

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

t: 03450 450 500
f: 01954 713149
www.scambs.gov.uk



6 January 2016

To: The Leader – Councillor Ray Manning
Deputy Leader – Councillor Simon Edwards
Members of the Cabinet – Councillors Mark Howell, Mick Martin, Peter Topping,
Robert Turner, Tim Wotherspoon and Nick Wright
Quorum: Majority of the Cabinet including the Leader or Deputy Leader

Dear Councillor

You are invited to attend the next meeting of **CABINET**, which will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at South Cambridgeshire Hall on **THURSDAY, 14 JANUARY 2016** at **2.00 p.m.**

Yours faithfully
JEAN HUNTER
Chief Executive

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AGENDA

	PAGES
1. Apologies for Absence To receive Apologies for Absence from Cabinet members.	
2. Minutes of Previous Meeting To authorise the Leader to sign the Minutes of the meeting held on 12 November 2015 as a correct record.	1 - 8
3. Declarations of Interest	
4. Announcements	
5. Public Questions	
6. Finance Shared Services (Key)	9 - 12
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8.	Gambling Act Statement of Principles (Key) Attached are the report and Gambling Act 2005 Draft Gambling Policy which the Licensing Committee considered at its meeting of 14 December 2015. At this meeting, the committee recommended to Cabinet that this statement of policy be approved, ratified and adopted by the Leader and the Council.	37 - 68
9.	Wing: Community Infrastructure Delivery and Requirements	69 - 80
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11.	Issues arising from the Scrutiny and Overview Committee	
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14.	Reports from Cabinet Members attending Parish Council meetings	
15.	Reports from Member Champions	

OUR LONG-TERM VISION

South Cambridgeshire will continue to be the best place to live, work and study in the country. Our district will demonstrate impressive and sustainable economic growth. Our residents will have a superb quality of life in an exceptionally beautiful, rural and green environment.

OUR VALUES

We will demonstrate our corporate values in all our actions. These are:

- Working Together
- Integrity
- Dynamism
- Innovation

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Agenda Item 2

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Cabinet held on
Thursday, 12 November 2015 at 2.00 p.m.

PRESENT: Councillor Ray Manning (Leader of the Council)
Councillor Simon Edwards (Deputy Leader of the Council & Finance and Staffing
Portfolio Holder)

Councillors: Mark Howell Housing Portfolio Holder
Mick Martin Environmental Services Portfolio Holder
Peter Topping Corporate and Customer Services Portfolio Holder
Robert Turner Planning Portfolio Holder
Nick Wright Economic Development Portfolio Holder

Officers in attendance for all or part of the meeting:

Alex Colyer	Executive Director, Corporate Services
Emma George	Business Support Officer
Stephen Hills	Director of Housing
Jean Hunter	Chief Executive
Fiona McMillan	Legal Services Manager and Monitoring Officer
Duncan Vessey	New Business Initiatives Manager (Housing)
Graham Watts	Democratic Services Team Leader

Councillors David Bard, Anna Bradnam, Kevin Cuffley, Sue Ellington, Lynda Harford, Raymond Matthews, Cicely Murfitt, Bridget Smith, Hazel Smith and Bunty Waters were in attendance, by invitation.

1. APOLOGIES FOR ABSENCE

An apology for absence was received by Councillor Tim Wotherspoon.

2. MINUTES OF PREVIOUS MEETING

The minutes of the previous meeting held on 10 September 2015 were confirmed and signed as a correct record.

3. DECLARATIONS OF INTEREST

Councillor Simon Edwards declared a non-pecuniary interest in item 8 as he was included on the register for the self-build vanguard.

Councillors Robert Turner and Nick Wright declared non-pecuniary interests in item 10 as they rented properties in South Cambridgeshire.

4. ANNOUNCEMENTS

No announcements were made.

5. PUBLIC QUESTIONS

No public questions had been received.

6. POSITION STATEMENT 2015/16: FINANCE, PERFORMANCE AND RISK

Cabinet considered a report which provided a statement on the Council's position with regard to its General Fund, Housing Revenue Account and Capital budgets together with an update on corporate objectives, performance indicators and strategic risks.

Councillor Peter Topping, Portfolio Holder for Corporate and Customer Services, presented the report and, in respect of the Corporate Plan, said that the Council was working to attain its vision through the three strategic aims around the themes of Engagement, Partnerships and Well-being. Appendix A of the report outlined a detailed commentary on progress and achievements with each of the actions, bringing together relevant finance and performance information. Councillor Topping referred Members to a number of significant milestones listed in paragraph 8 of the report and made the following additional points:

- problems had recently been experienced with the 'Good' application that was used to access emails and calendars on mobile devices. These issues had since been resolved, but Councillor Topping intended to bring a report back to Cabinet on this issue;
- the indicator in respect of the percentage of invoices paid within 30 days needed to be closely monitored as it was still performing under target;
- referring to the indicator regarding the number of households helped to prevent homelessness, Councillor Topping explained that this was not a reflection on the provision of service, but a consequence of the current wider housing market and welfare reform;
- the number of calls to the customer contact centre had fallen and there had also been a reduction in paper recycled by the Council during the same period. Councillor Topping was pleased to see both of these reductions, which he said were as a result of the Council's digital by default project where digital channels of communication and processes were being encouraged ahead of the more traditional forms of service provision. Furthermore, it was noted that the benefits e-form was currently going through a soft launch to ensure that any errors could be identified and rectified prior to its full launch. It was anticipated that the introduction of this e-form would have a significant impact on the number and length of calls made to the customer contact centre and reduce the amount of paper used;
- a workshop on risk had recently been held and was attended by officers and Members, further to which some risks set out in the Strategic Risk Register had been amended.

Reference was made to the Development Control Improvement Plan and Members were pleased to see that appointments to numerous planning posts had been made, with training plans in place. A question was asked as to how much staff time had been devoted to this training, which was additional on top of normal workload. Councillor Robert Turner, Portfolio Holder for Planning, said that training was going well. He acknowledged that it had taken up officer time, but emphasised that it was extremely worthwhile and reported that officers were undertaking training at the same time as the APAS system was having an upgrade in order to make as efficient use of officer time as possible.

Discussion also ensued on the Community Assets Register and Members took this opportunity to share their experiences of how it had impacted the communities they represented.

Cabinet:

- (a) **NOTED** the performance, risk matters and contextual information set out in the report and appendices A to D.
- (b) **APPROVED** the Strategic Risk Register and Matrix set out in Appendices E and F of the report.

7. **CORPORATE PLAN PRIORITIES 2016-2021**

Cabinet considered a report which set out emerging priorities as the basis for consultation on, and to inform the development of, a Corporate Plan for 2016-2021.

