agree that a hearing is unnecessary, it may be dispensed with.

N1.45 If the Licensing Authority, after a hearing has taken place or has been dispensed with, considers that the TUN should not have effect, it must issue a counter-notice which may:

- Prevent the TUN from taking effect
- Limit the activities that are permitted
- Limit the time period of gambling
- Allow the activity to take place subject to a specified condition.

Appeal process.

N1.46 An appeal against the Licensing Authority's decision may be made by the applicant, or any person entitled to receive a copy of the TUN, to the Magistrate's Court within 21 days of receiving notice of the Licensing Authority's decision. There is a further right of appeal to the High Court on a point of law. Appeals are discussed in further detail in chapter P.

Right to withdraw TUN application

N1.47 The person who gives a TUN may notify the authority that it is withdrawn at any time up to and during the time it has effect. In those circumstances the notice will have no effect, and any un-lapsed period of time will not count towards the 21-day maximum for a TUN having effect on the premises. While the gambling is taking place, a copy of the TUN must be displayed prominently on the premises.

Occasional Use Notices (OUN).

N1.48 Section 38 of the Act provides that where there is betting on a track on eight days or less in a calendar year, betting may be permitted by an OUN without the need for a full premises licence.

N1.49 While tracks are normally thought of as permanent racecourses, it should be noted that the meaning of 'track' in the Act covers not just horse racecourses or dog tracks, but also any other premises on any part of which a race or other sporting event takes place, or is intended to take place (section 353(1)).

N1.50 This means that land which as a number of uses, one of which fulfils the definition of track, can qualify for the OUN provisions (for example agricultural land upon which a point-to – point meeting takes place). Land used temporarily as a track can qualify, provided races or sporting events take place or will take place there. The track need not be a permanent fixture.

N1.51 The intention behind OUN is to permit licensed betting operators (with appropriate permission from the Commission) to use tracks for short periods for conducting betting, where the event upon which the betting is to take place is of a temporary, infrequent nature. The OUN dispenses with the need for a betting premises licence for the track in these circumstances.

N1.52 OUN may not be relied upon for more than eight days in a calendar year. Note that the requirement relates to a calendar year (starting 1 January) and not to any period of 12 months. The Secretary of State has the power to increase or decrease the number of OUN that are permitted, but there are currently no plans to use this power.

N1.53 This Licensing Authority keeps a record of the number of notices served in relation to each track.

N1.54 A notice must be served by a person who is responsible for the administration of events on the track or by an occupier of the track. The notice be served on the Licensing Authority and copied to the Chief Officer of Police for the area in which the track is located. The notice must specify the day on which it has effect. Notices may be given in relation to consecutive days, so long as the overall limit of eight days is not exceeded in the calendar year.

N1.55 Provided that the notice will not result in betting facilities being available for more than eight days in a calendar year, there is no provision for counter-notices or objections to be submitted.

N1.56 The Act does not require the applicant or the Licensing Authority to notify the Commission that an OUN has been given. However the Commission does require Licensing Authorities to submit returns showing how OUN may were received during each quarter.

N1.57 It should be noted that betting operators cannot provide gaming machines at tracks by virtue of an OUN. Gaming machines may be made available by betting operators and this is reliant on a betting premises licence, which refers to a specific licensed area, but does not enable the operator to site gaming machines outside of that area.

Part O. Provisional Statements.

O1.1 Developers may wish to apply to this authority for provisional statement before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

O1.2 S204 of the Act provides for a person to make application to the licensing authority for a provisional statement in respect of premises that he or she:

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

O1.3 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

O1.4 In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

O1.5 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from responsible authorities or interested parties can be taken into account unless they:

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

O1.6 In addition the licensing authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

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

- Where the premise has not been constructed in accordance with the plan submitted with the application.
This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

Part P. Rights of appeal and judicial review – Premises Licences.

P1.1 This section deals only with appeals relating to premises licensing and other decisions by the Licensing Authority.

Providing reasons for our decisions.

P1.2 In many cases, it is a requirement of the Act that Licensing Authority gives clear and comprehensive reasons for rejection of an application. For clarity and transparency the Licensing Authority must give reasons for all its decisions (see section 165 of the act, which also applies in relation to other applications under Part 8 of the Act). A failure to give reasons may compel a person to appeal, and may suggest that the Licensing Authority did not make its decision with regard to all the information that it should have regard to, and in line with its obligation under section 153 of the act.

P1.3 The avenues of appeal against decisions the Licensing Authority are set out in sections 206 & 209 in Act. The below table identifies who can appeal different types of premise licence decisions.

Type of decision	Section of act	Who may appeal
Decision to reject an application for a premises licence or to vary a premises licence, or an application for a provisional statement.	s.165, s.187 & s.188	The applicant
Decision to grant an application for a premises licence or to vary a premises licence, or an application for a provisional statement.	s.165, s.187 & s.188	The applicant. Any Person who made representations on the application
Decision to take action or to take no action following a review	s.202	The applicant. Any Person who made representations on the application. The person, if any, who applied for the review. The commission.

Type of decision	Section of act	Who may appeal
A decision to take action or make a determination in relation to a transfer application	s.188(4) or (5)	The Licencee. The applicant for transfer.

P1.4 It does not automatically follow that the person who made the representations will be appellant. It could be the licensee who is appealing, because he or she considers conditions attached to the licence too onerous. Similar arrangements will apply in appeals against a decision not to take action following a review, and in relation to the grant of temporary use notices. The Licensing Authority will choose who it has as its witness.

How to appeal.

P1.5 To begin the process the appellant must give notice of their appeal within 21 days of their having received notice of the relevant decision. During that period, and until any appeal that has been brought has been finally determined, a determination or other action by the Licensing Authority under Part 8 of the Act will not have effect unless the authority so directs (see section 208 of the Act).

Who to appeal to.

P1.6 Any appeal against the Licensing Authority is made to the Magistrates court. Your local Magistrates Court can be found at <https://courtribunalfinder.service.gov.uk/search/>

P1.7 An appeal has to be commenced by giving of a notice of appeal by the appellant to the local magistrate's court within a period of 21 days, beginning with the day on which the appellant was notified by the Licensing Authority of the decision being appealed.

P1.8 It should be noted that unless he or she is the appellant, the licence holder or a person who has made an application for:

- A licence
- The transfer or reinstatement of a licence
- A provisional statement.

Is a respondent in any appeal, in addition to the Licensing Authority.

Determination and appeal outcomes.

P1.9 On determining an appeal, the court may:

- Dismiss the appeal
- Substitute the decision appealed against with any other decision that could have been made by the Licensing Authority

- Remit the case to the Licensing Authority to dispose of the appeal in accordance with the direction of the court.

Provisional statements.

P1.10 A provisional statement can be refused on exactly the same grounds as a premises licence. The applicant may appeal against the rejection of an application of a provisional statement under section 206(1); and a person who made representations or the applicant may appeal against the grant of an application.

Permits.

P1.11 The process of appeals in respect of permits is different to that for premises licences and is set out in the following Schedules of the Act:

- Schedule 10 – Family entertainment centre gaming machine permits (further explained in paragraphs 12.16 – 12.17 of the guidance).
- Schedule 11 (Parts 4 and 5) – Small society lotteries (further explained in paragraphs 12.18 – 12.19 of the guidance).
- Schedule 12 – Club gaming permits and club machine permits (further explained in paragraphs 12.20 – 12.26 of the guidance).
- Schedule 13 – Licensed premises gaming machine permits (further explained in paragraphs 12.27 – 12.28 of the guidance).
- Schedule 14 – Prize gaming permits (further explained in paragraphs 12.29 – 12.30 of the guidance).

Temporary use notices.

P1.12 Appeals in relation to temporary use notices are detailed with in section 226 of the Act. This section grants the right to appeal to the magistrates' court to both the applicant and any person entitled to receive a copy of the notice (that is the Commission, local chief of police and HM Revenue and Customs). Appeals must be made within 21 days of receiving the notice of the Licensing Authority's decision. If the appeal is against the decision of the authority not to issue a counter-notice, then the person giving notice must be joined with the Licensing Authority as a respondent in the case.

P1.13 The magistrates' court may take the following action: dismiss the appeal, direct the authority to take specified action, remit it back to the authority to decide in accordance with a decision of the court, and make an order for costs. It should be noted that if the decision is remitted to the authority, the same rights of appeal will apply as for the original decision.

P1.14 There is no stay of proceedings in relation to temporary use notices (as there are in relation to applications under Part 8 of the Act). However, the time limits are such that the

Commission would expect proceedings on appeal to be heard before the temporary use notice would otherwise take effect.

Judicial review.

P1.15 Any party to a decision may apply for judicial review if they believe that the decision taken by the Licensing Authority is:

- Illegal – that is beyond the powers available to the Licensing Authority
- Subject to procedural impropriety or unfairness – which is failure in the process of reaching the decision, such as not observing the ‘rules of natural justice’
- Irrational – where a decision is so unreasonable that no sensible person could have reached it (in effect ‘perverse’ or ‘Wednesbury’ unreasonable).

P1.16 For an application to succeed, the application must show that:

- The applicant has sufficient standing to make that claim
- The actions of the reviewed Licensing Authority give grounds for review.

P1.17 But the remedy is a discretionary one and the Court may decline judicial review if, for example, it considers that the applicant has an alternative remedy which is more appropriate to pursue, such as right of appeal, or has a private law claim against the defendant.

P1.18 The applicant can ask the Court to grant a number of orders. A mandatory order compels the reviewed body to do something; a prohibitory order compels it to refrain from doing something; a ‘declaration’ sets out the court’s view on the legality of particular course of action, the applicant can seek an injunction which is, in practice, similar to a mandatory or prohibitory order.

Part Q. Gambling Commission.

Q1.1 The Gambling Commission regulates gambling in the public interest. It does so by keeping crime out of gambling; by ensuring that gambling is conducted in a fair and open way; and by protecting children and vulnerable people. The Commission provides independent advice to the Government about the matter in which gambling is carried out, the effects of gambling and the regulations of gambling generally.

Q1.2 The Commission has issued guidance under Section 25 of the Act about the manner in which licensing authorities exercise their licensing functions under the Act and, in particular, the principles to be applied.

Q1.3 The Commission has also issued Codes of Practice under Section 24 about the way in which facilities for gambling is provided, which may also include provisions about the advertising of gambling facilities.

The Gambling Commission can be contacted at: Gambling Commission
Victoria Square House Victoria Square Birmingham
B2 4BP
Website: www.gamblingcommission.gov.uk Email: info@gamblingcommission.gov.uk

Part R. Covid-19 Safety In Gambling Premises.

The Gambling Commission has set out three clear strategies that it expects all operators and businesses to adhere to in the light of the Covid-19 Pandemic. This authority fully supports those strategies and will work with the Commission on every occasion when a risk to the Licensing Objectives is identified.

R1.1 Consumer protection must be paramount:

- A strong expectation that you will act responsibly, especially around individual customer affordability checks and increased social responsibility interactions
- Be very mindful that customers may be vulnerable and experiencing financial uncertainty, whilst others may be experiencing other effects of being isolated including, for example, feelings of anxiety, loneliness or boredom
- Get to know your customers and step in if they are showing signs that they are experiencing or at risk of harm.

R1.2 Marketing must be conducted responsibly.

- You must on-board new customers in a socially responsible way
- You must not exploit the current situation for marketing purposes and should be very cautious when seeking to cross-sell online gaming products to customers who signed up with you in order to bet
- We expect you to ensure that your affiliates are conducting themselves appropriately.

R1.3 Compliance with licence conditions and codes of practice

- We expect you to act in a way that minimises the risks to the licensing objectives
- Treat consumers fairly and communicate with them in a clear way that allows them to make a properly informed judgment about whether to gamble.
- Work with the Commission in an open and co-operative way and act in accordance with both the letter or the spirit of the regulatory framework we have set

R1.4 If you have information or concerns about the behaviour of an operator then call our Confidential Intelligence Hotline .

Health and Sustainability Impact Assessment Form

THE GAMBLING ACT 2005 – STATEMENT OF
GAMBLING LICENSING POLICY



Environment and health

Greenhouse gas emissions

SLDC's aim is to be carbon neutral by 2030: How will your proposal affect greenhouse gas emissions?

Consider:

Energy saving, for example preventing unnecessary use of energy - reducing use of appliances or cutting down on journeys that are not required.

Improving energy efficiency - ensures that the maximum benefit is gained from energy that is used. For example energy is not wasted or lost through insulation, heating the right areas and efficient lighting.

Renewable generation for example using renewable resources, such as wind, sunlight, rainwater.

Minimising emissions from transport.

Response:

Neutral Impact on Greenhouse gas emissions. The Statement of Gambling Policy sets out the basis on which decisions under the Gambling Act 2005 will be made and strives to achieve a local balance between the commercial interest of the licensed gambling community and the people that use those premises. There is no mechanism within the Act, or the latest statutory guidance to Local Authorities (dated, April 2021) which would enable SLDC to address greenhouse gas emissions through this policy.

Alternative ways to deliver proposal

Please show how you are addressing alternative ways of delivering your proposal with a reduced or zero requirement for energy, building space, materials or travel

How are you using the waste/energy hierarchy – 1) avoid, 2) reduce, 3) reuse?

Response:

Neutral Impact. There is no mechanism within the Act, or the Statutory guidance, which would enable SLDC to deliver this policy in an alternative way.

Air quality

Please demonstrate how your project will have an impact on air quality.

Response:

Neutral Impact. The policy would not impact on air quality.

Biodiversity

Please outline any impacts on biodiversity that your proposal might have

“To halt overall biodiversity loss, support healthy well-functioning ecosystems and establish coherent ecological networks, (create) more and better places for nature for the benefit of wildlife and people”: Biodiversity 2020: A strategy for England’s wildlife and ecosystem services, DEFRA.

Response:

Neutral Impact.

Climate change impact

How does your proposal mitigate the impacts of climate change?

Assess the risks and impacts associated with climate change (extreme weather events: flooding, heatwaves, droughts and fires) and the implications for our services and communities. Describe measures in place to embed resilience and recovery.

Response:

Neutral Impact.

Active travel

How does the proposal enable active travel?

Encouraging and facilitating walking, cycling and public transport.

Response:

Neutral Impact.

Economy and culture

Sustainable development

How does the proposal contribute to inclusive and sustainable development?

Response:

Neutral Impact

Pay

How does the proposal impact on jobs and levels of pay?

Response:

Neutral Impact

Healthier high streets

Demonstrate how the proposal contributes to healthier high streets.

Response:

Neutral Impact

Culture, creativity and heritage

How does the proposal impact on culture, creativity or heritage and if not can they be embedded in this proposal?

Response:

Neutral Impact

Housing and communities

Housing standards

Does the proposal lead to an improvement in the standard of housing?

Response:

Neutral Impact

Access to housing

How does the proposal increase access to housing?

Response:

Neutral Impact

Crime and fear of crime

How does the proposal reduce crime or fear of crime?

Response:

Positive Impact. Preventing Gambling from Being a Source of Crime or Disorder, Being Associated with Crime or Disorder or Being Used to Support Crime is one of the three licensing objectives (along with Ensuring that Gambling is Conducted in a Fair and Open Way and Protecting Children and Other Vulnerable Persons from Being Harmed or Exploited). All three objectives have equal importance, and the promotion of all three objectives is a paramount consideration within the policy.

The policy highlights the key role with which local police and other regulatory bodies have in relation to gambling premises understanding organised crime can sometimes gravitate towards gambling premises. In order to enforce the Licensing Objectives we will adopt a partnership approach not only with the police but other law enforcement agencies to determine licensing applications, to impose conditions on how a premises may operate, or to review the license of a premises which may be linked to increased crime.

The Statement of Gambling Policy Chapter C highlights the need for Gambling Operators to continuously assess crime and vulnerability risks as part of their Gambling Risk assessment policy. This must be carried out upon application, post application or because of a change in the Gambling Act 2005 legislation.

Social connectedness

How does the proposal increase social connectedness?

Response:

Neutral impact

Health and sustainability impact summary

Each category is rated either: Positive, Negative, Neutral, or unknown

Environment and Health

Greenhouse gases emissions: Type rating (e.g. Positive) for categories below

Air Quality: Neutral impact

Biodiversity: Neutral impact

Impacts on climate change: Neutral impact

Reduced or zero requirement for energy, building space, materials or travel: Neutral impact

Active travel: Neutral impact

Economy and Culture

Inclusive and sustainable development: Neutral impact

Jobs and level of pay: Neutral impact

Healthier high streets: Neutral impact

Culture creativity and heritage: Neutral impact

Housing and communities

Standard of housing: Neutral impact

Access to housing: Neutral impact

Crime: Neutral impact

Social connectedness: Neutral impact

Health and sustainability action plan

What actions will be taken to eliminate or minimise any negative impacts identified above?

No negative impacts have been identified.

Equality Impact Assessment Form

THE GAMBLING ACT 2005 – STATEMENT OF GAMBLING LICENSING POLICY



General.

Section 349 of the Gambling Act 2005 (the 'Act') requires licensing authorities before each successive period of three years to

- (a) prepare a statement of the principles that they propose to apply in exercising their functions under this Act during that period, and
- (b) publish the statement of policy

Before determining its policy the Authority is required to consult with a number of statutory consultees namely:-

- (a) the chief officer of police for the area;
- (b) one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the area; and
- (c) one or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under the Act.

The minimum period for consultation is twelve weeks, (section 349 of the Gambling Act 2005) and will commence on the 8th February before going to full committee in May 2022. It is proposed that faith groups, resident associations and community organisations will be included in the consultation.

Whilst drafting the statement of gambling policy Officers have consulted local and national best practise, guided by the Gambling Act 2005 and also the Gambling Commissions guide to local authorities. Demographics of the District have been included in the Statement of Gambling Policy and be evidenced in Chapter B¹

Impacts on people

What impacts/issues have been identified about how the proposal impacts on people?

Each category is rated either: Positive, Neutral or Negative

Age: Type rating (e.g. Positive) for categories below

Positive; The objective of 'Protecting Children and Other Vulnerable Persons from Being Harmed or Exploited' is one of the three statutory licensing objectives. This includes the

¹ [South Lakeland \(District, United Kingdom\) - Population Statistics, Charts, Map and Location \(citypopulation.de\)](https://www.citypopulation.de/en/uk/south-lakeland/)



protection of children from moral, psychological, and physical harm. The adoption of this policy gives SLDC broad powers in protecting children from harm and applicants are required to set out the steps they will take in the operation of their premises for SLDC to consider when issuing a premises license. Controls may be placed on how a premises may operate if this objective is not promoted by the operator.

Disability:

Neutral

Gender reassignment:

Neutral

Marriage and civil partnership:

Neutral

Pregnancy and maternity:

Neutral

Race/ethnicity:

Neutral

Religion or belief:

Neutral

Sex/gender:

Neutral

Sexual orientation:

Neutral

Armed forces families:

Neutral

Rurality:

Neutral

Socio-economic disadvantage:

The Statement of Gambling Policy 2021 - 2024 amplifies the third licensing objective 'Protecting Children and Other Vulnerable Persons from Being Harmed or Exploited' This objective is paramount in the policy to stop any person becoming exploited or made vulnerable due to gambling premises, or gambling activities. SLDC will take a multi-agency approach with other regulatory authorities to prevent anyone being exploited in or around licensed gambling premises, with a strong emphasis on the Gambling Operator themselves

to constantly risk assess their premises and take positive action when required. This includes training of staff and safeguarding any person identified.

Equality action plan

What actions will be taken to eliminate or minimise the negative impacts identified above?

No negative impacts have been identified.

Report details

Date of report: 19.01.2022

EIA Author(s): Neil Gardiner

Director: Simon Rowley

Document version number: 1

Date for review: The Statement of Gambling Policy covers a 3 year period between August 2021 and August 2024 unless there are changes to legislation or statutory guidance within that time period. The Equality Impact Assessment will be reviewed in line with the policy.

EIA forwarded to Strategy Specialist: Over-type, Yes

Glossary

Age: This refers to a person having a particular age (for example, 32 year-olds) or being within an age group (for example, 18-30 year-olds).

Armed Forces Families: Those who have served or who are serving in the Armed Forces and their families.

Civil partnership: Legal recognition of a same-sex couple's relationship. Civil partners must be treated the same as married couples on a range of legal matters.

Disability: A person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. Includes: Physical/sensory disability, mental health or learning disability.

Gender reassignment: A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.

Maternity: The period after giving birth. It is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, including as a result of breastfeeding.

Race: It refers to a group of people defined by their colour, nationality (including citizenship), ethnic or national origins. Includes, Asian, Black and White minority ethnic groups including. Eastern Europeans, Irish people and Gypsy Travellers.

Religion or belief: “Religion” means any religion, including a reference to a lack of religion. “Belief” includes religious and philosophical beliefs including lack of belief (for example, Atheism). The category includes Christianity, Islam, Judaism, Hinduism, Buddhism, and non religious beliefs such as Humanism.

Rurality: South Lakeland is defined as ‘Rural-80’ – this means we have at least 80 percent of our population in rural settlements and larger market towns. Issues affecting the health and wellbeing of rural communities include: low-paid work, unemployment of young people, high costs of housing and fuel poverty, poor access to health services, lack of public transport and poorer broadband and mobile phone network availability. Social isolation is also an issue especially among older people – in South Lakeland 27.7% of the population are aged over 65. The ageing rural population brings a number of challenges. These include the fact that older people often have poorer health and greater care needs, issues compounded by the greater distances to healthcare services and poor public transport. South Lakeland (2015) features most poorly in deprivation indices in “Barriers to Housing and Services Domain” (which relate to the physical proximity of local services, and issues relating to access to housing, such as affordability) and the “Living Environment Deprivation Domain” (The 'indoors' living environment measures the quality of housing; while the 'outdoors' living environment contains measures of air quality and road traffic accidents.

Sexual orientation: This is whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

Socio-economic disadvantage: This includes people on low incomes, as well as issues around rural and urban deprivation, such as access to services and transport. SLDC must adopt effective measures to address the inequalities that result from differences in occupation, education, place of residence or social class. Socio-economic disadvantage includes: Income, employment, health, education, housing, discrimination and local concentrations of deprivation.

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South Lakeland District Council Council

Wednesday, 13 July 2022

Amendment to the Council's Code of Conduct

Portfolio: Customer and Locality Services Portfolio Holder
Report from: Linda Fisher - Legal, Governance and Democracy Lead Specialist (Monitoring Officer)
Report Author: Linda Fisher – Legal Governance and Democracy Lead Specialist (Monitoring Officer)
Wards: (All Wards);
Forward Plan: Not applicable

Links to Council Plan Priorities:

Working across boundaries –N/A

Delivering a balanced community –N/A

A fairer South Lakeland – The Code of Conduct is an integral part of ensuring that the Council has strong ethical standards and behaviour required to deliver the Council's Corporate Priorities

Addressing the climate emergency –N/A

1.0 Expected Outcome and Measures of Success

1.1 To propose amendments to the Member Code of Conduct to address the matter of declaration of interests for members who serve on more than one local authority. To clarify that participation in discussion and decision making at one local authority will not by itself normally prevent members from taking part in discussion and decision making on the same matter at another local authority. This will remove the need for members to receive dispensations for being a member of another authority.

2.0 Recommendation

2.1 It is recommended that Council:

- (1) agrees the amendments to the Member Code of Conduct outlined in paragraph 3.6 of this report; and**
- (2) note that the Lead Specialist Legal Governance and Democracy (Monitoring Officer) will make the necessary changes to the Council's Constitution.**

3.0 Background and Proposals

3.1 At its meeting on the 17 May 2022 the Shadow Authority for Westmorland and Furness agreed its Member Code of Conduct. Since then officers have received queries regarding dispensations for members who are members of more than one authority.

- 3.2 Under the Localism Act 2011, dispensations only apply to Disclosable Pecuniary Interests. South Lakeland District Council have adopted the LGA model code (with amendment) and this brings with it the possibility of dispensations for any other interests including “Other Registrable Interests”.
- 3.3 It is proposed that, rather provide dispensations, we instead make an amendment to the Member Code of Conduct to address the matter and to avoid the need to provide dispensations.
- 3.4 The need to request dispensations for Disclosable Pecuniary Interests will still apply.
- 3.5 The need for members to consider their position on bias, predetermination and predisposition will still apply.
- 3.6 It is proposed that the following wording is inserted into the relevant section of the agreed Member Code of Conduct as follows:

“The requirements to disclose an Other Registrable Interest and not participate in a decision directly relating to or affecting it, shall be applied in such a manner as to recognise that this Code should not obstruct a member’s service on more than one local authority. For the avoidance of doubt, participation in discussion and decision making at one local authority will not by itself normally prevent you from taking part in discussion and decision making on the same matter at another local authority. This is on the basis that a reasonable member of the public will see no objection in principle to such service or regard it as prejudicing a member’s judgement of the public interest and will only regard a matter as giving rise to bias in exceptional circumstances”.

4.0 Appendices Attached to this Report

Appendix No.	Name of Appendix
1	Council Code of Conduct

5.0 Consultation

- 5.1 A similar report is proceeding through the Shadow Authority for Westmorland and Furness.

6.0 Alternative Options

- 6.1 Dispensations could be provided. However, it is considered appropriate and more efficient and transparent to deal with by way of the amendment to the Member Code of Conduct.

7.0 Implications

Financial, Resources and Procurement

- 7.1 There are no financial implications arising from this report.

Human Resources

- 7.2 There are no human resources implications arising from this report.

Legal

- 7.3 The Council is required to ensure that it accords with the requirements of the Localism Act 2011. The legal implications are explained within the report.

Health and Sustainability Impact Assessment

7.4 Have you completed a Health and Sustainability Impact Assessment? No

7.5 If you have not completed an Impact Assessment, please explain your reasons: This is not considered to be required in the circumstances and given the nature of the proposed amendment to the code of conduct.

7.6 Summary of Health and Sustainability Impacts

		Positive	Neutral	Negative	Unknown
Environment and Health	Greenhouse gases emissions		X		
	Air Quality		X		
	Biodiversity		X		
	Impacts of Climate Change		X		
	Reduced or zero requirement for energy, building space, materials or travel		X		
	Active Travel		X		
	Economy and Culture	Inclusive and sustainable development		X	
	Jobs and levels of pay		X		
	Healthier high streets		X		
	Culture, creativity and heritage		X		
Housing and Communities	Standard of housing		X		
	Access to housing		X		
	Crime		X		
	Social connectedness		X		

Equality and Diversity

7.7 Have you completed an Equality Impact Analysis? No

7.8 If you have not completed an Impact Analysis, please explain your reasons: This is not considered to be required given the nature of the proposed amendment to the Code of Conduct.

7.9 Summary of Equality and Diversity impacts

Please indicate: P = Positive impact; 0 = Neutral; N = Negative; Enter "X"						
Age	P		0	X	N	
Disability	P		0	X	N	
Gender reassignment (transgender)	P		0	X	N	
Marriage & civil partnership	P		0	X	N	

Pregnancy & maternity	P		0	X	N	
Race/ethnicity	P		0	X	N	
Religion or belief	P		0	X	N	
Sex/gender	P		0	X	N	
Sexual orientation	P		0	X	N	
Armed forces families	P		0	X	N	
Rurality	P		0	X	N	
Socio-economic disadvantage	P		0	X	N	

Risk Management	Consequence	Controls required
The provision of dispensations for all matters, or at the request of individual members would be time consuming and inefficient.	Members could be unclear what the dispensation has been granted for and decision making could be impacted upon.	The amendment to the member code of conduct will provide reassurance to all members regarding the rules relative to being a member of another authority.

Contact Officers

Linda Fisher – Legal, Governance and Democracy Lead Specialist (Monitoring Officer)
Linda.Fisher@southlakeland.gov.uk

Background Documents Available

Name of Background document	Where it is available
Constitution of South Lakeland District Council	https://www.southlakeland.gov.uk/your-council/councillors-and-decisions/council-constitution/

Tracking Information

Signed off by	Date sent	Date Signed off
Section 151 Officer	N/A	N/A
Monitoring Officer	Report Author	Report Author
CMT	N/A	N/A

Circulated to	Date sent
Lead Specialist	N/A
Human Resources Lead Specialist	N/A
Communications Team	N/A
Leader	
Committee Chairman	
Portfolio Holder	
Ward Councillor(s)	N/A
Committee	N/A
Executive (Cabinet)	N/A
Council	N/A

South Lakeland District Council



Councillor Code of Conduct 2021

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Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor- officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1. I do not bully any person.

2.2. I do not harass any person.

2.3. I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in virtual meetings, emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

Harassment is any unwanted physical, verbal or non-verbal conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment. It also includes treating someone less favourably because they have submitted or refused to submit to such behaviours in the past.

Unlawful harassment may involve conduct of a sexual nature (sexual harassment) or it may be related to age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

3.1. I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1. I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8 Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

9. Protecting your reputation and the reputation of the local authority Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in Table 1, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B

Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"**Disclosable pecuniary interest**" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"**Partner**" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room/meeting unless you have been granted a dispensation. In addition, you may speak on the matter only if members of the public are also allowed to speak and having spoken you must leave the room/meeting. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as an Executive member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Other Registrable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registrable Interests (as set out in Table 2), you must disclose the interest. If you have such an interest you must consider whether a reasonable member of the public, knowing all the facts, would think the interest such that it may influence the way you vote. If the ordinary person would think that the interest may influence your vote then you should not participate in the matter. In these circumstances you may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non- Registrable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects**–
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a friend, relative, close associate; or
 - c. a body included in those you need to disclose under Disclosable Pecuniary Interests as set out in **Table 1**

you must disclose the interest. In order to determine whether you may participate in the meeting after disclosing your interest the following test should be applied:

9. Where a matter **affects** your financial interest or well-being so that a reasonable member of the public knowing all the facts would believe that it may affect your view of the wider public interest.
 - a. you may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter.If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer

Corporate tenancies	Any tenancy where (to the councillor's knowledge)— the landlord is the council; and the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either—) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
 - (i) exercising functions of a public nature
 - (ii) any body directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

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**South Lakeland District Council
Council**

Wednesday, 13 July 2022

**Climate Action and Biodiversity Portfolio Holder
Report**

Portfolio: Climate Action and Biodiversity Portfolio Holder

Report from: Cllr Dyan Jones

To lead on the Council's policies around Climate change, carbon reduction and sustainable growth, to develop a policy on bio-diversity, raising community awareness and working collaboratively on policy objectives.

Policies, Plans and Strategies

- Air Quality Strategy and action plan
- Active Travel Strategy and action plan
- Climate Change Policy and Action Plan
- Parks and Open Spaces Strategy

Key Areas

- Air Quality Management Plans
- Leisure, Public Realm, (Parks and Open Spaces (Including cemeteries, trees, woodland and playground improvement)
- Carbon Reduction and Active Travel
- Biodiversity

Leisure, Public Realm, (Parks and Open Spaces (Including cemeteries, trees, woodland and playground improvement)

Parks and Open Spaces

The Friends of Nobles Rest are continuing to be proactive and have worked hard on the central beds to eliminate weeds and encourage the growth of this bio-diverse planting scheme. Extra plants will be purchased to fill the gaps. The delayed planting of trees in Swine Parrock will be addressed in the autumn, working with Kendal Conservation Volunteers and the Arboricultural Officer to achieve a well-managed woodland. The volunteers are hoping to have a work party in the area to continue with Ivy removal and cutting back some on the Sycamore saplings. The timber from Storm Arwen will be left in the wood to provide habitat.

The Damson trees planted last year are doing well and the Ground Maintenance Contractor are going to knock back some of the nettles and thistles that are currently overwhelming the

park especially close to the footpaths. The first Interpretation Board has been well received and the second one to encourage children to look for birds and insects is in production.

Working with Kendal Town Council a couple of large middens have been installed for use by the Friends and contractors so hopefully next year we will have our own compost for the central beds. The longer grass in the park seems to be deterring the campers we often find at the perimeters of this park.

The Friends of Fletcher Park have planted additional trees and wildflowers in the borders of the park and requested the grass here is left to grow. This is starting to create a very colourful border.

Kendal Town Council had some wildflower matting spare from a project at Somerville Gardens and have planted in an SLDC bed on Aynam road which is currently producing a wealth of beautiful flowers and should add colour all summer.

The Friends of Lightburn Park have planted additional wildflowers to the Railway compound in the park and with the flowers planted last year and the grass being left a wild flower meadow is being created. The grass is still being cut in the sidings for safety reasons. They are also tending the raised beds and sensory gardens and have worked with Sandside School to create Incredible Edibles. They are working hard to prepare the park for the Ulverston in Bloom competition in July.

Working with Continental Landscapes we are continually looking for area to mow less but we have a fine balance due to the need of all users. We are also looking at verges and green spaces in housing developments where the residents have requested this.

The new Biodiversity toolkit will help the Friends groups with ideas but this needs to be site specific to get this balance right.

Playgrounds

Fund raising is continuing to raise funds for Owlett Ash in Milnthorpe and hopefully the playground at Grange promenade will be redeveloped as part of the Prom project. Several pieces of equipment have been removed from here as they are beyond repair. Following consultation items are being replaced in some of the smaller playgrounds to give a better facility and a couple of very small unused areas have been closed.

The pump track at Queens Park is still very popular. Unfortunately the half pipe on the skate park has been removed following a fire and safety concerns. The Windermere Park for All group are working hard on fundraising so this can be redeveloped.

Trees and Woodland

Works to clear damaged trees following the winter Storms, the most significant being Storm Arwen, has been completed. All main sites are reopened and access paths are cleared. There remains a large amount of timber and branch debris in some sites where retention of this material as deadwood habitat will benefit biodiversity and wildlife. The public reaction to this damage has been generally one of understanding, and acceptance of the strategy to retain deadwood on sites for wildlife. This has been assisted by press coverage of other landowners following a similar strategy. The storms have resulted in an increase in requests for tree management works to council owned trees across the district requiring more site assessments following service requests. The Locality team have been supportive in recording and assessing these service requests.

Ash Dieback management works have now been completed on Bowling Fell and Serpentine Woods, Kendal. A couple of complaints were received following this work but once the callers understood the reasoning behind the work they accepted it as a necessary action. Further work will be required in Serpentine Woods in 2023 and surveys will be undertaken in the coming months to map affected trees.

Kendal Flood Risk Management Scheme is nearing completion of the Abbot Hall and Kendal Parish Church reaches, and the trees surrounding the works have fared remarkably well considering the amount of development works which have taken place. Works on the Aynam Road reaches will commence in the coming months, with further planned tree removals to be carried out under the Project Arboriculturist's supervision.