Councillor Peter Topping, Portfolio Holder for Corporate and Customer Services, presented the report and informed Members that the following emerging themes for the Plan were proposed:

- Living Well;
- Homes for our Future;
- Connectivity;
- Entrepreneurial.

Commentaries for what each theme was proposed to included, together with a draft of the Corporate Plan, were set out in the report.

Cabinet:

- (a) **AGREED** that the emerging priority areas set out in paragraph 9 of the report be confirmed as the basis for consultation on, and to inform development of, a Corporate Plan for 2016-2021.
- (b) **AGREED** that the Executive Director be authorised to agree consultation arrangements based on the outlines set out in paragraphs 18 and 19 of the report, in consultation with the Corporate and Customer Services Portfolio Holder.

8. **REVIEW OF MEDIUM TERM FINANCIAL STRATEGY INCLUDING CONSIDERATION OF CAPITAL ACCOUNTING POLICY**

Consideration was given to a report which provided Cabinet with an update to the General Fund forecasts and underpinning assumptions, together with their impact on the Medium Term Financial Strategy.

Councillor Simon Edwards, Deputy Leader and Portfolio Holder for Finance and Staffing, presented the report and stated that it had been more difficult this year to make assumptions in view of the Government's summer budget and subsequent key announcements. He made the following points in response to some of the changes imposed by the Government:

- the Revenue Support Grant was expected to gradually reduce to zero, but it was anticipated that this would occur much sooner than had been originally planned;
- it was unclear how tax credits would be affected alongside changes to working age benefits, the £20,000 benefits cap and out of work benefits;

- 18 to 21 years olds were no longer automatically entitled to housing benefit, with families also being affected by the Government's changes;
- housing benefit was paid for by the Government, but if the changes caused difficulties in terms of tenants being unable to pay their rent this could result in pressure being placed on the Council from a homelessness perspective;
- there may be a knock-on effect to people's Council Tax support entitlement as a result of the changes.

Councillor Edwards emphasised that these changes were very complex and that it was a very early stage to properly understand and assess how they would impact the Medium Term Financial Strategy. He also made the point that there were many possible combinations of other future changes or assumptions that might be modelled arising from the Government's spending review, Autumn statement or Local Government finance settlement. The potential impact of assumptions relating to New Homes Bonus on the Medium Term Financial Strategy was illustrated in paragraph 19 of the report. Furthermore, paragraphs 22 and 23 in the report outlined how changes to New Homes Bonus may affect the Greater Cambridge City Deal and the Council's Infrastructure Fund. Paragraphs 15 and 16 set out Council Tax income, based on no more than a 2% increase. It was noted that the Council Tax base was due to be determined in December 2015 with final figures and future trajectory projections to be used in the Medium Term Financial Strategy presented for approval to Cabinet and Council in February 2016.

In presenting the report, Councillor Edwards highlighted the following additional points:

- the savings or additional income target had increased by £670,000 and now totalled £1.44 million from 2016/17 onwards. The Council was making some headway in meeting this target, with paragraph 28 of the report listing a number of areas that had already been identified to meet the target;
- clarity was being sought with regard to the Business Rates Retention Scheme as it was still unclear what this consisted of following an announcement by the Chancellor of the Exchequer that Councils could retain 100% of business rates. Until further details were made available this could not be accurately reflected in the Medium Term Financial Strategy, other than through assumptions;
- additional income from the Council's housing company, Ermine Street Housing Limited, had not yet been modelled;
- the Housing Revenue Account Medium Term Financial Strategy had been published as a separate document for the first time and was appended to the report. It set out in more detail the consequences of the recent changes to housing and welfare reform. In particular, it was noted that the imposed rent increase of 1% per annum for the next four years had a significant impact on the Housing Revenue Account and its ability to invest, particularly in new homes.

In closing, Councillor Edwards said that the Council's response to planning and mitigating against these financial challenges demonstrated how it was moving forward as an authority. He reflected on the fact that the Council had to find an additional £670,000 in savings or additional income, but referred Members to the business case for Ermine Street Housing Limited which showed that this was achievable. Other sources of income were being investigated across the organisation and he was pleased to see the Council develop this commercial approach.

Cabinet:

- (a) **NOTED** the General Fund forecast at Appendix A of the report and **APPROVED** the assumptions underpinning the Medium Term Financial Strategy set out in the report.
- (b) **APPROVED** the Housing Revenue Account budget strategy and assumptions and **NOTED** the conclusions set out in Appendix B to the report.
- (c) **APPROVED** the addition of £150,000 in the Housing Revenue Account Capital Programme in relation to the Self-Build Vanguard pilot project.
- (d) **INSTRUCTED** the Head of Finance to bring forward detailed draft estimates for 2016-17 based on the assumptions and issues contained within the report.
- (e) **INSTRUCTED** the Executive Management Team to identify and develop other options for meeting the Medium Term Financial Strategy additional income/savings requirement.

9. SHARED TRADE WASTE SERVICE

Consideration was given to a report which sought Cabinet's agreement, in principle, to the formation of a shared trade waste service with Cambridge City Council, based on the high-level principles set out in Appendix 1 of the report and the development of a detailed trade waste business case and business plan.

Appendix 2 of the report contained exempt information in accordance with paragraph 3 of Schedule 12A of the Local Government Act 1972, as amended. Cabinet agreed that Members would not discuss or divulge any of the exempt information contained within this appendix, therefore meaning that the press and public did not need to be excluded from the meeting.

Councillor Mick Martin, Portfolio Holder for Environmental Services, presented the report and reminded Cabinet that the trade waste operations of both South Cambridgeshire District Council and Cambridge City Council had been co-located at the single, shared waste Waterbeach depot on 9 November 2015. However, at this point business accounts of the two trade waste services continued to be run separately. He, in conjunction with the City Council, had therefore investigated the prospect of a shared trade waste service but said that further time and money on developing a business case and business plan would only be committed if both Councils agreed to the high-level principles set out in Appendix 1 of the report. It was noted that these principles had been considered by the City Council's Environment Scrutiny Committee in October 2015 and were subsequently agreed by the City Council's Executive Councillor.

Cabinet:

- (a) **AGREED** the high-level principles set out in Appendix 1 of the report.
- (b) **AGREED**, in principle, to the formation of a Single, Shared Trade Waste Service with Cambridge City Council and to the development of a detailed business case and business plan for that Shared Trade Waste Service, for consideration by Cabinet before April 2016.

10. BUSINESS CASE FOR ERMINE STREET HOUSING

Cabinet considered a report which set out the performance of the housing company pilot and sought a decision on the future of the company. The appendices to the report contained exempt information in accordance with paragraph 3 of Schedule 12A of the Local Government Act 1972, as amended. Cabinet agreed that Members would not discuss or divulge any of the exempt information contained within the appendices, therefore meaning that the press and public did not need to be excluded from the meeting.

Councillor Mark Howell, Portfolio Holder for Housing, reminded Cabinet that Council had agreed to a housing company pilot project on 28 November 2013 and agreed to advance up to £7 million of funding to secure a market rented portfolio of homes, and that the pilot scheme went live in May 2014. A number of objectives for the housing company had been set by Cabinet at the outset of establishing the pilot, which were set out in paragraph 7 of the report.

The loan portfolio in respect of assets held at the time of writing the report was £6,837,970 and resulted in the company owning 34 homes, with two further acquisitions in progress, with all those intended for letting now occupied. In addition, the company had secured long-term management deals with the Defence Infrastructure Organisation and had a further 42 properties under management for five years, with more in the pipeline.

Councillor Howell reported that the pilot had been successful, it had generated an additional income stream for the Council and also provided the opportunity for learning in a new area of business. During the course of the pilot the Council had received interest payments from the company, providing returns in excess of £100,000. It was also noted that the pilot spanned the first year of operation for the company and, as a result, included significant set up costs resulting in the company making a trading loss in year 1. Councillor Howell emphasised that this was expected.

Referring to the options contained within the report, Councillor Howell proposed option C, which sought to expand the portfolio over a five year business period, investing approximately £100 million, with the aim of owning and managing 500 properties by the end of that period. He highlighted the proposed governance arrangements set out in paragraphs 29 to 31 of the report, which would see a Board established consisting of six voting members to include two elected Members, two executive officers (the Company Director and the Company Secretary) and two independent members selected for their skill sets. The lead manager for the company would also attend meetings of the Board as a non-voting member.

The following points were noted during discussion:

- the independent members of the Board should be in place prior to making a decision on next steps for the business, in order that they could have an influence. Councillor Howell accepted this point, but said that the next stage of the company had to start from somewhere. Once the board had been established with all members appointed, including the two independent members, the business plan may need to be revised to take into account any changes that the board agreed;
- some Members felt that a board of six voting members and one non-voting members was too small, whereas others were of the view that it was the right size. Councillor Howell made the point that this was a starting point and if more members were needed on the Board they could be added at a later stage;

- referring to the skills of the Council's small team that had been instrumental in setting the company up, a comment was made that consideration needed to be given to succession planning. Councillor Howell agreed that the officers in question had been invaluable and that the pilot would not have been as successful without their input. He agreed that this was a huge risk and said that it was something he was very aware of;
- querying the process for the Council's risk register and the company's risk register, clarity was sought over where they would go and who would own them in terms of governance and accountability. It was noted that the company's risk register would be considered by and be the responsibility of the Board of the company. The Council's risk register was regularly reviewed by the Council's Executive Management Team and formed part of Cabinet's responsibilities;
- a question was asked where the £100 million would come from. It was noted that funding sources could include the Public Works Loans Board or the Local Government Association Bonds Agency, but it was proposed that a report on the revised Treasury Management Strategy would be reported to Full Council alongside the proposal to approve option C.

The Leader, on behalf of Cabinet, took this opportunity to thank officers for the huge amount of work that they had undertaken to support the housing company.

Cabinet **RECOMMENDED** to Council:

- (a) The expansion of the housing company portfolio over a five year period 2016/17 to 2020/21, as set out in option C of the report.
- (b) The adoption of the five year business plan set out in Appendix B of the report.
- (c) Establishment of three new fixed term posts to deliver the business plan.
- (d) Establishment of a Board to oversee the work of the company as set out in paragraphs 29 to 31 of the report.
- (e) That the Executive Director be instructed to report in November 2015 to the Council the necessary amendments to the Council's Treasury Strategy.

11. **RECOMMENDATIONS TO CABINET FROM THE CORPORATE AND CUSTOMER SERVICES PORTFOLIO HOLDER**

Councillor Peter Topping, Portfolio Holder for Corporate and Customer Services, presented the indicative ICT Capital Programme that he had recommended for approval as the basis for discussions to ensure alignment with strategic partners as part of the emerging shared services business model. He had considered this item at his Portfolio Holder Meeting on 23 October 2015.

Cabinet **AGREED** the indicative ICT Capital Programme as the basis for discussions to ensure alignment with strategic partners as part of the emerging shared services business model.

12. **ISSUES ARISING FROM THE SCRUTINY AND OVERVIEW COMMITTEE**

No issues from the Scrutiny and Overview Committee were reported.

13. ISSUES ARISING FROM THE PARTNERSHIPS REVIEW COMMITTEE

No issues from the Partnerships Review Committee were reported.

14. REPORTS FROM CABINET MEMBERS ATTENDING PARISH COUNCIL MEETINGS

Councillor Robert Turner, Portfolio Holder for Planning, reported that he had recently attended a meeting of Fulbourn Parish Council to provide an update on the Local Plan process, discuss the possibility of the Parish Council producing a Neighbourhood Plan and explain proposed changes to the Council's Planning delegations.

15. REPORTS FROM MEMBER CHAMPIONS

No reports were received from Member Champions.

The Meeting ended at 3.50 p.m.

Agenda Item 6



South
Cambridgeshire
District Council

Report to:
Lead Officer

Cabinet
Head of Finance

14 January 2016

Finance Shared Services

Purpose

1. This report provides an update on the plans to create a shared finance service between CCC and SCDC, and seeks approval for further work.
2. This is a key decision because it results in the authority incurring expenditure which is, or the making of savings which are, significant having regard to this Council's budget for the service or function to which the decision relates.

Recommendations

3. Cabinet is recommended:
 - a) To note the success of the current interim arrangements to share the Head of Finance and other housing finance staff; and to agree to make these permanent to support the development of the shared service.
 - b) To support further work to develop the finance shared service, as outlined in this report, noting that the final structure of the service will be determined after the implementation of the replacement financial management system.
 - c) To note that a further report, including a business case, will be brought back to the Cabinet in due course.

Reasons for Recommendations

4. Sharing services presents an opportunity for the councils to save money and build resilience across their current services, which often contain highly specialised roles. It also provides the opportunity to improve services to customers, by ensuring a focus on seamless service delivery. See also the potential benefits for sharing finance services listed in 10 below.