Carbon Reduction in the Council

The Council's Climate Change Policy and Action Plan seeks to deliver a carbon neutral Council by 2030. Whilst South Lakeland will no longer exist post April 2023, it is vital that South Lakeland's commitment to climate change is reflected in the new authority. Greenhouse gas (GHG) emissions as a council, for 2021/22 fell under the allocated carbon budget with an annual total of 2400 tonnes CO₂e. This is due to a slight increase in transport emissions and an increase in emissions from energy at our offices, where staff have been returning to work after the Covid-19 pandemic. However, positively, the council is 33% down on emissions through Quarter 1 2022/23 versus last year.

To address emissions from energy and buildings, the Assets Team are undertaking a programme of energy efficiency measures including insulation, upgrades to LED and a planned heat decarbonisation project at Ferry Nab. In addition to this, the completed works at South Lakeland House has allowed for the gas boiler at the Lowther Street office to be decommissioned, this should result in a carbon saving during the winter months of 2022/23.

The Climate Action team have applied for funding through the Low Carbon Skills Fund, of up to £50,000 to fund the production of Heat Decarbonisation Plans for 3 council owned buildings: Kendal Leisure Centre, Ulverston Market Hall and Town View Fields. These Heat Decarbonisation Plans will be carried out by specialist consultants and they will set out fully costed plans for how to decarbonise the buildings heating systems and how emissions can be reduced in the building through the installation of Green technologies. These Heat Decarbonisation plans can form the basis of future Public Sector Decarbonisation funding applications, which is the primary public sector scheme to receive funding to decarbonise public sector buildings.

Another large source of emissions for South Lakeland District Council is transport emissions from its operational fleet. After the purchase of the first electric vehicle on the fleet in 2022, the council is looking to continue exploring options to decarbonise the fleet. A joint working approach has been adopted moving forward, with the formation of the Fleet Decarbonisation officer working group. Made up of officers from the depot, the Assets and Delivery team and the Climate Change Action Team, this group will work to improve systems and processes and research the EV market to enable a quicker and smoother transition to a low-carbon fleet. The focus of this group in 2022/23 will be explore options for EV infrastructure at council depots and to set up a new trial process to ensure that Council is agile in its decision making for vehicle purchases.

The SLDC SOSCI EV charging scheme is nearing completion. The council is installing 24 22kW chargers into our car parks including South Lakeland House, Library Road Kendal,

Redbank Road Grasmere and Buxton Place Ulverston. These charge points will go live in the Late Summer 2022 and will be available for public use, they will support a 2-3 hour charge time for a vehicle and is our first step in providing EV infrastructure to our residents.

Carbon Reduction in the District

The Council's Climate Change Action Plan seeks to enable and deliver a carbon neutral South Lakeland District by 2037 by leading and encourage others to take action around climate change. The work in the community to tackle Climate Change has continued and is growing its scope and ambition.

The Council has extended its funding agreement with Cumbria Action for Sustainability (CAfS). CAfS will continue to deliver projects from previous funding rounds including Solar Made Easy in the Lakes, which is a solar project to encourage residents to install on their homes, after two pioneer properties have installed the next step is to install at an additional 8 pioneer properties in Ambleside. And the Big Solar Co-Op which is aiming to generate renewable energy for key intuitions in Ambleside. The success and interest in these projects has led to CAfS extending these projects to further geography including Kendal.

The CAfS funding agreement for 2022/23 is focused on interventions to enable small businesses transition to the Green Economy. As well as continuing their Carbon calculator, their peer-to-peer learning events in the Lake District, CAfS are offering up to 20 hours tailored one-to-one support to 12 businesses in South Lakeland. Involved in this support will be a scoping study to help the business understand their impacts and opportunities, an energy audit, sector specific support or referral to programmes like Charge While You Sleep or My Green Butler and additional offers of paid support going forward.

CAfS are also taking a leading role in building a Green business support across South Lakeland and Cumbria, partnering with other SLDC funded organisations Future Fixers and Small Green Business, as well as other partners like Cumbria Tourism to build a comprehensive suite of sustainability support for small and medium businesses. SLDC officers are involved in this network and see a great deal of potential for this group going forward.

As part of its Green Transport ambitions the Council is working to provide EV infrastructure to its residents, and as well as the 24 chargers going into SLDC Car Parks, SLDC are part of Cumbria Wide partnership aiming to 'turbo-charge' EV Charging infrastructure in the county. SLDC are an active member of this partnership, which is focusing on two areas; Extending off-street charging in council owned car parks across the County, utilising all 6 districts and the counties car parks. And also providing on-street charging infrastructure, at a larger scale, through installing chargers on streets, utilising new technology to do so. The partnership is in the process of exploring bids to the LEVI and ORCS schemes and are hoping to provide good news soon.

The Council is also committed to ensuring we transition to a low-carbon district in an equitable way, by tackling growing fuel poverty and supporting our community in ensuring their homes are energy efficient. SLDC have been part of a consortium in the Green Homes LAD2 project to deliver a series of energy efficiency measures to residents vulnerable to fuel poverty. We are expecting to retrofit 80 properties with a variation of energy efficiency measures including solar panels, insulation and heat pump installations. The next stage of the Green Homes Grant; LAD3 has been combined with HUG1 to create Sustainable Warmth. SLDC are part of a Cumbrian consortium that has applied for £25 million of funding

to address fuel poverty and improve energy efficiency and carbon savings in at least 1,000 mainly private sector properties.

While it's important to provide for residents directly through our projects and agreements, SLDC also recognises the importance of enabling and supporting Parish and Town Councils in their own sustainability journey. In recent months the Climate Action Project Team have been exploring how best to build on the success of the Greening Campaign, which took 11 parish and town councils through a process design to enable councils to help households reduce their carbon footprint and engage with sustainability. The Climate Action team have been supporting certain Parish councils in the area of EV charge points where towns/parishes have sought advice on how to go about a EV chargepoint project.

As part of an approach hoping to build on the Greening campaign and enable town and parish councils, SLDC are launching a Town and Parish Council Climate Change toolkit in partnership with ACT, CALC and CAfS which is designed to provide best practice advice and direct councils to where they can receive support going forward.

Active Travel

The council have introduced a green travel protocol that recommends following a hierarchy of more sustainable travel options before using employees' vehicles when travelling for work purposes. The progress made in introducing remote working and virtual meetings, which reduce the need for travel, will be sustained. We have supported the County Council in preparing a Local Cycling and Walking Improvement Plan (LCWIP) for Kendal which will help to form the basis for the continuing development of Kendal's cycle and walking network. The Plan sets out prioritised proposals for enhanced cycling and walking routes in Kendal, and was prepared in consultation with a wide range of interested parties and the local community. It was approved by the County Council's South Lakeland Local Committee in March 2022 and is an essential requirement when bids are made for government funding for cycling and walking improvements. SLDC's cabinet will consider endorsing the Plan at its meeting on Monday 4 July.

Biodiversity

Work has begun to re-focus on biodiversity, looking at our Biodiversity Policy and forming an internal Biodiversity Action Plan to create momentum on the issue over the next 12 months. There there will be a focus on four strands of Biodiversity:

- Biodiversity Net Gain rollout
- Own Land management
- Community, Education and Awareness
- Biodiversity expertise, knowledge and Monitoring

The local plans team and development management have begun to research and plan for the implementation of Biodiversity Net Gain, this is in the early stages but should be an ongoing priority to ensure our development service is pro-active in response to this key legislation.

Our volunteers and friends groups on our various parks are a great resource to help the Council improve the Biodiversity of our land and to raise the awareness of Biodiversity in the

community. To further enable this work and to provide more options and guidance to current to potential friends groups we have created a Biodiversity Community Toolkit.

This toolkit is acts as a guidance for community groups, volunteers and as a call to action for residents interested in forming a friends group or a friends group wanting to expand their work. The toolkit outlines where work can be carried out, how to get involved by contacting our locality team, and importantly states that while we will do all we can to enable this work, some of our sites aren't suitable for all biodiversity features so any work has to be authorised by the council's locality team. The toolkit outlines the benefits of biodiversity and goes into detail of all the different features, which include bee banks or bee hotels, bog gardens, meadows, tree planting, planting for pollinators or woodpiles. The toolkit can be found on our website and will be promoted out to our residents and community in the next edition of South Lakeland News.

Tracking Information

Signed off by	Date sent	Date Signed off
Section 151 Officer	N/A	N/A
Monitoring Officer	N/A	N/A
CMT	01/07/22	01/07/22

Circulated to	Date sent
Lead Specialist	N/A
Human Resources Lead Specialist	N/A
Communications Team	N/A
Leader	N/A
Committee Chairman	N/A
Portfolio Holder	01/07/22
Ward Councillor(s)	N/A
Committee	N/A
Executive (Cabinet)	N/A
Council	13/07/22

South Lakeland District Council
Council
Wednesday, 13 July 2022
Customer and Locality Services Portfolio Holder
Report

Portfolio: Cllr Eamonn Hennessy

To work with all Members, the community and organisations in developing, case management, and specialist services as part of the Council's Customer Connect programme.

Delivery of the Council Plan objectives in relation to quality of service and high performance culture.

The organisation of the Authority relating to the Council's central services, including employee relations.

Providing and maintaining parks infrastructure.

To take the lead on Strategic Waste Management/Recycling and relevant Council Plan measures under the environment objectives.

To drive our Localism agenda.

Polices, Plans and Strategies

- Waste Management Strategy (environmental impacts)
- Emergency Plan
- Equality, Diversity and Inclusion Strategy
- Customer Charter and Contact Strategy
- Member Development and Training Plan
- Workforce Plan (to be reviewed under customer connect programme)

Key Areas

- Customer Services (operational)
- Emergency Planning
- Waste Management and Recycling Strategy
- Localism
- Water Quality
- Car Parking (operations)
- Waste Management (operations and service optimisation)

- Streetscene
- Member Services
- Member Training and Development
- Legal and Committee Services and HR Services
- Corporate Health and Safety

Customer Services (operational)

A full report on the outcomes, benefits and future of Customer Connect was brought to Council in December 2020. The report recognised the achievements of the Customer Connect Programme since its inception in 2016.

In terms of how the remaining activity will be delivered, a Portfolio Management approach has been adopted. This combines a number of programmes including Customer Connect and Local Government Reorganisation with Business as Usual.

As part of the approach, the remaining Customer Connect activity has been reviewed with a focus on promoting digital channels and reducing customer demand. The plan continues to use the agile project management methodology of Scrum to deliver these outputs.

One of our main objectives is to utilise the digital platform to build more online forms that allow the customer to self-serve online and provide the organisation with greater efficiencies in the back office. Since March's update, we have delivered:

- an online application and back office process to support applications to hold events on our land that includes payment functionality,
- an online application to request a street sweep,
- an online application form to support the administration of the Fairer South Lakeland Fund,
- an application for request removal of an unwanted bin,
- an additional COVID relief fund grant form (built for both SLDC and EDC)

We currently have a number of word document and PDF forms on the website. We have started to review these forms to identify where we can quickly update them to an online form. These forms have been added to our scrum backlog and the first two will go live in July.

Since May 2020 we have gone live with 64 forms, including 15 forms specifically developed for processing COVID support grants. We also have a number of internal ESB forms which support information sharing between services.

We have a number of forms in development and in the coming months we will be going live with;

- report a commercial holiday let,
- request litter picking equipment,
- apply for a temporary event notice,
- send an invitation to the Chairman,
- report a grounds maintenance issue,
- apply to use the town all banner,
- report a damaged street sign,
- apply for a bulky waste collection

We are also capturing requirements to enable applications for a taxi vehicle license and a street naming and numbering application.

Our external communications to the customer on the benefits of using online services continue, with a focus on the customer being able to undertake specific activities. At the time of writing this report, we have 12,086 customers registered for a My Account.

The Customer Service Team are currently supporting calls for the £150 payment scheme and working with the Election Team to support the annual canvass.

Locality Services

Work continues in the team to support the environmental, development management, housing and street scene services. Activity includes enforcement and investigations.

Key activity for the team in June was the support to Appleby Fair. Working in partnership to ensure safe travel for the Gypsy and Traveller communities to and from the fair. The team took part in litter picks to clean up the area after the event.

Emergency Planning

The Council as defined by the Civil Contingencies Act is a Category One Responder. The Council continues to be an effective partner within the multi-agency Cumbria Local Resilience Forum (CLRF) and is involved in developing and enhancing emergency plans at CLRF level. This means participation within exercises to test and validate emergency plans - and also representation within the emergency incident 'command and control' structure for incidents - ie Strategic Coordinating Group which sets priorities, Tactical Coordinating Group which carries out planning - and Operational Coordinating Group which coordinates officers on the ground.

Fortunately there have been no incidents of note since the last update in March - probably reflecting the more stable weather at this time of year. Ahead of the autumn / winter period people may wish to think about property resilience and also to link in with and support any local Community Resilience Groups in their area. There are a growing number of Community Resilience Groups across South Lakeland - about 35 known groups to date.

Waste Management (Operations and Service Optimisation), Recycling Strategy, Localism and Street scene

The Customer and Commercial Services and Climate Emergency and Localism portfolios have been working in partnership to support the waste management and street scene functions.

There has been an on-going campaign, in conjunction with Recycle4Cumbria, to promote waste reduction, particularly food waste.

Throughout the year, there have been numerous social media messages to promote recycling and waste minimisation; and over the Christmas period there was a focus on the seasonal changes to collection services and the recycling of seasonal waste.

The tonnage of waste and recycling collected has almost returned to pre-pandemic levels; however green waste remains at a very high level.

The service was pleased to work with Locality officers and Cumbria Constabulary with a litter campaign in Windermere. Ava; a pupil at St Martin & St Mary CE Primary School in

Windermere, designed a poster that so impressed Street Scene that it was enlarged and used on the side of a waste collection vehicle that operates in the Windermere area. This was in addition to the prize provided and the vehicle was also named Ava in her honour. The poster will now be seen by a larger audience around South Lakeland.

Private Drinking Water Supplies

The Council undertakes a statutory function to carry out testing and risk assessments of private water supplies at various locations across the district, to ensure the safety of communities, implemented by the Private Water Supplies Regulations 2016. The Council has been continuing to undertake risk assessments and monitoring across all private water supplies in accordance with Covid-19 regulations and safety precautions. Where required, the Council continues to investigate any failure to meet standards and takes necessary enforcement action, always-ensuring communities are protected.

Car parking (operations)

Visitor numbers are reducing back to pre-pandemic levels which has reduced the pressures on capacity, although still high, this has become more manageable. There are still options to increase via the Tactical Visitor Management Group (TVMG) to ensure sufficient resources and measures are in place if needed.

The improvement and repair works at the Westmoreland Multi Storey Car Park are on-going and should be complete mid-August. This project is going very well with very little inconvenience to users.

The EV charging installation is nearly complete and we can expect commission in the very near future, dates not confirmed.

Member Services and Member Training and Development

A comprehensive suite of training and development opportunities for Councillors has been delivered either virtually or by eLearning.

Ongoing committee related inductions and refreshers continue to take place, to include:

- New member inductions
- New Members introduction to CMT and Cabinet
- Planning Committee induction and refresher
- Microsoft Teams induction
- Skype induction
- IT induction
- Climate Science Solutions Briefing
- Code of Conduct/How to Be an Effective Member training
- Licensing Committee induction and refresher/ Licensing Committee Decision Making and Taxi Licensing training
- HR Induction and refresher
- Audit Induction and refresher
- Social Value Portal/ Procurement Strategy Training
- Structural Changes Briefing
- Standards Committee Induction and refresher
- Overview & Scrutiny Induction and refresher
- Housing and Homelessness Introduction
- Charing Skills

- Online expenses training
- Committee related refresher training
- Risk Management

Further training throughout will continue in line with the training plan.

Legal Governance and Democracy Services

LGR

The Lead Specialist Legal Governance and Democracy is the Technical Lead for the Legal and Democratic work stream of LGR, reporting to Lawrence Conway who is the Chair of the Corporate and Enabling Board. The work of the Legal and Democratic work stream supports the Chief Executives Programme board.

In May 2022, the Shadow Authority appointed the Lead Specialist Legal Governance and Democracy as the Interim Monitoring Officer for the Westmorland and Furness Shadow Authority. The role is attending the Programme Board in rotation with the Interim Monitoring Officer for Cumberland.

The Legal and Democratic LGR work-stream has been working on delivering fourteen different work-streams – five of these were completed upon achieving Day Zero (including work-streams regarding the Structural Changes Order, elections and boundary review, joint committees and informal decision making). Delivery of Day Zero was a success.

The remaining Legal and Democratic work-streams have been re-set in line with the review by the Programme Board and have high volumes of work to progress. These work-streams include for example: Constitutions, Civic and Ceremonial, Members and Member Arrangements, Member Code of Conduct, Member Allowances, Contracts and Agreements and Models of Delivery. In addition, the work-stream provides legal advice and assistance across all LGR themes. Legal Governance and Democracy Specialists from the Council are members of and contribute to these work-streams. Project management is being put in place to support the work stream and the allocation of Day 1 readiness tasks is soon to take place. Linda Fisher has also been leading on the member induction and training and development plan for all new members of both Westmorland and Furness and Cumberland Shadow Authorities.

We await the receipt of the Consequential Order from Government and will consider the draft once received. The SLDC legal team have attended various meetings with Government officials including for example relating to LGR and Lake Windermere.

Specialists from across the team are involved in various LGR-related work, including supporting the Council with complex matters arising in relation to Lake Windermere in addition to providing guidance and technical advice within the appropriate LGR work streams and working collaboratively alongside counterparts in other authorities at District and County level.