Background

5. Cambridge City Council ('CCC'), Huntingdonshire District Council ('HDC') and South Cambridgeshire District Council ('SCDC') have agreed the principle of working in partnership to deliver a range of shared services and have agreed general principles to underpin the approach. It is proposed that this takes place on a phased basis, introducing new shared services as and when agreed by the three Councils. Finance services are to be included in phase 2 of the shared service programme, as reported to all councils in July 2015.

6. The three councils are procuring and implementing a single replacement financial management system (FMS). This will be a key enabler of the finance shared service (FSS), allowing common, standardised and streamlined processes and reports to be used across the councils. CCC and SCDC plan to build on the implementation of the common FMS to share their finance services to meet immediate, identified needs. HDC will consider sharing certain aspects of the service once the FMS is implemented.
7. The two services employ 60 staff (52.19FTE) and have a total operating budget, excluding recharges / overheads, of £2.3m. The services provide the following functions:-
 - accounting services – General Fund and Housing Revenue Account
 - transactional and payroll services
 - financial and tax advice
 - treasury management
 - insurance and risk management

However, there are differences in scope between the finance services, particularly around income accounting and collection.

8. Payroll services already operate as a shared service between the two councils, with CCC as the employing authority. This shared service commenced on 1 April 2014, with associated savings being taken at that time.
9. The two councils also share four finance posts, the Head of Finance, the Principal Accountant (Housing) and two other housing finance posts, through a service level agreement which expires in February 2016. This arrangement provides cover for vacancies, operational resilience and has enabled the sharing of expertise. It is proposed to make this arrangement permanent and to build on it in a flexible, collaborative way over the next 12 – 18 months to develop and implement the common FMS and standardised processes. The outcome of this work will inform the design of the shared service which will be created at that point. All staff will remain with their current employer during this time, with the eventual organisation and delivery vehicle for the service being determined by the latest thinking at that time.
10. There are a number of benefits that could be achieved through sharing, including:-
 - Savings through reduced management costs and economies of scale.
 - Removing unnecessary bureaucracy and driving towards standardisation - consequently reducing costs and increasing value for money
 - Improving resilience – better able to cope with peaks in workload, annual leave etc.
 - Keeping expert knowledge in a larger team will also give each council access to a greater breadth and depth of professional expertise, with the possibility of sharing specialist roles which individually are not viable in the longer term.
 - Reduced external expenditure – additional resources and a broader skills base will lead to a reduction in the need for external advice. Where this is required, the combined purchasing power of the councils should lead to more competitive procurement rates.
 - Improved customer service – a larger, more resilient team will result in a better and a more responsive service to officers and members.
 - Staff development – a larger service will increase the opportunity for staff development, by allowing staff to work across a broader range of areas, or to become more specialised as appropriate.
 - Staff recruitment/retention – greater work opportunities should improve staff retention and help to reduce turnover. A larger shared service will enable succession planning and could provide increased opportunity to consider participating in professional training schemes (growing our own).

Key Risks

11. One of the reasons the councils are planning to share services is there are significant risks in doing nothing. Each council needs to find significant savings and they also need to recruit and retain skilled staff in a competitive market place and improve the resilience of relatively small teams. Shared services offer a way of mitigating these risks.
12. There are also a number of risks associated with the proposal to share services across three councils. These were highlighted in the Shared Services Overview Report to Cabinet on 9 July 2015.

Options

13. Other options to consider are as follows:
 - retaining services as they are for each respective Council;
 - operate a shared services model with different partners;
 - outsourcing of the services.

These other options have not been developed as they do not appear to present opportunities.

Implications

14. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered:-

Financial

15. The development phase will be managed within existing budgets. A savings target for the shared service will be included in the business case.

Staffing

16. The finance teams will be managed flexibly to achieve the FMS implementation and maintain business as usual. There may be opportunities for secondment and personal development during this project. The staffing implications of the shared service will be determined once the replacement FMS is in place and staffing requirements as a result of this major change are understood.

Equality and diversity

17. An Equalities Impact Assessment (EQIA) will be carried out when the FSS is designed. It will be reviewed at all key stages of the project.

Consultation responses (including from the Youth Council)

18. This will be conducted in accordance with the council's agreed policy.

Background papers

Cabinet Shared Services Overview Report – 9 July 2015

Report Author:

Caroline Ryba – Head of Finance
01954 713032

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Agenda Item 7



REPORT TO: Cabinet

14 January 2016

FROM: Orchard Park Working Group

REVIEW OF LESSONS LEARNED FROM ORCHARD PARK

Purpose

1. To outline the findings of the Working Group set up to review the lessons learned from Orchard Park.
2. This is a key decision because it is significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority.

Recommendations

3. It is recommended that Cabinet endorse the final recommendations of the Working Group.

Reasons for Recommendations

4. Interim recommendations were endorsed by Cabinet on 9 July 2015 and presented to the Northstowe Joint Development Committee (NJDCC) for consideration and endorsement prior to its deliberations on 29 July 2015.
5. Additional recommendations have been made following further work by the group. On 5 November 2015 the additional recommendations were agreed by the Scrutiny and Overview Committee which recommended their endorsement by Cabinet.

Background

6. Following a Member's suggestion at Council in June 2014 Scrutiny & Overview Committee agreed on 3 July 2014 to set up a Working Group to review the lessons learned from Orchard Park. It was agreed that the group's remit would be to look at how the recommendations made in 2008 by the Scrutiny and Overview Committee regarding Orchard Park [then called Arbury Park] had been implemented, if they had been applied to subsequent developments and what the effects of them had been. The initial timescale for this work was estimated to be 12 months. However, in the light of the NJDCC being required to consider in July the application for Phase 2 of that development, the interim recommendations of the Working Group were considered to provide useful information to support its deliberations and were presented to them for that purpose.

7. The membership of the working group has consisted of:

- Cllr Lynda Harford (Chairman)
- Cllr David Bard
- Cllr Alison Elcox [until May 2015]
- Cllr Jose Hales
- Cllr Bunty Waters [since May 2015]
- Cllr Janet Lockwood [since May 2015]
- Cllr Kevin Cuffley [since June 2015]

The Working Group first met on 9 September 2014 and has been supported by officers from Democratic Services and the Sustainable Communities and Partnerships Team.

8. On 9 October 2008 Cabinet received a report from the Arbury Park Task and Finish Group which had been set up to examine questions raised by residents of the new development. Cabinet undertook to provide a response and action plan and this was presented to the Scrutiny and Overview Committee on 4 December 2008. The Scrutiny and Overview Committee welcomed the response and action plan and resolved to review it at a meeting in April 2009. The recommendations of the Arbury Park Task and Finish Group can be found at **Appendix A**.
9. A further report entitled 'Progress since the Task and Finish Group Review' was submitted to the Scrutiny and Overview Committee on 5 November 2009. At that time it was noted that the economic climate had changed significantly and subsequently its effects may have influenced implementation of some of the recommendations.
10. The setting up of the current Working Group was agreed in response to concerns expressed by a Local Member with regard to progress in resolving further issues at Orchard Park.
11. Interim recommendations were presented to the Scrutiny and Overview Committee on 30 April 2015 and endorsed by Cabinet on 9 July 2015. The interim recommendations were also presented to the NJDCC for consideration and were endorsed prior to its deliberations on 29 July 2015:

Recommendation 1 – The decision to require a road adoption strategy for Northstowe should be replicated on all future developments.

Recommendation 2 – The good practice of school provision concurrent with first occupations should be continued.

Recommendation 3 – More consideration should be given to a greater variety of opportunities for social interaction for early occupants of new developments.

Recommendation 4 – South Cambridgeshire District Council should adopt the charging strategy used by Cambridge City Council in connection with pre-application advice.

Recommendation 5 – Consideration should be given to further work being carried out on 'New Town Blues' and the referral rates to social services and their impacts on costs for councils and other public services.

Recommendation 6 – Funding should be secured for training and/or technical support to be provided for parish councils affected by strategic development applications. There should be greater flexibility in the use of funds allocated.

12. The final recommendations were presented to the Scrutiny and Overview Committee on 5 November 2015. The recommendations were agreed by the Committee and it requests that they are endorsed by Cabinet.

Considerations

13. An initial list was drawn up of officers and stakeholders who would be able to provide evidence of compliance with, and the effects of, the recommendations from the 2007 review. The Working Group has looked at Orchard Park, Cambourne and the fringe sites.
14. Prior to the 30 April, the Working Group had met seven times, including its inception meeting plus attendance at an Orchard Park Community Council meeting. Those who were interviewed, consulted or supported included:
 - South Cambridgeshire District Council officers
 - Cambridge City Council officers
 - Cambourne Parish Council
 - Orchard Park Community Council
 - Local Members for Cambourne and Orchard Park
 - Peter Bailey (Dr), Cambourne Medical Practice
15. Since 30 April, the Working group has held or attended twelve further meetings. These included:
 - Further interviews with South Cambridgeshire District Council officers
 - Cambridgeshire County Council officers
 - Workshop with South Cambridgeshire District Council ward Councillors and parish council representatives
 - Attendance at the Southern Fringe and North West Cambridge Community Forums, plus surveying local residents
 - Four meetings with developers (Gallaghers, Taylor Wimpey, Hill and BPHA)
16. Each individual or group was asked to reflect on the 2007 review recommendations and asked for their view on how these had been taken forward and what effects they had observed following the recommendations being made.
17. The Working Group's general observation is that there is evidence that all the local authorities have been attentive to the majority of the recommendations and in many cases processes have been adopted to follow those recommendations. A summary of the findings with regard to each recommendation can be seen at **Appendix A**.
18. The following additional recommendations have been agreed by the Working Group:

Recommendation 7 – Further clarification should be sought from the County Council on their guidance to developers regarding materials so that conflict at the point of road adoption is avoided.

There is still some evidence of contrary views on the use of new technologies/materials at different stages in the process, notably at pre-application and adoption stages. Delays in road adoption are cited by residents as a significant cause for concern. This recommendation seeks to resolve one of the issues that may cause those delays.

Recommendation 8 – Despite individual phases having their own design code, consideration needs to be given to including a review mechanism so that lessons can be incorporated as required particularly in developments with long build out rates.

This recommendation has been made in view of evidence gathered that some flexibility is required to allow for advances in design etc over long build out periods.

Recommendation 9 – Consideration be given to strengthening the formal monitoring process and increasing the proportion of developments scoring highly in connection with ‘Building for Life’.

‘Building for Life’ allows a real measure of the quality of life that residents can expect. Its value should be emphasized through this recommendation.

Recommendation 10 – Care should be taken to ensure community development work continues to focus on building resilient empowered communities rather than dependent communities. This should be done together with other key agencies.

To achieve the best outcomes it is now acknowledged that responsibility lies with all stakeholders and that all statutory agencies can benefit from active participation in building resilient empowered communities.

Recommendation 11 – Appropriate noise readings should be considered on any future development where a noise barrier is proposed and where there are residential developments on both sides.

The original recommendation reflected apparently unique circumstances to date. It is considered, however, that this recommendation is a necessary precaution against similar circumstances arising in the future.

Recommendation 12 – Consideration should be given to providing advice/guidance to clerks of parishes affected by large scale developments and clerks should be included as officers in officer working groups.

This recommendation seeks to learn from the very good practice at Cambourne where an experienced clerk has been included in officer working groups. This has allowed the benefit of local knowledge as well as increasing community engagement.

Recommendation 13 – The Council should develop some local principles for carrying out Community Governance Reviews, making it clear how and when a review will be considered in major growth areas.

Experience has shown that there is a fine balance to be struck in the timing of carrying out a Community Governance Review. This recommendation seeks to endorse work that is being undertaken to establish good practice.

Recommendation 14a – Replicate on other developments the good practice at Northstowe where close communication between the site manager and local residents has been established to address local concerns effectively and promptly.

Recommendation 14b: A communications protocol should be established at the start of each development to be used by the local authorities, master developers, house builders etc.

The value of communication can never be overstated and efforts for continuous improvement should be pursued.

Recommendation 15 – Permissions and S106 Agreements should always recognise the possibility that a master developer may not remain on site for the complete duration of the build out.

It is acknowledged that with the increasing size of developments coming forward and the consequent long build out it may not be reasonable to expect that the master developer will be there for the whole period. This recommendation seeks to ensure that precautions are taken against this eventuality and avoid unnecessary complications that may result.

Recommendation 16 – Master developers should be asked to consider facilitating with parcel developers a central information point.

Previous experience at Cambourne, which was developed by a consortium of developers, showed the value of a central information point. Where a consortium is not in place there may not be spontaneous motivation to provide this resource.

Recommendation 17 – Ensure that all health partners are consulted on planning applications and take on board the findings of the New Communities Joint Strategic Needs Assessment which will outline a mechanism for health partners to come together. In addition, health partners should come together at the earliest opportunity to discuss needs at strategic sites.

This links to recommendation 10 and supports achievement of the same beneficial outcomes.

Recommendation 18 – That both these recommendations and those from 2007 apply not just to strategic sites, but as appropriate to all majors.

This review process has been acknowledged by stakeholders to have been beneficial to efforts for continuous improvement and it has been suggested that for consistency the recommendations should apply more widely.