SLDC

The Governance and Democracy team are working on increasing the use of the Mod.Gov committee system and have been promoting the use of the app to councillors and officers. Training will be provided on delegated decision making through the system aligned to the recent improvements made to the Councils Constitution. The team are working hard to implement agile functionality to the system. They are also proactively engaged in the LGR work.

The team advises and supports all the Council meetings to ensure good governance and transparency. The team have organised and delivered a number of Council and Committee meetings since the last report. All held face to face and we have supported officers, members and the public in attending the meetings. An increase in work relating to licensing has seen an increase in the number of licensing hearings.

A series of Council wide Governance awareness-raising sessions have been provided across the Council, delivered virtually for staff. Sessions that have been provided have included topics such as Governance and Accountability, the Forward Plan and Executive and Non-Executive decision-making. These have been received very well by officers who have attended the first sessions. Training has been delivered on the new Member Code of Conduct to all new members and existing members. Training has been provided on the Armed Forces Covenant by the Monitoring Officer for all staff and positive praise was received from members.

The Review of the Constitution is ongoing with this being treated as a 'living document' to review rather than an annual review approach.

The team continue to embed new ways of working and are continuing with their monthly Business Partnering meetings with each client services and feedback received from the services has been positive.

Litigation continues to be a busy area. The Council successfully defended an application for a litter abatement order made by a local resident. The decision was made to defend the application as the Council considered it complies with its statutory obligations through the carrying out of regular scheduled works in relation to land within the district, and as specified in the complaint, and that the programme of works were, and continue to be, both reasonable and practicable when taking into account the character and use of the land. The Council was awarded nearly all its costs in defending the application.

The team have worked towards the culmination of a prosecution that was laid in September 2019 following the tragic death of a four year old boy in a swimming pool at a caravan park owned by Holker Estates. Following Holker Estates Company Limited entering a guilty plea at the first hearing at the Crown Court and, latterly, prior to trial, Newmac Limited pleading guilty, sentencing took place on Friday 24 June at Preston Crown Court. Holker were fined £127,500.00 and Newmac £11,000.00. They were also ordered to pay costs of £27,402 and £5,000 respectively.

The Council successfully prosecuted an individual for driving a vehicle without the requisite drivers, vehicle or operators licences. Mr Sutton was found guilty of 3 offences with two charges being dismissed. Mr Sutton was fined a total of £380 (for the 3 offences), surcharge of £38 and ordered to pay £500 towards SLDC costs. The primary reason for bringing the prosecution was in the interests of public safety and the Judge specifically said that the vehicle should no longer be used in the way it has been in light of the findings.

The Legal team have been working with finance colleagues to reduce the debts arising around the Lake and as at the last Lake Administration Committee meeting in January it was reported that the total debt stood at £97,889, representing a significant decrease from the debt from £277,000. The debt figure at 31 March 2022 and reported to the Lake Administration Committee stood at £86,243.27. Therefore, the current debt position continues to improve.

The Legal team have been contributing towards the delivery of Corporate Priorities most recently providing advice to Officers regarding the latest Cabinet Reports, for example including the Sustainable Warmth Cumbria project (proposal to enter into agreement to

address fuel poverty and improve energy efficiency and carbon savings), the Levelling Up fund bid (co-ordinating subsidy control advice in relation to the Council's submission to be made to Round 2 of the Levelling Up Fund for South Lakeland. If successful, this bid would bring significant investment into the district's principal service centre of Kendal, meeting the Council's aspirations in its Kendal Town Centre Strategy and delivering a vibrant, enhanced town centre for residents, businesses and visitors). . In addition, the legal team are continuing to support Officers with projects in Ulverston, in relation to Coronation Hall and land at Sandside (GSK). Since the date of the last report, land at Heversham (subject of a previous Cabinet report) has been purchased from the County Council and within the very tight timescale required by County.

In April the team completed the updated Partnering Agreement for the Cumbria Choice Partnership and arrangements to implement a sub-regional choice based letting scheme in Cumbria. This was a 12-party agreement between the members of the Cumbria Choice Partnership including all Cumbria district councils and a number of Registered Providers, including Home Group Limited, Castles & Coasts Housing Association Limited, South Lakes Housing Limited, Riverside Group Limited. As the lead authority for the Cumbria Choice Based Lettings ('CCBL') partnership, SLDC Legal Governance and Democracy team co-ordinated the Partnering Agreement alongside the new contract for the hosting and maintenance of the housing register, Choice Based Lettings and Customer Housing Portal system. As a result of completing these contracts, a new CCBL system went live in April 2022 for customers and an updated Policy also came into force bringing in long-awaited changes to improve the way social housing is allocated across Cumbria. The Council received thanks from Partner organisations and the RP CEO group for its hard work in relation to completing these contracts. Customer feedback has also indicated improved experience on the updated system.

In addition the team have been progressing other complex strategic matters including; advising on arrangements with Lakeland Arts and Abbot Hall and obtaining S24 direction advice; advising on matters relating to Gooseholme and New Road Common; governance advice on Council's Trust land and charity land and requesting external advice on subsidy control in connection with granting a long lease of Coronation Hall. Advice on LGR and the impact on the ownership of the Lakebed and the Lake Administration Committee has also been provided by legal officers. Legal services are also continuing to progress the EV Charging project and have recently instructed external legal advice regarding Subsidy Control.

Additionally, in the last four weeks three 106 Agreements/ Deeds of Variation have completed with five more agreed and expected to complete in the next four weeks. This assists external partners in the delivery of Affordable Housing for our Community. The team are delivering section 106 agreements and increasing the income receipts to the Council.

Human Resources

The leadership development programme has been completed and comprised of an extensive training programme covering multiple areas of leadership development, strategic development and coaching amongst many other subjects.

The next tier in Leadership development is with our Team Lead population. The extensive training was finalised in May 2022 and covered an extensive learning package that supports Team Leads in the performance of their roles and their people management functions. Further follow up sessions are planned in September 2022 to feedback learning to the leadership team.

A new e-learning platform has been launched with hundreds of courses available for staff and members.

The corporate learning training has been taking place and courses include Microsoft skills in various modules, Change and Resilience, Commercial Flair and Presentation Skills amongst the courses that have been delivered so far.

Recruitment remains high and indicates a situation nationally with multiple organisations having multiple vacancies. We are however able to recruit to the majority of roles with some specialist roles taking slightly longer to fill.

The HR Team at SLDC is feeding into multiple HR and Organisational Development work streams within the LGR programme including recruitment to the programme office roles, developing FAQs for staff across the seven councils, TUPE, development of manager's communicating through change toolkits and pulse surveys and continue to feed into these work streams.

Corporate Health and Safety

Throughout 2021-2022 our priority has been to keep people safe:

- During the pandemic we provided Covid safe elections and ensured staff, voters and Members could meet in environments which had all the available precautions in place
- Major works have taken place in Kendal Town Hall and South Lakeland House, safety issues have been dealt with on a daily basis and will continue – works are now fully handed over and complete - daily interventions take place
- Ensured vital services are provided safely to the residents of South Lakeland – we have liaised closely with staff in delivering services safely and created safer methods of working practice. We have provided advice and guidance and organised the correct PPE necessary for safer service delivery during the pandemic

We have promoted safety as a daily task to ensure we all stay safe. This has included the successful introduction of mandatory health and safety training – IOSH Working Safely –over 120 staff have now completed this.

We have analysed accidents/injuries to establish cause and then looked to eliminate or reduce these. We are currently working with district and County Council colleagues on the LGR group for Health and Safety towards ensuring both unitary authorities are compliant safe and legal for day 1.

The Health and Safety Advisor continues to maintain a visible presence in the workplace working with the Communications Team to find the most effective use of communication channels to regularly remind colleagues of the importance health and safety. We continue to disseminate information and update on topical issues to reinforce the message that promoting safety should be a daily task to ensure we all stay safe.

Tracking Information

Signed off by	Date sent	Date Signed off
Section 151 Officer	N/A	N/A
Monitoring Officer	N/A	N/A
CMT	01/07/22	01/07/22

Circulated to	Date sent
Lead Specialist	N/A
Human Resources Lead Specialist	N/A
Communications Team	N/A
Leader	N/A
Committee Chairman	N/A
Portfolio Holder	01/07/22
Ward Councillor(s)	N/A
Committee	N/A
Executive (Cabinet)	N/A
Council	13/07/22

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South Lakeland District Council
Council
Wednesday, 13 July 2022
Economy, Culture and Leisure Portfolio Holder
Report

Portfolio: Cllr Robin Ashcroft

The Council Plan objectives as they relate to the Portfolio area of work, and crosscutting work developed through the Local Plan and Economic Development Strategy, promoting Culture leisure activities and the arts and developing strategy for cultural assets.

Working in partnership to ensure a thriving and prosperous District within the context of the wider sub-region, through effective economic development, regeneration and transport strategies.

Working in partnership to ensure thriving and prosperous town centres throughout the District.

Providing public realm infrastructure to promote the local economy.

Promoting small businesses in both towns and rural areas.

Meeting Council plan objectives in relation to promoting culture, leisure activities and the arts.

To work with our cultural organisations to attract investment and to promote South Lakeland as a premier area for Arts and Events.

Policies, Plans and Strategies

- Economic Development Strategy
- Arts and Events
- Grants Strategy
- Licensing and Statement of Gambling Policies

Key Areas

- Economic Inward Investment
- Business Support and Sector Development
- Visitor Economy
- Town Centre Planning, Car Parks and Transportation Strategies
- Markets
- Arts and Culture
- Grants

- Public Halls
- Use of community assets for the promotion of arts and culture

Economic Inward Investment

SLDC continues to play a crucial role in working with regional and national partners to secure millions of pounds worth of inward investment into the district, including:

- Cross-a-Moor Roundabout – Contributions to the £11.6m scheme included amounts from SLDC and Cumbria County Council, with £3m secured from Highways England Growth Housing Fund, £925k from CLEP through Growth Deal funding and £2.4m from CLEP through the Cumbria Infrastructure Fund. Following project cost increases SLDC, National Highways and Cumbria County Council increased their financial contributions to ensure delivery of the project. The project has now concluded and the official opening took place on 8 June. As well as enabling the development of 1,000 new homes, the new roundabout will reduce congestion and improve safety. National Highways have also constructed a new wetland area to ease flooding in Swarthmoor. A new pedestrian footpath follows around the wetland area and seating has been installed creating a recreational site for the community. The scheme improves biodiversity through the planting of a variety of plant species and native hedgerows.
- Grange Lido and Promenade – £2.2m towards Lido restoration, funded by SLDC. £2.35m was secured from the Coastal Communities Fund for a joint Morecambe Bay Partnership/SLDC Bay-wide programme, of which £1m is earmarked for the promenade and connectivity with the lido.
- Kendal Flood Risk Management Scheme – Estimated construction cost for all three phases is £72m. The first element in Kendal is estimated to cost around £18m, with £13m secured from the EA and £5m of ERDF funding. The Council is continuing to work in partnership with the EA to ensure that the funding requirements from the ERDF funding are met through branding and material requirements, submitting claims and providing regulation progress and monitoring reports. A recent internal audit gave the Council the highest credited rating 'substantial assurance' ensuring that all the ERDF funding requirements were being met and to a high standard. Full details of the project progress has been reflected in the Promoting South Lakeland Portfolio Holder Report.
- South Lakeland House Renovations – SLDC successfully secured £439,522.00 of LEP funding to support the creation of additional business space in Kendal town centre. This funding supported the overall project cost creating a new flexible, modern workspace available to rent. The works have now concluded and the new space has created a professional and flexible enterprise centre in Kendal Town Centre. The Kendal Business Hub offers 9 spacious and attractive offices to rent with hot-desking opportunities, along with meeting areas for hire, enabling businesses to take up short-term residency or hire rooms for meetings, training and conferences.
- GSK Masterplan – A masterplan has been completed by SLDC on behalf of the GSK Taskforce to guide the future development of the GSK site in Ulverston following the company's recent decision to reduce its operations on the site. This Masterplan seeks to establish a prosperous future for the site as a life sciences and advanced manufacturing park; and to safeguard and create high value employment in the area. Concentration is now with partners on delivery of the vision, for which Phase 1 of the leisure capital redevelopment at Priory Road in Ulverston will be an enabler.

- Borderlands Place Programme – SLDC continues to partner with Cumbria County Council and other public and private sector stakeholders as part of the Ulverston Town Team which is producing a Place Plan and Investment Plan for the town which will determine where to prioritise the £3m secured through Borderlands Place Programme, as well as seeking future additional investment.
- Kendal Vision – Following the partnership agreement with Kendal Futures on the further development and delivery of Kendal Vision, the Council is contributing £285,000 over the next three years towards a Vision Manager, Action Groups, and funding for feasibility studies and development work. A Town Team for Kendal has now been formed to support this activity and help deliver on these shared aspirations, including lead officers and elected members from SLDC, Cumbria County Council, Kendal Town Council and Kendal Futures.
- Levelling Up Fund – This government fund is designed to invest in infrastructure that improves everyday life across the UK and will support town centre and high street regeneration, local transport and cultural and heritage assets. Working closely with partners including Cumbria County Council, Kendal Town Council, Kendal Futures and Kendal College, SLDC has developed an application focused on the regeneration of Kendal town centre, in line with strategic priorities identified in the Kendal Town Centre Strategy and Kendal Vision. It is a competitive bidding process and the outcome is expected to be known later in 2022.
- Shared Prosperity Fund – This fund is part of the Government’s Levelling Up agenda and provides £2.6 billion of new funding for local investment by March 2025. All areas of the UK will receive an allocation from the fund via a funding formula. SLDC will receive an allocation of £3.8million to be invested over the next three years, subject to submitting an approved investment plan to Government. This must be submitted by 1 August and is currently in development, being shaped through engagement with local partners and organisations.

Business Support, Sector Development and Visitor Economy

The 2021 Business Premises Survey was sent to 4,000 businesses on the South Lakeland Business Rates register had a response rate of 28% (1,119 responses), which is considered a statistically significant sample and can be considered representative.

Three quarters of respondents feel confident about the next twelve months, with a similar proportion expecting their staffing levels to stay the same. Compared to the results from the 2020 survey, there has been a 25% increase in confidence rates, which can be linked to positivity following the lifting of Covid restrictions.

Of the 1,119 responding businesses, 19% (208 businesses) indicated that they would expect their premises needs to change in the next 3 years. The majority expect to increase in size by means of expanding their existing premises or moving to a larger site. The 2020 survey showed a slight shift towards more businesses wanting to downsize, however this year’s results are showing a shift towards a need for larger premises. The majority of those looking for new premises would do so either in an edge of town (e.g. industrial estate) or town centre location, with Kendal being the most likely location.

Findings from the survey will feed into the Local Plan Review and help the Council to better understand the employment premises needs in the future for the Westmorland and Furness footprint.

The Council is continuing to provide essential services, partnering with Cumbria Chamber of Commerce and Cumbria Tourism to provide business support, making a significant financial contribution to delivering free support to start-ups and existing businesses and delivering the Covid-19 Recovery Marketing Plan. The Covid-19 Marketing Plan was developed to restore consumer confidence following the pandemic and inspire visitors to visit the area safely.

South Lakeland's economy is heavily reliant on the Visitor Economy, which was significantly impacted by the Coronavirus pandemic restrictions and now is heavily impacted, like many other sectors of the economy, by recruitment challenges. The Council continues to work with partners through its Building Financial Resilience and Strategic Economic Renewal Group to better understand and collectively work to address this complex issue.

The Council was successful in securing funding through the Reopening the High Streets Fund and Welcome Back Fund. These funds formed part of the wider support government has provided to communities and businesses, to protect jobs and support the most vulnerable. These funding streams allowed the Council to seek ways to boost the look and feel of high streets, run and support publicity campaigns, encouraging people back into the high streets and improve green spaces whilst working in accordance with the ERDF Funding regulations.

The Reopening the High Streets Fund supported the appointment of Marshals who patrolled key tourist hotspots in Bowness, Windermere and Ambleside to share Covid guidance and monitor the area to encourage visitors to visit the area safely and with respect. Other interventions included 20mph speed limits in Town Centres, raising Covid-19 awareness and support for businesses reopening, reopening of public toilets and providing businesses with Covid-19 materials, sanitising stations etc.

The Welcome Back funding supported the installation of footfall counters in key town centres across the District to monitor footfall, as well as an extension of the Marshals contract who patrol Windermere, Bowness and Ambleside over the weekends and bank holidays, providing support and reassurance to visitors, businesses and the local community. Other activity delivered included the creation of promotional videos showcasing the highstreets' offer, support for Christmas markets, 3D virtual town tours, new litterbins to replace damaged ones throughout the District and temporary street planters.

As a direct response to Covid-19, the Portfolio Holder for Economy, Culture and Leisure established an Economic Renewal Strategy Group for South Lakeland, which includes representation from MPs, major employers and partners from around the district. This group has allowed the Council to better understand the challenges being faced and each meeting focuses on a key topic, which has included the Local Plan, Brexit, Recruitment, Advanced Manufacturing, Town Centre Prosperity and the Visitor Economy. Moving forward the group will meet on a bi-annual basis with the next meeting planned to take place in October 2022.

The Council recognises the green economy as a high growth sector and, having declared a Climate Emergency, continues to offer green business support and promote environmental awareness through its partnerships with Cumbria Action for Sustainability, Future Fixers and Green Small Business.

CAfS' is offering support for 12 micro, small or medium sized businesses of up to 20 hours and a subsidised energy audit.

Future Fixers inspires and encourages people to launch purposeful and ethical businesses. This programme includes 6 training sessions, a one-to-one session, training resources, group coaching and access to the wider Future Fixers community.