Recommendation 19 – That this exercise is repeated at appropriate intervals. This might be in conjunction with the drafting of a new local plan.

As with recommendation 18, stakeholders have identified the benefits of carrying out a review and have suggested it should be repeated at appropriate intervals. It has been suggested that the appropriate time might be to coincide with the drafting of a new local plan in order that any recommendations can be appropriately reflected in policy.

Recommendation 20 – Developers should be encouraged to commence engagement with parish councils at pre-application stage.

The original task and finish group was convened to carry out work when something has already been identified as having gone wrong. This recommendation reflects a desire to be proactive and avoid as much as possible, any recurrence of such a need.

Options

19. Cabinet could:
- a. fully endorse the additional recommendations from the Working Group.
 - b. endorse some of the additional recommendations and suggest amendments to others, with an option for further work to be carried out by the Working Group.
 - c. refuse to endorse the additional recommendations from the Working Group.

Implications

20. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

Financial

21. The Working Group has not costed the work which would be required following endorsement of the recommendations if they are accepted.

Staffing

22. The Working Group has not estimated the staffing requirements that the recommendations would result in should they be accepted.

Consultation responses

23. Paragraphs 14 and 15 list those who have been interviewed, consulted or supported the review. The recommendations have been agreed by the Working Group and the Scrutiny and Overview Committee.

Effect on Strategic Aims

Establish successful and sustainable New Communities with housing and employment at Northstowe and the major growth sites, served by an improved A14 and A428.

24. The findings of the Working Group should directly impact the way in which the Council approaches strategic developments and aims to further support the work to establish successful and sustainable New Communities.

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

Arbury Park: Scrutiny Report

<http://moderngov/ieListDocuments.aspx?CId=293&MId=4021&Ver=4>

Cabinet Response to Arbury Park Report

<http://moderngov/ieListDocuments.aspx?CId=417&MId=4039&Ver=4>

Orchard Park Action Plan: Review

<http://moderngov/ieListDocuments.aspx?CId=417&MId=4039&Ver=4>

Contact Officers:

Gemma Barron – Sustainable Communities and
Partnerships Manager
Telephone: (01954) 713340

Chairman of Working Group:

Cllr Lynda Harford

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RECOMMENDATIONS FROM THE 2007 SCRUTINY TASK AND FINISH GROUP	2015 REVIEW COMMENTS			
	MET	PARTIAL	UNMET	
1. Design Guide:				
1a. The master developer or the Council should produce a Design Guide, before the first planning applications are made; this should be formally adopted and then enforced when evaluation applications.	✓			A district-wide design guide exists. Through the planning process each major development is required to have a design code. Design coding is secured by way of a condition and runs concurrently with the determination of outline planning application.
1b. The Design Guide should set out an agreed programme for phasing the development, aiming for whole sections to be completed before moving to the next phase.	✓			The parameter plan sets out the phasing rather than the design guide. A phasing strategy is now required through a condition.
1c. The Design Guide should spell out the approach to crime and safety design issues; encouraging joint working with police and the Council's arts, sports and community teams.	✓			This is included in the design code. All partners mentioned are also consulted on the planning application and comments taken into consideration.

<p>1d. The County and District Councils should specify road and footpath materials that are attractive as well as durable and fit for purpose. Planning permission should require the developer to provide and maintain paths and roads to an adoptable standard where houses are occupied.</p>	✓			<p>Adoption strategies are now requested on some sites e.g. Northstowe. Roads on new developments will only be adopted if they are built to an adoptable standard and where they are no longer used as a haul road (well designed and good quality haul roads help with this).</p> <p>Recommendation 7: Further clarification should be sought from the County Council on their guidance to developers regarding materials so that conflict at the point of road adoption is avoided.</p>
<p>1e. Design aspects not covered in the main Design Guide should be the subject of subsequent design codes.</p>	✓			<p>Phasing addresses this. Lessons have been learned from experience with the Design Guide for Trumpington Meadows which was seen to be somewhat restrictive despite the fact that this was a development of only 1,200 dwellings. Northstowe Phases 1 and 2 will have their own Design Codes.</p> <p>Recommendation 8: Despite individual phases having their own design code, consideration needs to be given to including a review mechanism so that lessons can be incorporated as required particularly in developments with long build out rates.</p>

<p>1f. The Council should develop and use a scoring system such as at Huntingdonshire District Council to assess large development and inform the district-wide Design Guide.</p>		✓		<p>The Working Group was unable to find information regarding the scoring system referred to in the recommendation. It is believed to have been an informal document relating to urban design that is no longer in use.</p> <p>SCDC complies with 'Building for Life', a national scoring system. Any scheme with more than ten houses has an assessment done by officers which is reported through the Annual Monitoring Survey. This measures quality. Recent amendments to the scoring system ensure its relevance to developments of all sizes. There is, however, no formal monitoring system of the resultant dwellings currently in place.</p> <p>Recommendation 9: Consideration be given to strengthening the current monitoring process and increasing the proportion of developments scoring highly in connection with 'Building for Life'.</p>
<p>2. Urban Design:</p>				
<p>2a. Urban design expertise should be retained and used throughout the pre-planning, planning and construction stages at Arbury Park and future large developments.</p>	✓			<p>Urban design expertise has been retained and is used at SCDC. The SCDC Design and Enabling Panel and Cambridgeshire Quality Panel have also been found to be useful and are generally viewed positively by developers, so long as they don't delay the planning process.</p>
<p>2b. The urban designer and planning enforcement officer should closely monitor the development at every stage, as resources allow.</p>	✓			<p>Monitoring is proportionate to the level of developer performance. Monitoring contributions are secured via the S106 Agreement.</p>

3. Standard of Planning Applications:				
3a. SCDC should develop a stronger reputation via pre-application meetings that if proposals are not acceptable they will be refused without negotiation.	✓			Both South Cambridgeshire District and Cambridge City Councils now have structured pre-application advice processes in place and feedback from applicants/agents is positive. The working group did, however, identify that Cambridge City's process includes a step that may act as a deterrent to applicants proceeding to formal application prior to all required work being completed at pre-application stage. Using a traffic light system planning officers are able to identify where such work has not been completed [shows as red] and they charge for officer time for this work when it subsequently has to be done at the formal application stage.
4. S106 Agreement				
4a. S106 Officers should provide a communication hub and actively ensure that work progresses in all aspects and in compliance with agreed trigger points.	✓			<p>SCDC S106 Officer and S106 Monitoring Officer employed in response to the original review.</p> <p>Regular project meetings are now held during the continuing period of build out of most developments. Cambourne is a very good example of this but the situation may be somewhat unique as the parish council is able to pay for the services of an experienced clerk who acts as its representative at these meetings. When development is nearing completion these meetings may be discontinued but there is evidence that a senior planner can provide a point of contact for a parish or community council as with Orchard Park.</p> <p>See Recommendation 12.</p>