Green Small Business offer a certification scheme with support for businesses to tailor their environmental management plans and policies to reduce their carbon footprint and increase profitability, helping small businesses to better manage their environmental impacts.

Town Centre Planning, Car Parks and Transportation Strategies

The Council published its Kendal Town Centre Strategy, which sets out a long-term strategic approach to ensuring Kendal remains an attractive place to live, work and explore. This has helped to inform the Council's plans, policies and priorities and is being used to help secure future investment. The Strategy was launched jointly with the Kendal Vision, led by public/private sector partnership Kendal Futures, and a partnership approach is being taken to deliver on their aspirations to create a more sustainable and vibrant Kendal.

An Ulverston Place Plan has now been produced through the Borderlands Place Programme. This has been shaped by the Ulverston Town Team, including SLDC and a number of other public and private sector partners. It sets out the priorities for future investment for the town, and will be used to inform the Borderlands Investment Plan.

Culture, Arts and Events

Since Covid restrictions were lifted events and festivals have resumed, including events organised by the Council's strategic cultural partners; Lake District Summer Music, Kendal Torchlight, Lakes International Comic Arts Festival and Kendal Mountain Festival, all of which promote South Lakeland and support the district's economy.

The council has established a new internal Events Co-ordination Group bringing together key service areas across Licensing and Public Protection, Locality, Assets, Culture, and Parking Services. The group has provided support and guidance to event organisers throughout the district working with a significant number of organisations providing a customer focussed single point of contact approach to events on Council land and for key major events in the district. The work of the ECG will continue to be developed over the next 12 months.

The ECG group co-ordinated the work on HM Queens Platinum Jubilee and events that took place on Council land. To celebrate the historic occasion of HM Queens Platinum Jubilee the group initiated *The Light District* a once in a lifetime celebration where people across South Lakeland were invited to temporarily light up homes, gardens, buildings and monuments to create a district wide beacon of light to participate in the national moment of beacon lighting at 9.45pm on 2nd June and throughout the Commonwealth. The beacon of light was created North, South East and West of the district with Dove Cottage Grasmere, Kendal Castle, The Market Square Monument and The Hoar - Ulverston all being lit up in purple.

The Council's support to its Strategic Cultural Partners helped in enabling the District's cultural and heritage organisations being successful in securing crucial financial investment through the national Cultural Recovery Fund, administered by Arts Council England, National Lottery Heritage and the British Film Institute, with over £1.7 million investment secured which supported the development of Covid contingency plans for their operations.

The council has agreed to continue the allocation of revenue funding identified in the Council's budget to the Council's designated 12 Strategic Cultural Partners contributing to the economic prosperity of South Lakeland, to maximise impact and benefit to communities and effectively continue to deliver Council priorities in the period leading up to the creation and first year of

the new Westmorland and Furness authority's operation. This targeted strategic approach will further develop South Lakeland's cultural and creative industries and lever in additional economic and cultural investment into the district.

The Council's recognition of the value of public investment in culture that supports the wider ambition and delivery of economic, cultural, social and environmental priorities of the Council has helped to promote South Lakeland as a great place to live work and do business and as a leading rural cultural destination. The Council's strategic approach to SCP funding has also enabled organisations to lever significant levels of other funding investment for the benefit of the area from the Government Department for Digital, Culture, Media and Sport, Arts Council England, National Lottery Heritage, Cumbria Local Enterprise Partnership, and significant national trusts and foundations. Some of the SCPs of the council are also National Portfolio Organisations of Arts Council England.

The Council has continued to be a supportive partner and investor in major capital infrastructure developments of the Wordsworth Trust 'Reimagining Wordsworth project and the 'Our Digital Future' initiative at the Brewery Arts Centre Kendal.

The Reimagining Wordsworth major capital project has been delivered - Wordsworth Grasmere has had its official opening and is now a transformative family friendly cultural heritage attraction featuring Dove Cottage, an upgraded Wordsworth museum, garden, family and community-learning space that is now fully open to the public.

The Brewery Arts 'Our Digital Future' project met its objectives and ambitions by refurbishing, reinvigorating and delivering digital upgrades. The venue has improved the cinemas, theatre, music venue, creative studios and is now a refreshed and modernised facility welcoming back audiences.

The Council has been working in support of the Farmer's Arms development at Lowick by Grizedale Arts. The Farmers Arms project will expand the work of The Valley project, providing a much-needed dynamic creative and industrious rural community hub. It will become a new model cultural institution delivering economic and cultural benefit and reinvention in the Crake Valley. Phase 1 of the project is underway that has seen the creation of new jobs and opportunities.

The Council has continued to work with its creative partners, Craven District Council, Lake District and Yorkshire Dales National Parks on the 'Great Place Lakes and Dales' initiative. This programme has promoted the development of sustainable, resilient and creative communities with the aim of helping to make the area more attractive and vibrant to help retain and attract younger people to South Lakeland and Craven.

Grants - Covid Recovery Response

The Council administered 14 emergency grant schemes to businesses in response to the Covid-19 pandemic. The variety of grants available has helped businesses and individuals of all sizes and sectors, safeguarding businesses and jobs throughout the district.

South Lakeland District Council distributed the highest proportion of grants in Cumbria through the 14 different grant schemes it has run.

The grant schemes have included-

- Round 1 Grants (SBGF/RHLGF/LADGF)
- LRSG, CBLP, Christmas Grants

- Additional Restrictions Grants
- Restart Grants
- Omicron Grant

All grant schemes have now closed and the Council is undertaking reconciliation.

Since the first grant scheme launch in March 2020, the Council administered £152m across 14 different grant schemes.

A recent internal audit of the Covid-19 grant schemes was granted reasonable assurance and found that the use of relevant, reliable software greatly assisted in the management and administration of the grants. It found that the Council responded promptly and appropriately to the issued Government guidance and adapted its software accordingly to accommodate any new pronouncements.

Public Halls and use of Community Assets for the Promotion of Arts and Culture

Since the pandemic the Council had been supporting cultural and local events for communities through the use of public halls.

The Council presented a report to Cabinet 9th March and received approval to enter into a long lease (99 years) with UCE for Coronation Hall on the back of a Business case/plan, investment strategy and vision for Coronation Hall. A further report will seek approval for additional grant support and capital investment for Ulverston market.

Heritage, Events and Heritage Listed Buildings and built environment

The Burton-in-Kendal Partnership Scheme in Conservation Areas (PSiCA) scheme is jointly funded by the District Council and Burton-in-Kendal Parish Council, with matching funding from Historic England. The aim of the PSiCA scheme is to see the Conservation Area removed from Historic England's Heritage at Risk register, following a programme of public realm improvements, grant-aided repairs to historic buildings and wider management and planning guidance.

Year 2022/23 is the final year of the scheme: the enhancement scheme of the village Square is largely complete, and included important improvements to address drainage issues in the centre of the village. Grant aided repair work to the Royal Hotel which overlooks the Square, is nearing completion to a high standard. Repair work to a property to the west of the Square is complete. Grant aided repair to a further property on the East of the Square will progress soon, subject to listed building consent. The owners of other properties offered grant aid for repairs have indicated they no longer wish to proceed.

In February 2022 cabinet approved undertaking public consultation on a draft Conservation Area Management Plan for the village of Cartmel. The draft Plan was prepared in 2019, working jointly with Cartmel Village Society. The draft Plan:

- Sets out guidance for protecting the special character of Cartmel Conservation Area
- Identifies a List of unlisted Buildings or Features of Local Architectural or Historic Significance that are of particular merit in the Conservation Area.
- Considers whether an Article 4 Direction to control permitted development is justified, and identifies properties that are considered merit this additional protection.
- Provides a strategy for Buildings at Risk

The consultation ran from 23 March to 14 April 2022 and included a Drop- In event on Friday 25 March from 2-6.30pm in Cartmel Village Hall. A summary report of responses received has been prepared and will be placed soon on the Council's website. When conservation resources allow, additional work will be undertaken before a revised CAMP is reported to Cabinet. This will include:

- Updating contact details of owners of a number of properties referred to in the draft CAMP
- Updating the recommendations in the draft CAMP to take account of the consultation responses, and
- Some further consultation on the revised recommendations.

Leisure and Recreation

Phase 1 of the redevelopment of Ulverston Leisure Centre was approved by Cabinet in February 2022, which will see an investment of £2million to the external facilities and improvement to the infrastructure on site. Further reviews will be undertaken for future phases with the new Westmorland and Furness Council.

Leisure Centres have re-opened and Greenwich Leisure Limited has been working hard to enhance its offer and sustain itself in what has been a challenging period. The leisure operator, with support from the One Public Estate partnership, agreed a sub-lease of part of Kendal Leisure Centre for MBUHT NHS to run their physiotherapy services from the leisure centre which allows the service to be run in the heart of the community and allows patients to access the facilities on site. Further discussions are currently in progress around opportunities partnership working at Ulverston Leisure Centre.

Cross Authority Economic initiatives

SLDC has worked in partnership with Lancaster City Council and Barrow Borough Council to develop a more sustainable economy and jointly promote the area as a place to live, study and build a career. A Morecambe Bay Prosperity & Resilience Strategy has been produced identifying key priorities and opportunities for the area.

There remains ambitious plans to seek national investment for various strategically important projects to support economic vibrancy and this work is now being co-ordinated in line with the ongoing discussions for Westmorland and Furness around Local Government Reorganisation, including Eden District Council and Cumbria County Council.

Tracking Information

Signed off by	Date sent	Date Signed off
Section 151 Officer	N/A	N/A
Monitoring Officer	N/A	N/A
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Communications Team	N/A
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Committee Chairman	N/A
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Council	13/07/22

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South Lakeland District Council
Council
Wednesday, 13 July 2022
Finance & Assets Portfolio Holder Report

Portfolio: Finance and Assets Portfolio Holder
Report from: Cllr Andrew Jarvis

The development of strategic policy to ensure that the Council has put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources, i.e. Value for Money.

To ensure that the Council has proper arrangements in place for securing financial resilience and the management of the Council's resources.

To support the Leader of the Council and to deputise in his/her absence.

Policies, Plans, and Strategies

- Medium Term Financial Strategy
- Budget Framework
- Procurement Strategy
- Discretionary Benefit and Rate Relief Policies
- Council Tax Reduction Scheme
- Asset Management Strategy
- Commercial Strategy

Key Areas

- Strategic Finance
- Budget monitoring
- Treasury Management
- Capital Programme
- Value for money
- Procurement
- Savings programme
- Payments and Sundry Debtors
- Insurance and risk management
- Benefits Administration
- Council Tax Collection
- Asset Management

Strategic Finance

The 2021/22 Statement of Accounts, including the Annual Governance Statement, was approved by the Finance Lead Specialist on 30th June 2022, well ahead of the revised statutory deadline of 31st July 2022, and submitted it to the Council's external auditors, Grant Thornton, for review. The accounts include 2 prior-period adjustments:

- it is necessary to produce comparable figures for 2020/21 on the same departmental structure as for 2021/22 following the reorganisation of services in May 2022 under the Operational Lead – Place and Environment and Operational Lead – People, Welfare and Income Maximisation; and
- to recognise the review and re-categorisation of some assets from investment properties to better reflect the use of those assets.

Although the final opinion on the 2020/21 accounts was issued in September 2021 and the Value for Money Annual auditors report was issued in December 2021 the Audit certificate, which signifies the closure of the audit, has not been issued to date due to delays with the Whole of Government Accounts return. The auditors are required to certify the accounts are consistent with the WGA return but the return was not published by the Government until May 2022. The Councils 2020/21 WGA is now ready for audit and will be reviewed alongside the 2021/22 accounts.

The 2021/22 Outturn report is elsewhere on this agenda and reports a very small underspend for 2021/22 after taking into account movements to and from reserves.

Budgets and Budget monitoring including Capital Programme

The five-year budget for 2022/23 to 2026/27 was set at Council in February 2022. Officers are still finalising the initial financial monitoring results for 2022/23 but there are a number of budget pressures expected for 2022/23 onwards, including utilities, fuel prices, staff pay and inflation-linked payments to contractors.

Normally a Medium Term Financial Plan for the five years from 2023/24 would be under preparation for consideration by Cabinet and Council in July. This year there is not the need to prepare this future-look at the Council's finances to set the structure for the 2023/24 budget setting process. Instead, the Finance Team will prepare budgets on behalf of the Westmorland and Furness Council based on assumptions and principles agreed by the Westmorland and Furness S151 Officer and Shadow Cabinet. It is expected that a first draft of these budgets will be ready for October 2022. The latest SLDC MTFP financial projections, approved in February 2022, predicted a budget deficit for 2023/24 of £2.3m assuming the Government would reform certain elements of local government funding. This review is not expected to apply until at least April 2024 so it is now expected that the deficit will be reduced by £2.9m. The W&F Council MTFP from 2023/23 onwards will be prepared based on figures disaggregated from the Cumbria County Council budgets combined with budgets from Eden District Council, Barrow Borough Council and this Council.

Budget monitoring reports for Q1 of 2022/23 (1 April 2022 to 30 June 2022) will be prepared during July 2022 and reported to Overview and Scrutiny Committee on 26th August, Cabinet on 31 August and Council on 4th October 2022.

Treasury Management

The Treasury Management Framework strategy ensures that the Council have robust arrangements for potential future investing and borrowing where appropriate and affordable and was approved by Council in February 2022.

The strategy includes the Capital Strategy to clearly link the Council's spending and financing plans for the medium/long term in line with the 2022/23 budget. Finance staff will apply the investment strategy when making decisions on where, and for how long, investments are placed. Levels of investments and bank balances have been higher than normal over the last couple of years due to patterns of receipt and payment of Covid-19

grants from Government. The majority of unclaimed grant has now been repaid to Government and investment levels are returning to more normal levels. Further grant of £5.4m was received in March 2022 for the Council tax energy rebate, of which £5.2m relates to the statutory scheme for residents of properties in council tax band A, B, C and D and £191,250 relates to a discretionary scheme to be set up by the Council to support households who are in need are not eligible for the statutory Council tax rebate.

Capital Programme

The capital programme has now been updated for 2021/22 actual expenditure and re-profiling requests have been rolled forward along with the related financing. Full details are included in the 2021/22 outturn report elsewhere on this agenda.

Procurement and Value for Money

A revised Procurement Strategy was approved by Council on 27 July 2021 and sets out how the procurement function will improve through a more strategic approach, balancing the delivery of sustainable outcomes with value for money and reflecting the Council Plan Priorities. The procurement schedule for 2022/23 was approved in February 2022 alongside the budget report.

Pressures from rising inflation have reinforced the requirement for the Council to seek Value for Money from their procurement process as well as accountability that we are being fair and transparent in our invitations to tender. Strategic Council Plan Priorities mean that there is a shift towards a more holistic view of the outcomes of our procurement, very much taking into account sustainability, net carbon neutrality and localism. Much of how we approach this is down to how we can legally form our invitations to tender, being encouraging to local businesses but not excluding the wider business community where they can still benefit the District.

Officers are part of the Commissioning, Procurement and Contract Management Work stream for LGR which has identified a procurement pipeline list.

The Secretary of State made a direction under s24 of the Local Government and Public Involvement in Health Act 2007, providing that a predecessor Council may not, without the written consent of the Shadow Authority, enter into capital contracts under which the consideration exceeds £1m or non-capital contracts under which the consideration payable exceeds £100,000, where the period of the contract extends beyond vesting day or where under the terms of the contract the period may be extended beyond that date. A schemes of delegation and a general consent was approved by Westmorland and Furness Shadow Cabinet on 10 June 2022 and will require any contracts over £2m to be reviewed by the W&F Council.

Insurance and risk management

The Council has a Strategic Risk Register, which is reviewed by Audit Committee, and describes how the Council identifies and manages operational and strategic level risks both above and below the line of risk tolerance.

Where appropriate the Council arranges insurance to mitigate the financial impact of risks. The insurance cover and administration are set out in the Finance Procedure Rules within the Constitution. Cover for the 2022/23 financial year has been finalised by officers who are now assisting with the procurement of cover for 2023/24 onwards for Westmorland and Furness Council.

Benefits Administration

Following the influx of claims in 2020/21 due to Covid-19, the workload has levelled out. The Benefits Team have dealt with 261 new claims in the last quarter which is 30 less than last year in the same quarter but only 7 less than the quarterly average across the whole year. Changes of circumstances dealt with for the last quarter were 4,903 which is 616 less than the same quarter last year and 19 more than the quarter average for last year.

The Housing Benefit caseload continues to decrease slightly, as all new working age claimants, with exemptions, are required to claim Universal Credit for the housing element, which replaces Housing Benefit. As of 27 June 2022, the combined caseload is 4908, 166 less than the same time last year and 318 less than 2020. There are also 2285 live Housing Benefit claims, which is a reduction of 215 claims from the same time last year.

The number of Council Tax Reduction claims has also decreased to 4666 compared to 4830 last year. 57% of Council Tax Reduction claims relate to working age claimants and the remaining 43% to Pensionable age claimants.

The team are continuing to maintain a high level of administration in new claims and changes in circumstances for both Housing Benefit and Council Tax Reduction being processed within the target times contained in previous service plans. Increases in new claims are anticipated due to the pressures on households and the increasing cost of living.

Recovery of overpayments continues with the team continuing to apply sensitivity to individual financial circumstances. Arrangements are being made with customers to repay outstanding debts and attachment of earnings and deductions from benefits are being applied for where all other recovery options have been exhausted.