<p>4b. The counting of occupations should be done (at least monthly) by only one party – preferably the planning authority, to avoid duplication – and then shared with parish, City, District and County Council colleagues.</p>	✓			<p>This is generally carried out by the S106 Monitoring Officer. Potential duplication is picked up during the S106 process if not already addressed.</p> <p>Information is not routinely shared with parishes on a monthly basis, however, they are informed as appropriate when key triggers relating to them are approaching and the information could be provided monthly if desired. We believe this is sufficient.</p>
<p>4c. S106 negotiations should invite timely input from local stakeholders, whilst retaining probity and confidentiality of negotiations.</p>	✓			<p>This happens through working groups and parish forums.</p>
<p>5. Phased Construction:</p>				
<p>5a. Large developments should be built according to a phasing plan, starting at one or two points, as appropriate for the size of development, then building outwards. The aim should be for residential streets and areas to be completed in phases so that new residents suffer minimum disturbance by ongoing building works. However, it should also be noted that phasing could have the effect of slowing down the rate at which affordable homes are built.</p>	✓			<p>Normally required by condition and attention given to existing communities as evidenced at Northstowe (Rampton Drift). There is now much more emphasis on controlling the location of clusters of affordable housing. This is controlled through 'approved drawings' when planning permission is given. However, it should be noted that the main cause of the problem at Orchard Park was the economic situation and, with the size of some of the developments coming forward and the consequent length of the build out, this could possibly raise issues in the future.</p>

<p>5b. Commercial and community facilities should be included in the first phase, with an information centre and community development officer being on-site as soon as properties are occupied, perhaps initially in a dual-use community house.</p>	✓			<p>The commercial element is to a certain extent commercially-led. Phasing of community facilities take into consideration local supply/demand and temporary provision is built in where necessary before permanent facilities become viable. Community development officers are regularly on site prior to properties being occupied as well as once they are occupied.</p> <p>The use of forums seems to work well, but developers and community officers have expressed a view that drop-ins work better than formal meetings with presentations. The provision of primary schools to coincide with first occupations (e.g. Northstowe) offers the opportunity to use unoccupied space for community activities.</p>
<p>5c. These should be funded and put in place at the earliest stage and then reimbursed via the S106 Agreement.</p>	✓			<p>Forward funding is considered and provided where appropriate e.g. at Northstowe Community Engagement Worker.</p>
<p>6. Community Development:</p>				
<p>6a. A community development plan should be produced, in consultation with stakeholders, at a very early stage for each new development. It should be clear who has responsibility for delivery, monitoring and regular updating of the plan.</p>	✓			<p>These are developed and monitored by the public services working group or equivalent e.g. fringe sites and Northstowe.</p> <p>The group acknowledges the work being done currently by the County Council. However, for the most effective use to be made of ever-dwindling financial resources, there must be a commitment to engaging with all stakeholders including the NHS and police who, in the long term will achieve large cost savings.</p>

				Recommendation 10: Care should be taken to ensure community development work continues to focus on building resilient empowered communities rather than dependent communities. This should be done together with other key agencies.
6b. The work of arms-length community development staff should be agreed and managed via a partnership agreement. This should be reviewed quarterly as the number of residents grow.	✓			E.g. fringe sites arrangement with Cambridge City Council, including monitoring. The Council may need to take particular care in developing arrangements with third parties who are not regular partners. There is evidence of good working relationships between registered providers and council officers in this respect.
6c. An early priority should be to arrange regular and varied community activities, bringing residents together in small and larger numbers until networks develop and become self-sustaining.	✓			Developed and monitored via community development plan. There is evidence that quarterly community forums such as those held at the Southern Fringe sites serve this purpose very well.
6d. Another key service is the initial 'Welcome Pack' which should be supplied to new residents on moving in; inclusion of a current map should be a priority. A fuller 'Information Pack' should be supplied, preferably in person, within three weeks. These packs should provide information that is: timely*, concise, self-explanatory, accurate; and signposting any further sources of help. *For example information about local surgeries may be needed on day one.	✓			Small quantities produced so that these can be updated regularly throughout a build. Good feedback from residents at the Southern Fringe Community Forum.

6e. All the information should also be available electronically.	✓			E.g. www.trumpingtonmeadows.com The Northstowe website has already been used to engage residents of neighbouring villages before construction has started. It is anticipated that its use will continue and will include such information as this.
7. Environmental Health:				
7a. Landscaping features such as earth mounds, should be used where possible as a noise barrier; this eliminates the uncertainty about the location, timing and nature of buildings used as a barrier.	✓			This is included in the emerging local plan e.g. Darwin Green policy preference for mounds over hard barriers and likely also for Cambourne West.
7b. Noise readings should be taken before and after a barrier is erected, and on both sides of the road. Any expert hired by the Council to verify the findings should be independent of the development.			✓	This has not been routinely adopted, however, the circumstances at Orchard Park were possibly unique. Recommendation 11: Appropriate noise readings should be considered on any future development where a noise barrier is proposed and where there are residential developments on both sides.
7c. The Highways Agency and developer should communicate and consult fully with the parish and district councils regarding any proposals to alter major roads adjacent to new developments.	✓			The Council is a statutory consultee of the Highways England (formally Highways Agency), however, not all alterations require consultation. The District Council and parish councils have been well consulted regarding the A14. Developers routinely communicate with parishes and the Council prior to carrying out works on major roads.

8. Governance:				
8a. The Council should explore every means of securing funding for parish councils to protect them from the financial impact of supporting large new developments. Existing parish residents must not suffer long-term costs because large-scale development has chanced to fall within their boundary.	✓			<p>S106 provision is always sought for this purpose. SCDC has also funded additional work by Clerks.</p> <p>Recommendation 12: Consideration should be given to providing advice/guidance to clerks of parishes affected by large scale developments and clerks should be included as officers in officer working groups.</p>
8b. Governance arrangements for new developments should be settled as early as possible to enable early community facilities to be properly managed and to provide existing and new residents with a sense of community identity.	✓			<p>There is a balance required to ensure that a review is carried out at such a time that, should a new parish be agreed, there would be a sufficient number of electors to form a parish council. The Council has carried out informal consultation in advance of a formal review on Trumpington Meadows, for example.</p> <p>Investigations found that the boundary with the City Council on the fringe sites can cause difficulties in creating communities that 'reflect the identities and interests of the community in that area'.</p> <p>Recommendation 13: The Council should develop some local principles for carrying out Community Governance Reviews, making it clear how and when a review will be considered in major growth areas.</p>