The Council continues to work in close partnership with the Department for Work and Pensions (DWP), Citizens Advice and other partner organisations to ensure that provision is in place to provide additional support, assistance and advice to those residents who need it. The Council continues to strive to ensure that it maximises benefit entitlement through Council Tax Reduction and will continue to provide additional support to the most vulnerable residents.

There has been no further guidance or measures of assistance from the Government in relation to additional support to those in receipt of Council Tax Reduction for the 2022/23 financial year.

The Discretionary Housing Payment budget for 2021/22 was spent in its entirety, with 85% of the 557 applications being awarded a payment. As of 27 June 2022, there have been 169 applications in comparison to 164 application for the same period in 2020/21.

For the first quarter of the 2022/23 financial year, £22,999 has already been granted indicating the continued need for this support. The allocation from Central Government has reduced by almost £32,000 this year to £72,538 however an amount of £2m has been reserved by government for allocation later in the year which may mean additional funding is made available to the Council. As in previous years, careful management of this budget continues to ensure that vital support can be allocated to those in need for the remainder of the financial year.

Council Tax/NDR Collection

During the 2021/22 financial year, collection rates for both Non Domestic Rates and Council Tax were measured against 2019/20 actual performance due to the impact of the pandemic.

This year's collection rate (2022/23) for Council Tax is now being monitored against last year's (2021/22) actual performance. As at the end of May 2022, the collection rate was 20.61% against a target of 20.66%, down 0.05%.

Due to significant increases in demand on the service over a prolonged period of time, there is currently a processing backlog of changes for Council Tax dating back to March 2022 meaning that some new and existing taxpayers will be waiting for bills from the Council to enable them to make payment which will be affecting the collection rate. This workload has been prioritised and additional resources identified with a view to reducing the backlog significantly over the next month.

As we recover from the pandemic, recovery activity is now focussed on encouraging taxpayers to return to payments in-year wherever possible. During 2021/22, customers who had fallen behind and were carrying forward arrears were allowed extended payment arrangements on their full outstanding balances continuing beyond 31 March where appropriate. From April 2022, only amounts subject to a summons will be included in a payment arrangement with the flexibility to adjust the instalment profile for 2022/23 charges over the remainder of the year where needed.

Additionally, the Recovery Specialist is reviewing recovery action which was postponed due to the pandemic and recommencing this where appropriate. The team continue to review debts for prior years with a view to passing those over the Enforcement Agents for collection as resources allow.

Customer Service Advisors continue to check on eligibility for Council Tax Reduction and discounts and exemptions whenever contacted about recovery notices in order to maximise the financial assistance available to taxpayers.

Reminder notices were not issued during April 2022 but we have now restarted issuing those.

Liability Order hearings continue on a remote basis for the time being although a review meeting is to be held with the Courts Service to address any issues with the hearing process for the future.

Significant numbers of Council Tax payers are contacting the Council to make a payment arrangement on receipt of a Summons.

Delivering the £150 Council Tax Energy Rebate scheme announced in February 2022 for over 34,000 households in bands A - D has been a significant piece of work for the Revenues Specialists, diverting resources away from recovery activity to publicising, testing and implementing the scheme to assist households as quickly as possible. As at 28 June 2022, £3,628,800 of the £5,193,450 allocated to SLDC has been awarded to 24,192 households which represents just under 70% of the funding allocation for the mandatory scheme.

The work on the energy rebates continues and is likely to continue in the coming months as bank details are collected from around 8000 taxpayers not currently paying by Direct Debit and more eligible households are awarded their rebate as the processing backlog is brought up to date.

The Discretionary Energy Rebate Scheme is due to be tested, launched and implemented over the coming months in order to distribute the £191,250 of discretionary funding before the deadline of 30 November 2022.

The increased cost of living is also expected to affect both collection rates and workloads over the coming few months due to some households struggling with higher costs of domestic energy, fuel and food and in increased customer contacts for assistance including

enquiries from some residents on the cost of living package announced by the Chancellor, the majority of which is not expected to be administered by the Council.

Recent updates from the Institute for Revenues, Rating and Valuation indicate that additional Household Support Fund may be allocated in the autumn of 2022.

During 2021/22 collection of Non Domestic Rates (NNDR) was monitored against that actually collected for 2019/20 due to the impact of the pandemic. It would seem sensible to continue to monitor against 2019/20 for current year collection due to the effects of the mid-year split for retail relief from 2 July 2021 which had an impact on the collection rates with collection dipping to -10% at one point last year.

As at the end of May 2022, the collection rate was 20.32% against a target of 20.09%, up 0.23%. However, in 2019/20 retail relief was awarded at 33% of the net rates bill for qualifying businesses. This year relief is awarded at 50% of net rates bill and it is still extended to hospitality and leisure businesses following the pandemic so this means that we have less to collect from ratepayers.

There is also a processing backlog of NNDR changes dating back to March 2022 with the same issues as for Council Tax highlighted earlier. There are a number of applications for Small Business Rate and Retail Relief awaiting processing which once considered could reduce the overall amount collectable.

Reminders have not yet been issued for NNDR accounts and accounts are being reviewed on an individual basis. Recovery was stopped from January 2022 whilst consideration was given to administering the Covid-19 Additional Relief scheme for NNDR. A report will be presented at Cabinet on 4 July 2022 to approve the proposed scheme for administering our allocation of £2.1 million relief.

Whilst any award under the CARF scheme is restricted to 2021/22 ratepayers who have already paid their bill will still be able to apply and as part of the application process, some may opt to have any resulting credit to be refunded or credited to the current year which, again, may reduce the overall collectable amount.

Asset Management

- Work to South Lakeland House is completed.
- Structural repair works to Westmorland Shopping Centre Multi Storey car park is currently underway and due for completion August 2022.
- New energy efficiency measures (installation of a new water source heat pump) at Ferry Nab Marina, Bowness on Windermere are currently out to tender.
- New pathways around Kendal worked have been completed.
- Refurbishment to Abbot Hall Gallery – currently in agreement with Lakeland Arts. Works intended to be complete by December 2022.
- Changing Places Toilet and Refurbishment to existing PC at Rayrigg Meadow are due to start August 2022.
- Grange Lido and Promenade design works are progressing, with the onsite concrete survey nearing completion. This will allow the completion of final architectural construction information, enabling commentary and design input from the structural engineers and Building Control. Discussions continue with Save Grange Lido.

Detailed work has also started around Local Government Reform with the Estate/ Assets work package.

Local Government Reorganisation

Although the Local Government Reorganisation will abolish this Council from 1 April 2023, all the income, expenditure, assets and liabilities of this Council will transfer to the new Westmorland and Furness Council on that date to be merged with the amounts for Barrow Borough Council, Eden District Council and part of Cumbria County Council. Officers are currently working on disaggregating and aggregating the revenue budgets for 2022/23 as a basis for the 2023/24 budgets and on assets and capital programmes. On top of the usual budget work around identifying budget pressures and savings, it is necessary to combine potential budget changes arising from the splitting and combining of services as identified through the service baseline blueprint process. Work is also progressing on collating and reviewing fees and charges for all Councils to identify where there may need to be changes in charges for 2023/24 (other than BAU changes for inflation etc).

There are significant costs to implement the new authorities, funded from contributions from each existing authority which have been included in budgets. The Government makes no additional funding available for Councils undergoing LGR so all additional costs must be met either from existing resources or from delivering future savings. During 2022/23 there is expected to be a further request for funding for transition and transformation preparation work to be undertaken before vesting day.

The Chief Finance Officers of all authorities are also working to ensure that the new Councils have suitable systems, processes and people in place so they are able to make payments, collect income and monitor budgets from day 1 of the new authorities.

There are also specific rules for harmonisation of Council taxes for new authorities following LGR. Proposals for this and for the splitting of existing Government funding streams will need to be agreed with the Department of Levelling Up, Housing and Communities (DLUHC) by October 2022.

Tracking Information

Signed off by	Date sent	Date Signed off
Section 151 Officer	N/A	N/A
Monitoring Officer	N/A	N/A
CMT	01/07/22	01/07/22

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Ward Councillor(s)	N/A
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Executive (Cabinet)	N/A
Council	13/07/22

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**South Lakeland District Council
Council**

Wednesday, 13 July 2022

**Health, Wellbeing and Poverty Alleviation Portfolio
Holder Report**

Portfolio: Cllr Suzie Pye

To work with other tiers of government, community groups and other relevant partners to enhance the health and wellbeing of residents.

Alleviate the harmful effects of poverty in the District, looking at issues to address those who are disadvantaged, focusing on fairness and reducing disadvantage and inequalities.

Working with key partners concerning welfare reforms.

Nominated representative on the Health and Wellbeing Board as appropriate.

Promoting the relationship of the Council with its citizens; encouraging civic participation with the Council plan objectives around leisure, health and wellbeing; and developing greater community collaboration.

Leading on inequality, deprivation and population health.

Working with key partners concerning public health and community safety.

Polices, plans and strategies

- Community Strategy
- Health and Wellbeing Strategy
- Cumbria Joint Public Health Strategy
- Community Safety Plan

Key Areas

- Public Health
- Community Development
- Crime and Disorder Reduction Strategy
- Voluntary Sector in relation to Public Health and Wellbeing Sector
- Health and Safety
- Poverty Alleviation
- Young People/ Projects
- Emerging Community Issues

Public Health

The Council's Health and Environment Team continue to work albeit, in a reduced capacity, alongside colleagues from National agencies, Cumbria's Public Health Team, and other district councils, to provide support and assistance to the Education Infection Prevention and Control Team and the Care Home Infection Prevention and Control Team to manage cases of Covid 19. Collaborative work is also taking place to formulate Pandemic Preparedness Plans.

Routine regulatory activity, centred mainly around Food Hygiene and Health & Safety has now fully resumed. Officers are working in line with The Food Standards Agency Recovery Plan to address the backlog of inspections which have been brought about by the pandemic.

Health and Safety

Officers from the Council have recently been involved with the successful prosecution of Health and Safety regulation breaches against Holker Estates and Newmac. The fines were £127 000 and £11 000 respectively. This has been in no small part due to the comprehensive and thorough investigation carried out by Officers.

Crime and Disorder Reduction Strategy and Young People/Projects

Alec Proffitt (CSP coordinator, Barrow BC):

SLDC Safeguarding Forum: SLDC's Safeguarding Forum meets quarterly to challenge and review policies, procedures and performance of the authority's safeguarding responsibilities. The Forum has recently:

- Successfully completed a Child safeguarding audit (section 11 of the Children's Act)
- Begun systematically monitoring induction safeguarding training
- Promoted safeguarding training e-learning to all staff (now mandatory) and reviewing members training offer
- Completed a one day "Principles of Safeguarding" courses for relevant SLDC staff and 2 further full day sessions booked in for August 2022
- Completed conflict resolution training and trauma informed care training (7 Sept) for Town View Fields Hostel staff. All staff received safeguarding level 1 and e-learning training) and Level 3 safeguarding booked for 2 August. Bespoke site specific training personal safety training for Hostel staff due in July.

Poverty Alleviation and Financial Resilience

In response to the cost of living crisis several initiatives and projects have come to fruition:

2 new poverty alleviation funds have been launched:

- The Fairer South Lakeland Community Fund is a £25,000 fund to support poverty alleviation and community and individual resilience. The Fund is open to Town and Parish councils, community and voluntary groups and local charities and can award up to £8000 for both established projects and new initiatives.
- The Emergency fund is for short term financial support for individuals / residents (up to £200 per individual/ household) to meet immediate and severe financial need.

£2000 is available for partner agencies to award where there is no prospect for alternative funding, and the recipient is in a crisis situation.

- South Lakeland Poverty Truth Commission: Cumbria CVS, funded by SLDC, have now successfully recruited a coordinator and facilitator to manage the commission and will immediately start on recruiting community commissioners to start the 2 year process. A Poverty Truth Commission is a response to poverty led by those directly affected by poverty. It will change perceptions of poverty by promoting meaningful conversation and relationships between people experiencing poverty and people who control resources and services which help alleviate poverty. It's about moving from denial that poverty exists to an informed response to poverty in our area. Community commissioners are people with lived experience of poverty. They will set the agenda and lines of enquiry for the PTC. Civic commissioners will then be recruited (local leaders in relevant organisations) and a series of conversations will be held. Public events will be held to raise awareness and showcase what has been improved as a result of the process.
- The Building Financial Resilience Partnership continues to have excellent attendance from local partners and is a forum for sharing information of grants/ support and local initiatives amongst partners.
- SLDC have published a comprehensive list of support (Sharepoint home page / Quicklinks/ "Financial support and advice for staff to signpost") covering Council Tax discounts, energy rebate, Discretionary Housing payments, Homeless support, Handy Person scheme, as well as links to other services in the area. We have also published a list of food banks and outlets in South Lakeland.

Finally every edition of South Lakeland News has an extensive listing of sources of support for those in financial difficulties or crisis.

Young People

SLDC is a partner on the Children and Young People's Working Group (SLDC PH member). The group has recently approved funding for various projects which promote the health, wellbeing, and safety of children and young people in South Lakeland. Right-To-Work were awarded funding to provide outdoor placements for small groups of young people who were beginning to disengage with school or college life for whatever reason. Ulverston Town Council were awarded funds to purchase and install an outdoor gym in Ford Park, which will be used by many young residents. Cancer Care were funded to run peer support groups for 11-17 year olds who are either suffering from cancer themselves or who have suffered bereavement. These are just some projects that the CYPWG supports, and demonstrates how effective it is as a partnership group.

The SLDC Portfolio Holder (PH) is on the CCC Panel for the holiday and activity programme - bids from local organisations put on activities and lunches for vulnerable young people and children receiving Free School Meals. For more information please follow this link:

<https://cumbria.gov.uk/childrensservices/childrenandfamilies/cfis/holidayactivity/holidayactivities.asp>

SLDC Officers and Councillors are collaborating with the work coaches at Kendal Youth Hub which operates out of the South Lakes Foyer and is run by local DWP representatives. The team at Kendal Youth Hub help bridge the transition from leaving mainstream education to entering employment, apprenticeship, or further studies. They engage with 16-24 year olds, particularly those with barriers to work, to help build confidence and develop employability skills.

Health and Wellbeing

Park Run is happening every Saturday morning at Rothay park in Ambleside and Park Play in conjunction with Active Cumbria will be starting free play sessions in SLDC's Lightburn Park in Ulverston and Sandylands in Kendal. This starts on 23/7/2022 in Ulverston.

The start date is yet to be confirmed for Kendal.

SLDC have made a contribution towards the cost of the Park Play leaders.

A more detailed report will be available when the numbers of children attending have been quantified.

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South Lakeland District Council
Council
Wednesday, 13 July 2022
Housing Portfolio Holder Report

Portfolio: Housing Portfolio Holder
Report from: Cllr Helen Chaffey

Implementing of the Local Plan housing objectives.

Working in partnership to improve the standard, availability and affordability of housing in the District to meet local needs, championing these issues at national, regional and sub-regional level.

Policies, Plans and Strategies

- South Lakeland Local Plan
- Housing Strategy and Policy (including Choice Based Lettings Allocation Policy)

Key Areas

- Development Management and Building Control
- Housing Options and Homelessness Prevention
- Strategic Housing and delivery (including Housing Enabling and Housing Grants)

Development Management and Building Control

Workloads for the development management service remain high but are reducing which in turn is leading to an improvement in the numbers of applications being determined within the statutory period. Funding to continue with support with contract staff should see the situation further improved over the coming months.

Building control continue to operate close to capacity and are maintaining the market share against the improved inspectors. Apprenticeship opportunities are being explored to fill vacant opportunities and protect the future labour supply for the team.

Housing Options and Homelessness Prevention

The Council introduced a target measure of no more than 20 homeless households living in temporary accommodation at any one time. For the last two years, however, the maximum number of homeless households has exceeded this target, peaking at 39 during Q1 2020/21 following the 'Everyone In' response to Covid before falling back to 21 in Q3 2021/22.

In order to support the reduction of the homelessness households living in temporary accommodation, the Council's Homelessness Strategy 2019/2024 identified four key priorities:

- Homeless prevention
- Increasing the supply of settled accommodation
- Ensuring appropriate support is available
- Tackling complex need

Homeless households in temporary accommodation are predominantly split between Council operated provisions, and rooms in bed and breakfast accommodation. The focus on early intervention and homeless prevention, and concentrated efforts to move households on from temporary accommodation efficiently, has driven a reduction in the use of B&B accommodation over the last two years. Across Q1 2020/21 the average daily occupancy for homeless households in temporary accommodation at any one time was 21 but this has been reduced to an average of 19 households for Q4 2021/22. The total number of homeless households living in temporary accommodation at the end of Q4 was 18.

South Lakeland have been successful in securing funding to support the work being carried out to provide advice and assistance to those most vulnerable in our communities. These additional grants £35,000 direct from the county council to work with victims of domestic abuse and support the additional new burdens of the new Domestic Abuse Act 2021. We were also awarded an uplift of £60,000 in Q1 to aid the work being done to provide additional accommodation units and support the prevention model.

South Lakeland have been successful in securing funding through the Rough Sleeping Initiative (RSI) covering 2022/24, which coincides with ongoing work to reassess the best use of the various allocated grants to ensure that the Council continues to deliver effective services across the district. To date, this money has been vital in ensuring the additional 6 flats at Crag View can continue to be used for those individuals with low support needs and no duty owed to them under the Homeless Reduction Act but are homeless. The support staff funded through the RSI provide targeted support and advocacy to these individuals to ensure successful move on to accommodation with a real focus on employment, training and volunteering opportunities.

Demand on the service remains high with 695 contacts to the service across Q1-3 2021/22. This includes 322 Prevention Cases closed by the end of Q3 with a 93% of cases resulting in positive outcomes. The lifting of final Covid measures, particularly around notice periods and the moratorium on evictions, has continued to add to demand on the service with more households facing homelessness. With this increase in demand the pressure on the use and length of time in Temporary Accommodation has also increased. The main reasons for homelessness remain the loss of private rented accommodation and family breakdowns (both non-violent and violent).

Cold Weather Provision has once again been in place from the beginning of December 2021 through until the end of February 2022 with the Rough Sleeper Coordinator taking the lead in ensuring robust and assertive assessments and engagement takes place with anyone who may claim to be sleeping rough. As part of these conversations the ability to reconnect individuals to their areas where safe to do so continues to be a priority along with identifying positive opportunities for engagement. The reintroduction of a task and target approach will align services to tackle rough sleeping and aim to eradicate it in line with the Government's vision.

The Homelessness team are continuing to create better working partnerships to ensure appropriate health support is available for those in temporary accommodation and to develop a more effective hospital discharge pathway. Alongside this is the development of

complex case meeting through what is currently the police led hubs to ensure all individuals facing barriers are receiving support from appropriate agencies, removing duplicity and seeking to find sustainable outcomes for all.

Riverside Group are providing a shared housing scheme for young people, which was one of the Strategy's actions. Further work is continuing:

- Working with private rented sector to secure accommodation for people in housing need/at risk of homelessness;
- Bringing empty homes back into use by implementing actions within the Housing Strategy;
- Working with public sector bodies and churches to identify any potential sites that could be used for affordable and supported housing;
- Using housing renovation grant scheme properties to enable potential new schemes suitable for tenants with specific needs;
- Working with housing associations to develop new affordable homes.

The Council continues to bring a minimum of 70 long-term empty homes back into use each year. Since 2015 to Q4 2021/22, the Council has brought 541 empty homes back into use throughout the District.

The Council has committed to a pledge for 16 individuals under the Resettlement Scheme for Refugees, with this latest Scheme targeting the Afghan interpreters and their families. There has been wide support in the local communities and the Council has been working with the Resettlement Team at Cumbria County Council who led on the Scheme, along with Registered Providers to assist in the identification of suitable accommodation. A Community Sponsorship Group – Kendal Open Doors have been established and will be working with a Registered Provider to support one family in Kendal through the Resettlement Scheme. The Council is working with Cumbria County Council on Homes for Ukraine and South Lakeland is currently providing more hosted placements than other districts in Cumbria. The Government is also requiring local authorities to become asylum dispersal areas which is a mandatory requirement. The Home Office commissions SERCO to procure accommodation, normally through the private rented sector. It is recognised that this is likely to put a strain on the availability of accommodation available to households in the private rented sector.

Strategic Housing and delivery (including Housing Enabling and Housing Grants)

At Q4 2021/22, the Council had supported 566 affordable homes to rent and 202 affordable homes to buy since 2014. Affordable Housing delivery in the last two years has been affected by Covid. However, there is a significant pipeline of active schemes across the District and it is still a reasonable expectation that the target 477 affordable homes to rent by 2025 will be met.

The Council has supported the delivery of extra care housing and a new 104-unit scheme is near completion at a site in Oxenholme by Housing 21 and due for completion summer 2022. This includes provision of 29 affordable rented units and 43 shared ownership units.

The £2.36 million Community Housing Fund was designed to support community provision of affordable homes. SLDC were awarded the funding to help address the impacts of high levels of second home ownership. The funding was broken down into two available grants.

- CLH Capacity Building Grant
- CLH Scheme Grant

The fund is being used to enable the delivery of new community-led housing schemes through new build, re-use of existing buildings and bringing empty homes back into use. In December 2020, the Council approved a grant scheme of £350,000 and an infrastructure grant of £368,244 to the Levens Community Project (LCP). Work has now commenced at Levens to deliver new homes as part of the scheme. The Council also approved a grant of £185,318 for a co-housing scheme at Holme Farm and work is now underway and a grant of £136,825 was provided for a scheme at Cragfoot, Grasmere for Lakeland Housing Trust, which has completed and grant agreements have been entered into for each of these projects.

The Council provided £30,000 for South Lakes Housing for an energy efficient affordable housing scheme at Parkside Road in Kendal. These units offer energy efficiency savings for occupants, which reduce fuel poverty whilst providing much-needed affordable homes to rent.

The Council recently approved a revised Policy for affordable housing grants to Registered Providers and it is expected that grant applications may be made under the revised Policy using monies from preserved Right to Buy receipts. A decision was made by Cabinet in March regarding the purchase of land at Heversham that would enable new energy efficient affordable homes to be provided on the site subject to further work on feasibility and options which will be brought back to Cabinet for approval which will detail the various options available to the Council for delivery of affordable homes which are exemplar in energy efficiency. This is also to make use of preserved Right to Buy receipts following the decision by Council to change the use of these monies from the provision of loans to grants to Registered Providers and the acquisition of land for affordable homes.

Tracking Information

Signed off by	Date sent	Date Signed off
Section 151 Officer	N/A	N/A
Monitoring Officer	N/A	N/A
CMT	01/07/22	01/07/22

Circulated to	Date sent
Lead Specialist	N/A
Human Resources Lead Specialist	N/A
Communications Team	N/A
Leader	N/A
Committee Chairman	N/A
Portfolio Holder	01/07/22
Ward Councillor(s)	N/A
Committee	N/A
Executive (Cabinet)	N/A
Council	13/07/22

**South Lakeland District Council
Council**

Wednesday, 13 July 2022

**Promoting South Lakeland and Innovation Portfolio
Holder Report**

Portfolio: Cllr Jonathan Brook

Working with partners and stakeholders in the public, private and voluntary sector, at national, regional and sub-regional level. To act as an ambassador and advocate for the Communities of South Lakeland.

To represent the Council on local, Regional, National and other strategic partnerships as appropriate.

Oversight and development of the Council Plan priorities in collaboration with Portfolio Holders and based on community need.

Leading on the Councils Public Service Reform agenda.

Leading on Devolution, Local Government Reform and working with the other Cumbrian authorities and civil servants to help to deliver the most appropriate outcomes for our residents from the Local Government Reorganisation (LGR)

To lead on community engagement.

Policies, Plans and Strategies

- Communications Strategy
- Council Plan
- IT/Information/E Government Strategy
- Performance Management

Key Areas

- Community strategy/area planning/development of recovery group
- Local and Cumbria Wide Strategic Partnerships
- Media and Communications
- Performance Management
- Relationships with Government Departments, and other relevant authorities at a sub-regional, regional.

Community Strategy/Area Planning/Development of Recovery Group

The Council is continuing to work with the Environment Agency (EA) to develop and implement Phase 1 of the Kendal Flood Risk Management Scheme plans to adapt the local infrastructure in order to protect communities against the risks associated with Climate Change. Phase 1 of the scheme is continuing to deliver an appreciable net gain in biodiversity.

Planning permission for flood defences along Aynam Road and Waterside was granted in summer 2019. Following consultations with a number of organisations, residents and community groups, a new application has been submitted for these areas for the inclusion of glass panels. The new application will be subject to careful review by the Council's Planning Committee and a sample glass panel based on the planning submission has been revealed at Little Aynam for the community to view.

February 2022 marked the 'One Year' of construction and works have been completed at Romney Gardens, Natland Road/ Ford Park, Clarks, Helsington and Watercrock and improved foundations and strengthened existing flood wall at Dockray Hall.

Most recently construction of the new flood wall alongside the riverside has begun at Sand Aire House, Lambrigg Terrace and Melrose Place. It is anticipated that this area of construction will take approximately 12 months to complete.

The Environment Agency are committed to leaving a lasting legacy for the community and visitors to Kendal and as such have engaged three local schools, seven local charity organisations and over 200 community volunteers to pot over 2000 tree cuttings.

Collaborating with three schools, one mental health charity, older residents of Kendal and four local artists we have supported the delivery of inspired art which will feature in two key locations of the scheme and over 200 students from the local schools have attended site visits and talks.

Recently the Council concluded an internal audit of the European Regional Development Fund Kendal Flood Alleviation Scheme. SLDC is acting as the accountable body for the ERDF to deliver flood relief scheme. The work the Council has undertaken received "substantial assurance" from the auditors which was the highest assessment level, with no recommendations for improvement attached.

During the Covid-19 pandemic, the Council coordinated the distribution of a number of different business grants, test and trace support payments and offered advice and guidance to businesses who were able to re-open between lockdown restrictions. A total of twelve grant schemes were available and distributed to help businesses and individuals of all sizes and sectors, safeguarding businesses and jobs throughout the district. The Council has concluded an internal audit of the process of the grant schemes delivered and distributed. All grant schemes administered by the Council are closed and reconciliation is now underway.

Local and Cumbria Wide Strategic Partnerships

As South Lakeland enters the final nine months of its existence and its functions migrate to the new Westmorland and Furness Council, it is vital that the work achieved through partnerships across and outside Cumbria is sustained. Future relationships with strategic partnerships such as the Local Economic Partnership, the National Park Partnerships, the Cumbria Zero Carbon Partnership, the Morecambe Bay Population Health Partnership the

Local Resilience Forum and the Community Safety Partnership are all being examined as part of the Local Government Reorganisation process. South Lakeland representatives on the various work streams are working hard with colleagues in Barrow, Eden and the County Council to ensure that measures essential to deliver on South Lakeland's priorities are reflected in future arrangements.

One area which Westmorland and Furness will have to consider is the future relationship between South Lakeland, Barrow and Lancaster. In February, the Council considered the issue of taking forward Council Plan priorities – including maintaining linkages with Lancaster was considered and a proposal that the Council Plan priority of working across boundaries be considered as part of the new policy framework. Themes in the Bay Prosperity and Resilience Strategy will put Westmorland and Furness Council in a strong position to continue to develop cross-bay linkages. Strategy themes such as:

- Renewables and clean growth
- Building on the area's arts and cultural offer
- Retaining and attracting the best talent and diversity
- Supporting high-efficiency 'food-agri' innovation
- Enhancing digital connectivity
- Growing healthy communities
- Building resilient town centres

These will prove highly relevant to Barrow, South Lakeland and Eden as the new authority develops its own growth strategy.

Westmorland and Furness has commenced preparation of its own Council plan which will set out the vision and priorities for the new authority. SLDC officers are closely engaged in this work. Whilst they do so from a Westmorland and Furness – wide perspective, it is worth noting that SLDC has a strong history of working across boundaries and key SLDC priorities such as sustainable growth, demographic change, climate change and fairness have strong resonance across the new District and work done on South Lakeland's Council Plan provides a strong foundation on which to build.

Work continues with partners including Cumbria Local Enterprise Partnership to progress future developments at the Glaxo site in Ulverston and the draft Master Plan for the site is well advanced. Work is also ongoing with the Lake District National Park Authority and Cumbria County Council together with other partners to progress the Windermere Gateway Project.

Media and Communications

The Council is continuing to keep residents and stakeholders regularly updated on the Council's activities through a range of communication channels, including social media, press releases sent to all key media, the resident newspaper published three times a year (South Lakeland News) and website.

This has included developing communications to ensure residents are kept informed about all areas of the Council's work: from anti-littering campaigns and consultations, to the opening of new playgrounds, work to tackle climate change, supporting our communities' financial resilience, as well as responding to media enquiries and supporting filming requests in the district.

Through the year the Communications Team continued to provide regular updates on the Covid-19 pandemic response work, highlighting the variety of support mechanisms available

for businesses, families, communities and vulnerable people, including public health messages and applying for support grant applications.

The Communications Team has supported messaging around Cost of Living issues, including advice and support available and information on Government relief payments, such as the £150 Council Tax Energy Rebate.

The Council's Communications Senior Specialist is a member of a Communications Advisory Group on Local Government Reorganisation and is working with colleagues from the other five districts and Cumbria County Council to support communications around LGR.

This has included regular staff and member updates and briefings, a new external website about LGR, new Shadow Authority website and a staff SharePoint site. The Council's Senior Specialist was also communications lead for the Shadow Authority elections in May and is providing communications support to the new Shadow Authority.

The Communications Team has promoted a number of successful initiatives, including an ongoing community litter 'clean-up' campaign and sign-ups to the new My Account function, making it easier and more convenient for residents and businesses to access council services online. My Account now has more than 12,000 sign-ups since its launch in March 2021.

Internally, the Communications Team has continued to keep Council staff and councillors informed about organisational issues, including the ongoing Customer Connect transformation programme and sharing success stories across the Council.

Performance Management

The Council is committed to delivering high quality, cost effective services that meet the needs of residents and improve quality of life. To help achieve these goals performance is measured frequently and in line with the priorities in the Council Plan. Performance reporting is aligned with the updated Council Plan for 2021-2026 as adopted by Council on 23rd February 2021 – the four current priorities are:

- Working across Boundaries
- Delivering a Balanced Community
- Delivering a Fairer South Lakeland
- Addressing the Climate Emergency

Performance reporting will evolve in line with the move to the new Westmorland and Furness authority. As the new authority develops, South Lakeland will use its existing priorities to influence the strategy of the new authority in addressing the needs of the South Lakeland area and how a future unitary council may deliver stronger benefits for residents. For example integration of health and social care will be critical.

Quarter 4 2021/22 reporting shows good performance and demonstrates that South Lakeland is a very desirable place to live, work and explore. In line with the national trend the number of homeless households living in temporary accommodation is just outside target. This is a significantly improved situation when compared with the height of the pandemic. The Council has many mitigations in place to reduce homelessness and these can be seen within the Council Plan Performance Monitoring report each quarter.

Following a review of the Strategic Risks in Quarter 4 2022 it was found that 27% of risks were above appetite. This is a significant improvement compared with the start of Covid-19 in 2020 when 65% of risks were positioned above appetite. This demonstrates the Council's

continuous focus on risk review and mitigation. The Risks can be viewed as part of the Quarter 4 'Council Plan Performance Monitoring' report on the Council's website for 8th June Cabinet.

Detailed information for both performance and risk can be seen in the Cabinet report 'Council Plan Performance Monitoring' following each quarter end. Also the Strategic Risks are reported to Audit Committee twice a year in July and December – and the Operational Risks to Audit Committee in April each year.

Looking ahead the Quarter 1 2022/23 reporting is due to begin soon and results will be prepared for Cabinet on 31st August.

In addition the Council has created a new monthly Performance Dashboard - which provides a succinct view of workload and performance within critical services. Regular situational awareness is vital and allows for resources to be focused where needed.

Tracking Information

Signed off by	Date sent	Date Signed off
Section 151 Officer	N/A	N/A
Monitoring Officer	N/A	N/A
CMT	01/07/22	01/07/22

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Portfolio Holder	***
Ward Councillor(s)	N/A
Committee	N/A
Executive (Cabinet)	N/A
Council	13/07/22

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**Council – 13 July 2022
URGENT DECISIONS**

Reference No.	Details of Decision	Decision Taker	Date of Decision	Reason for Urgency	Agreed by
CEX/26 (2022)	<p><i>Covid-19 Additional Relief Fund Discretionary Non Domestic Rate Relief</i></p> <p><i>Decision</i></p> <p><i>(1) Subject to Council approval, the Covid-19 Additional Relief Fund Discretionary Non Domestic Rate Relief (CARF) scheme be approved as attached in Appendix 1 for implementation by the Council;</i></p> <p><i>(2) Authority be delegated to the Operational Lead for People, Welfare and Income Maximisation the authority to make the final decision on the award of the CARF Scheme under Section 47 of the Local Government Finance Act 1988;</i></p> <p><i>(3) Authority be delegated to the Director of Customer and Commercial Services to determine any requests for reviews of decisions taken under the CARF Scheme and delegates to the Finance Lead Specialist (Section 151 Officer) the authority to determine any requests for review of decisions of the Director of Customer and Commercial Services under the CARF scheme for a final determination; and</i></p> <p><i>(4) Authority be delegated to the Operational Lead for People, Welfare and Income Maximisation in consultation with the for Finance Lead Specialist (Section 151 Officer) and the Finance and Assets Portfolio Holder to make any administrative amendments required to the CARF schemes to reflect future changes in Government guidance or change in local need.</i></p>	Cabinet	04/07/2022	The decision will allow the Council to administer the Covid-19 Additional Relief Fund and make grants to eligible businesses, specifically to grant relief on 2021/2022 Non Domestic Rates liabilities to assist those businesses that were affected by the pandemic but were ineligible for other grants under previous schemes.	<p>Councillor Matt Severn, Vice-Chairman of the Council in the absence of the Chairman of the Council.</p> <p><i>Please note this item was on the Forward Plan in May 2022 (31 May 2022). This item was not included in the agenda for the 04 July 2022 Cabinet meeting which was initially published on Friday 24 June 2022. Copies of the revised agenda and report relating to the item for consideration at the meeting, were available for inspection by the public in accordance with Regulation 7 (Access to agenda and connected reports for public meetings) of the 2012 Regulations”</i></p>

Date: 05/07/2022
Version No:
Amended by:

EMERGENCY DELEGATED EXECUTIVE DECISION

In accordance with the Leaders decision and noted by Cabinet on 25/03/2020 to delegate to the Chief Executive any executive decision in this COVID 19 Global pandemic emergency or that is urgent or that would be necessary or expedient, or which would otherwise protect the Council's interests, including key decisions.

South Lakeland District Council Emergency Delegated Executive Decision Council Tax Energy Rebate Scheme

Date: 04/05/2022

Reference: 019

Reason for emergency

The Chief Executive received emergency delegated executive decision making powers on the 25th March 2020. It is considered that this decision is urgent necessary and expedient and is needed to protect the Council's and that of its community's interests.

The Government has announced a package of support to help households with the rising costs of energy bills. This includes a £150 non repayable rebate for households in England in Council Tax bands A – D, known as the Council Tax Energy Rebate (Main Scheme); and discretionary funding for billing authorities to support households who are in need but are not eligible for the Council Tax Energy Rebate (Main Scheme), known as the Discretionary Scheme.

These payments are essential to provide additional support with rising energy costs and alleviate the impact of this for residents who may be experiencing fuel poverty.

The Government's expectation is that local authorities will administer the support as soon as possible after 01 April 2022 and before 30 September 2022 for Main Scheme payments and as soon as possible after 01 April 2022 but before 30 November 2022 for Discretionary Scheme payments. The expected timeline by the Government for the delivery of the support does not allow for a decision to be delayed until the next Cabinet meeting on 09 June 2022, and it is therefore considered necessary in these circumstances that an emergency executive decision is needed to enable delivery in May 2022.

This is a Key Decision: **Yes**

Portfolio: Finance and Resources Portfolio Holder

Decision Maker: Chief Executive

Report Author: Vicky McDonald – Operational Lead Case Management

Wards: (All Wards);

Forward Plan: Key Decision included in the Forward Plan as published on 08th March 2022

Links to Council Plan Priorities:

A fairer South Lakeland

1.0 Expected Outcome

1.1 The decision will allow the Council to administer the Council Tax Energy Rebate payments and discretionary payments in line with Government expectations of the scheme to go live as soon as possible from 01 April 2022.

1.2 These payments are essential to provide additional support with rising energy costs and alleviate the impact of this for residents who may be experiencing fuel poverty.

2.0 Proposed Decision

2.1 It is recommended that Chief Executive:-

- (1) Approves the Council Tax Energy Rebate Main Scheme attached in Appendix 1 for implementation by the Council;**
- (2) Approves the Council Tax Energy Rebate Discretionary Scheme attached at Appendix 2 for implementation by the Council;**
- (3) Delegates to the Operational Lead for People, Welfare and Income Maximisation the authority to make the final decision on the award of the Council Tax Energy Rebate Main and Discretionary Scheme payments in line with the allocated funding from Government;**
- (4) Delegates to the Director of Customer and Commercial Services any requests for reviews of decisions taken under the Council Tax Energy Rebate Main Scheme or the Council Tax Energy Rebate Discretionary Payments Scheme; and**
- (5) Delegates any changes required to the schemes to the Operational Lead for People, Welfare and Income Maximisation in consultation with the Lead Specialist for Finance and Section 151 Officer**

3.0 Background and Proposals

- 3.1 On 03 February 2022, the Government announced a package of support to help households with the rising costs of energy bills. This included a £150 non repayable rebate for households in England in Council Tax bands A – D, known as the Council Tax Energy Rebate (Main Scheme). In addition, on 23 February 2022, discretionary funding for billing authorities to support households who are in need but are not eligible for the Council Tax Energy Rebate (Main Scheme), known as the Discretionary Scheme were published.
- 3.2 Band A-D properties includes properties that are valued in band E but have an alternative valuation of band D as a result the application of a disabled relief discount.
- 3.3 The Government's expectation is that local authorities will administer the support as soon as possible after 01 April 2022 and before 30 September 2022 for main scheme payments and as soon as possible after 01 April 2022 but before 30 November 2022 for discretionary scheme payments. The expected timeline by the Government for the delivery of the support does not allow the Council to delay a decision until the next Cabinet meeting on 09 June 2022, and it is therefore necessary in these circumstances that an emergency executive decision is needed to enable delivery in May 2022.
- 3.4 South Lakeland District Council has been allocated £5,193,450 (34,623 awards of £150) for the Main Scheme payments which aligns to the approximate numbers of eligible properties in Bands A-D.
- 3.5 The discretionary allocation awarded is £191,250. This is a cash limited allocation which will not be topped up. Any unspent funds must be returned to the Government at the end of the scheme in November 2022, following a reconciliation process.
- 3.6 The criteria for eligibility and determination of Main scheme awards is set nationally and detailed in Appendix 1.
- 3.7 Local authorities must determine their own local discretionary scheme, and discretionary awards should not be made to households who have received an award under the Main scheme, hence, discretionary awards can only be made to those properties who fall within Council Tax valuation bands E-H.

- 3.8 Unlike the Main Scheme, for eligible residents of band A-D properties who will receive £150 based on occupancy on 01 April 2022, the Discretionary Scheme can be more flexible in respect of the date and an amount of, 'Up to' £150 per household can be awarded.
- 3.9 The discretionary funding allocated would permit 1275 grants of £150. There may however be an opportunity to top up the discretionary allocation with approximately £50,000 from surplus Covid 19 funding that the council currently holds, as confirmed by the S151 Officer, which would allow a further 333 awards of £150.
- 3.10 There are currently approximately 15,500 properties within bands E-H within the district.
- 3.11 The proposed approach aims to target the limited funds to the most vulnerable residents in the district, and is detailed in Appendix 2.

4.0 Appendices Attached to this Report

Appendix No.	Name of Appendix
1	Council Tax Energy Rebate Main Scheme Eligibility
2	Council Tax Energy Rebate Discretionary Scheme Eligibility

5.0 Consultation

- 5.1 Given the limited timescales for delivery, there has been limited capacity to consult more widely that detailed below.
- 5.2 The Leader of the Council, the Portfolio Holder for Finance and Resources, Cabinet members, and Section 151 Officer have been consulted on the draft policies.

6.0 Alternative Options

- 6.1 An alternative option is not to administer the Main and Discretionary Schemes. The Schemes are a government requirement and as such, this option is not recommended. A further alternative option would be to await the next Cabinet meeting, this is not recommended because the payments are essential to provide additional support with rising energy costs and alleviate the impact of this for residents who may be experiencing fuel poverty. Furthermore, the Government's expectation is that local authorities will administer the support as soon as possible after 01 April 2022 and before 30 September 2022 for Main Scheme payments and as soon as possible after 01 April 2022 but before 30 November 2022 for Discretionary Scheme payments.

7.0 Implications

Financial, Resources and Procurement

- 7.1.1 The scheme is fully funded by the government and an initial new burdens funding allocation of £53,180 has been awarded to support with associated implementation and administrative costs.
- 7.1.2 The scheme is designed to use all, but not exceed the available funding.
- 7.1.3 There are no requirements at this stage to procure any additional services other than some temporary resource to assist with the administration of the scheme, the costs of which will be met from the new burdens allocation. An exemption from financial procedure rules will be sought on the basis that the contract is for the execution of work, the supply of goods or services certified by the relevant director as being required so urgently as not to permit the invitation of quotations or tenders in line with Part 4, 3.1 (h) of the council's constitution.

Human Resources

- 7.2.1 It is anticipated that some additional temporary resources will be required to facilitate delivery of the main and discretionary schemes within the specified timescales, in particular to assist with the collection of information from approximately 11,500 household's bank details and verification, and to determine eligibility for the discretionary scheme payments.
- 7.2.2 Appropriate measures will be put in place, including VAF authorisation and IR35 compliance for any temporary resource required in consultation with HR colleagues.

Legal

- 7.3 This report seeks authority for an Emergency Executive Decision in accordance with the Constitution Part 3, Paragraph 5A, 1.2 on the grounds that the executive decision is urgent necessary and expedient. As set out above the Leader of the Council and Portfolio Holder have been consulted in accordance with the requirements of 5A, 1.2.
- 7.4 The Main Scheme qualifying criteria detailed in Appendix 1 has been set nationally by the Government. The Discretionary Scheme detailed in Appendix 2 is set at a local level, but guidance on core qualifying criteria has been specified by the Government.

Health, Social, Economic and Environmental

- 7.4 Have you completed a Health, Social, Economic and Environmental Impact Assessment?
No
- 7.5 A Health, Social, Economic and Environmental Impact Assessment is not required in this circumstance.
- 7.6 Summary of Health and Sustainability Impacts

		Positive	Neutral	Negative	Unknown
Environment and Health	Greenhouse gases emissions		x		
	Air Quality		x		
	Biodiversity		x		
	Impacts of Climate Change		x		
	Reduced or zero requirement for energy, building space, materials or travel		x		
	Active Travel		x		
Economy and Culture	Inclusive and sustainable development		x		
	Jobs and levels of pay		x		
	Healthier high streets		x		
	Culture, creativity and heritage		x		
Housing and Communities	Standard of housing		x		
	Access to housing		x		
	Crime		x		
	Social connectedness		x		

Equality and Diversity

- 7.7 Have you completed an Equality Impact Analysis? No
- 7.8 If you have not completed an Impact Assessment, please explain your reasons: it is not required in these circumstances

7.9 Summary of Equality and Diversity impacts

Please indicate: P = Positive impact; 0 = Neutral; N = Negative; Enter "X"					
Age	P		0		N
Disability	P	X	0		N
Gender reassignment (transgender)	P		0		N
Marriage & civil partnership	P		0		N
Pregnancy & maternity	P		0		N
Race/ethnicity	P		0		N
Religion or belief	P		0		N
Sex/gender	P		0		N
Sexual orientation	P		0		N
Armed forces families	P		0		N
Rurality	P		0		N
Socio-economic disadvantage	P	X	0		N

8.0 Risk

Risk	Consequence	Controls required
Grants are not given in accordance with Government guidance	Government will not reimburse the Council for payments made outside the Government schemes specified	Discretionary scheme applications will be verified to be compliant with Government guidance and eligibility criteria
Discretionary grants are given to fraudulent claimants	Grants are given to individuals that are not eligible, or made to incorrect bank accounts	Series of verification checks within grant process including supporting evidence and using Government tools to avoid fraudulent claims, in conjunction with access to Council Tax software detailing rate payer details
Process not applied, or applied incorrectly	Judicial review, financial loss, reputational damage	Administer the scheme and deliver the support in line with government mandate with pace
Grants are not issued promptly	Residents will not receive financial assistance as set out by Government	Online portal functionality developed for efficient application of grants, staff trained and in place to verify and approve applications. Software to be installed and rigorously tested.
Online application and verification processes to manage a multi-million pound scheme in order to get grants paid to households with minimal	Reputational impact to the Council and delays to the processing of payments	Robust process in place to expedite payment of grants whilst being compliant with Government guidance and

Risk	Consequence	Controls required
delay		internal
The processing of grants requires some redirection of staff resources from other activity	Other work may be paused or take longer to enable focus on processing Council Tax Energy Rebate schemes	Continuous management of competing demands on staff time. Additional temporary resource to be employed. Leadership team to be updated on resource needed and progress, delays etc.

9.0 Contact Officers

Vicky McDonald, Operational Lead People, Welfare and Income Maximisation

Vicky.McDonald@southlakeland.gov.uk

01539 793329

10.0 Appendices Attached to this Report

Appendix No.	Name of Appendix
1	Council Tax Energy Rebate Main Scheme Eligibility
2	Council Tax Energy Rebate Discretionary Scheme Eligibility

11.0 Background Documents Available

Name of Background document	Where it is available
Council Tax Energy Rebate billing authority guidance	The council tax rebate 2022-23 – billing authority guidance - GOV.UK (www.gov.uk)

12.0 Approval Dates

Approved by:	Signature and Date (or email confirmation)
Chief Executive	04/05/2022
Or such person as delegated by the Chief Executive in writing	N/A
In consultation with:	
The Leader of the Council	04/05/2022
And Relevant Portfolio Holder	16/05/2022
CMT Directors	04/05/2022
The following interests were declared – disclosable pecuniary interest or other or none	N/A

<i>In accordance with Part 4 of the Constitution – Rules of Procedure – Overview and Scrutiny Procedure Rules - paragraph 16(j), the Chairman of the Council (Cllr McSweeney) agrees that this decision is reasonable in all the circumstances and that it is treated as urgent for the reasons outlined above and, therefore, the decision is exempt from call-in.</i>	03.05.22
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Council Tax Rebate Energy Scheme (Main) Eligibility Criteria

A one off payment of £150 will be made to the liable council tax payer which meets all of the following criteria on 01.04.22:

A	The property is valued in Council Tax Bands A-D. This includes property that is valued in band E but has an alternative valuation band of band D as a result of the disabled band reduction scheme
B	It is someone's sole or main residence (Backdated rules apply*)
C	It is a chargeable dwelling, or in exemption classes: N – Properties occupied wholly by students S – Properties occupied only by a person under 18 years old U – Properties occupied only by a person who is severely mentally impaired W – An annexe or self-contained part of a property which is occupied by an elderly, disabled or severely mentally impaired relative of the resident(s) living in the main part of the property

Backdated liability*

- Eligibility should be determined based on the position at the end of the day on 1 April 2022. Where a council has reason to believe that the information they hold about the valuation list, liable taxpayer(s) or residents' circumstances in respect of 1 April 2022 is inaccurate, they should withhold the payment and take reasonable steps to determine the correct information.
- Where records relating to the liable taxpayer(s) or residents' circumstances in respect of 1 April 2022 are retrospectively updated, councils should take reasonable steps to pay or clawback payments.
- Where the property band recorded on a valuation list is amended retrospectively to 1 April 2022, for example as a result of a successful appeal made to the Valuation Office Agency that concluded after this date, councils are not required to pay or clawback payments. The exception is where a property is a new build and awaiting an official banding from the VOA. In these cases, eligibility should be determined based on the official band subsequently allocated by the VOA, where this has an effective date before or on 1 April 2022.
- Where a review, proposal or appeal pre-dating the announcement on 3 February 2022 is successful after 1 April 2022 and as a result, a property would have been eligible for the rebate, councils may wish to provide support using their Discretionary Fund.
- Where a review, proposal or appeal was made after the announcement, a decision will not be made by the VOA before 1 April and therefore taxpayers will not be eligible

Council Tax Rebate Energy Scheme (Discretionary) Eligibility Criteria

The proposed scheme is to make a one off payment of £150 based on the following eligibility criteria as at 01.04.22:

	Eligibility Criteria
A	An initial application window is open for 6 weeks. For non-automatic awards, no grant will be paid unless an application is completed and verification checks satisfied
B	The property is valued within bands E-H
C	The property is someone's sole or main residence and be liable for rent or council tax on 01.04.22 (Backdated liability rules apply as for the main scheme*)
D	It is a chargeable dwelling, or in exemption classes: N – Properties occupied wholly by students S – Properties occupied only by a person under 18 years old U – Properties occupied only by a person who is severely mentally impaired W – An annexe or self-contained part of a property which is occupied by an elderly, disabled or severely mentally impaired relative of the resident(s) living in the main part of the property
E	It is a chargeable dwelling and the liable tax payer receives a discount or exemption as a result of leaving care
F	The property is valued within bands E-H and the liable person was in receipt of income related state benefits on 01.04.22. Income related state benefits are: <ul style="list-style-type: none"> • Jobseeker's Allowance (Income Based) • Employment and Support Allowance (Income Related) • Pension Credit – Guaranteed or Savings elements • Income Support • Housing Benefit • Child Tax Credit • Working Tax Credit • Universal Credit • Council Tax reduction
G	The property is within bands A-H and on 01.04.22 was classed as a house in multiple occupation for council tax purposes, and the tenant is named as liable to pay energy bills directly to their supplier and is in receipt of income related state benefits on that date. Income related state benefits are: <ul style="list-style-type: none"> • Jobseeker's Allowance (Income Based) • Employment and Support Allowance (Income Related) • Pension Credit – Guaranteed or Savings elements • Income Support • Housing Benefit • Child Tax Credit • Working Tax Credit • Universal Credit • Council Tax reduction
H	The property is valued in band F-H and receives a reduction in banding due to entitlement to disabled relief
I	Only 1 grant, main or discretionary will be paid per household
J	Consistent with the main scheme, no award will be made to a local authority, corporate body such as a housing association, the government or government body

Backdated liability*

- Eligibility should be determined based on the position at the end of the day on 1 April 2022. Where a council has reason to believe that the information they hold about the valuation list, liable taxpayer(s) or residents' circumstances in respect of 1 April 2022 is inaccurate, they should withhold the payment and take reasonable steps to determine the correct information.
- Where records relating to the liable taxpayer(s) or residents' circumstances in respect of 1 April 2022 are retrospectively updated, councils should take reasonable steps to pay or clawback payments.
- Where the property band recorded on a valuation list is amended retrospectively to 1 April 2022, for example as a result of a successful appeal made to the Valuation Office Agency that concluded after this date, councils are not required to pay or clawback payments. The exception is where a property is a new build and awaiting an official banding from the VOA. In these cases, eligibility should be determined based on the official band subsequently allocated by the VOA, where this has an effective date before or on 1 April 2022.
- Where a review, proposal or appeal pre-dating the announcement on 3 February 2022 is successful after 1 April 2022 and as a result, a property would have been eligible for the rebate, councils may wish to provide support using their Discretionary Fund.
- Where a review, proposal or appeal was made after the announcement, a decision will not be made by the VOA before 1 April and therefore taxpayers will not be eligible.

At the end of the initial 6 week application window, an assessment will be made based upon any remaining funds to either open a further window for applications with additional eligibility criteria, or to split the remaining funds and make a further award to those properties that fall within bands A-D in consultation with S151 Officer and Portfolio Holder.

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