9. Delays in moving in:				
9a. The S106 agreement should agree a process for accurately setting out building locations.			✓	It is acknowledged that a condition for significant infrastructure to be marked out prior to build can be added to strategic growth site permissions. Whilst we believe the original recommendation came from an exceptional circumstance, it should still be borne in mind. The development of technology should mean that issues relating to building accuracy are now less likely. Generally this would be covered by the list of 'approved drawings' attached to a permission.
9b. The Cambridgeshire Bus Team and other County Council colleagues should work closely with the planning authority to ensure the location of boundaries are agreed and observed.	✓			See above. There is now much closer working between Cambridgeshire County Council and the local planning authority.
10. Need for a single point of contact, communication and control				
10a. The Council and the master developer should ensure that a mechanism is established from the outset to provide a regular forum for all stakeholders to raise and resolve concerns.	✓			<p>Community forums are now established as good practice. Other forums are also established where appropriate e.g. project meetings in Cambourne and the Parish Forum for Northstowe.</p> <p>Recommendation 14a: Replicate on other developments the good practice at Northstowe where close communication between the site manager and local residents has been established to address local concerns effectively and promptly.</p> <p>Recommendation 14b: A communications protocol</p>

				should be established at the start of each development to be used by the local authorities, master developers, house builders etc.
10b. This forum could be led by a local Member who would be regarded as the champion for the new development, ensuring that co-operation and communication between all stakeholders was maintained. Such member champions should be considered for all new developments.	✓			E.g. Northstowe Community Forum chaired by Cllr Wotherspoon, Portfolio Holder for Northstowe. We agree that the Council should continue to consider member champions for all new developments. This could be the Portfolio Holder of local member.
11. Affordable Housing:				
11a. Future developments should emulate the practice used at Arbury Park of involving a consortium of RSLs in planning and negotiations from the outset.	✓			The Cambridge Challenge competition 2007 (run by the Housing Corporation, English Partnerships and local authorities) included sites at Southern Fringe, North West Cambridge and Northstowe. Cambridgeshire Partnerships Ltd (consisting BPHA, Aldwyck Housing Association Ltd, King Street Housing Society Ltd, The Papworth Trust and Hundred Houses Society Ltd) were named as the strategic development partner.
12. Building site environment:				
12a. The Council should negotiate, via the S106 process, that developers will register the site(s) on a considerate constructors scheme.		✓		A Construction Environmental Management Plan (CEMP) is secured through condition for all sites. The Council does not always negotiate that developers register the site(s) on a considerate constructors' scheme, however, the CEMP covers most aspects of schemes. There is evidence that many developers now register under this scheme although

				some aspects of it are inappropriate for rural developments. There is also pride in achieving 5* builder status and in the achievement by individual site managers of 'Pride in the Job' awards.
12b. The master developer, or consortium, should appoint an officer to monitor and oversee the development and be a point of contact for the consortium.	✓			Not all developments are led by a consortium. Whilst there is evidence that the master developer maintains contact with the parcel developers this is not always as supportive as it might be particularly in relation to the discharge of conditions attached to the outline planning permission. Recommendation 15: Permissions and S106 Agreements should always recognise the possibility that a master developer may not remain on site for the complete duration of the build out.
12c. Officers should explore means of ensuring that street trees are planted at an early stage, rather than at the end of the development.	✓			New technology now mitigates against this. Although not within the scope of this review, discussion with developers indicated that the County Council may be challenged by keeping pace with new technologies e.g. infrastructure materials and street trees.
13. Maps and Road Nameplates:				
13a. The successful road-naming process at Arbury Park should be used at future developments.	✓			The local community is always involved in the naming of roads.

<p>13b. Officers should urgently explore methods for ensuring that road nameplates and current road maps are available for the first residents of a new development. These may include contractually requiring the master developer to</p> <ul style="list-style-type: none"> • Provide road nameplates and locate them as guided by the County's Highways service. • Provide simple, timely street maps • Deposit electronic plans with Section 38 agreements 	✓			<p>Simple, timely street maps are included in welcome packs.</p> <p>There is an established process whereby local residents and community groups are involved in identifying appropriate names before construction starts. The developer is advised of the names for all streets once the first footings are in and are instructed as to the location of signs. Late changes in design can present issues, e.g. Stanley Avenue/Central Drive, Orchard Park. Pepper-potting of affordable housing previously caused problems when the surrounding market housing was not built due to the downturn. The developer is responsible for applying to Royal Mail for postcodes and late application can cause problems for new residents re utilities. The use of a 'Welcome Suite' serving the whole development can act as an information point and eradicate some of these problems.</p> <p>Recommendation 16: Master developers should be asked to consider facilitating with parcel developers a central information point.</p>
<p>14. Primary School:</p>				
<p>14a. When a school is built to serve a large housing development it should be located at the centre of the site with safe walking access from all directions and adequate road crossings.</p>	✓			<p>Consideration is given as to what is appropriate for each development.</p>
<p>14b. A phasing plan for the development should provide for the school to be fully ready for use as soon as the first residents move in.</p>		✓		<p>This happens where possible and appropriate to do so e.g. Northstowe primary school will be ready for first occupants. This is agreed with the County Council, but is not always</p>

				appropriate, and usually requires forward funding.
14c. Planning considerations for a school should ensure an optimum physical size that meets statutory access requirements and yet will not overburden the school budget. The building design should also fit the architectural context of the location. The outdoor space should provide a stimulating environment for playing a learning out of doors.	✓			This is in policy, national requirements and Design Guide.
14d. The County Council should limit initial reception class intake to new schools and phase increases in admissions in line with forecast in-catchment pupil numbers. This would ensure that new schools grow at the same rate as the development and can accommodate all in-catchment pupils as they arrive. This would aid community cohesion.	✓			This happens as appropriate for the development e.g. Trumpington Meadows, new Cambourne primary school and Northstowe.
15. Health Facilities:				
15a. The PCT should work with relevant surgeries to communicate with incoming residents as soon as a large development begins. Relevant surgeries may not be the nearest, but one more easily reached by public transport.		✓		<p>This has been achieved on themFringe Sites and through the plan for Northstowe Phase 1. It is more complex where a new surgery is required.</p> <p>Complexities in NHS commissioning (i.e. primary care, optometry, dentistry and pharmacy) is currently creating difficulties: buildings and facilities are the responsibility of NHS Property Services, GPs commissioned by NHS England, enhanced services commissioned by the Clinical</p>

				<p>Commissioning Group (CCG) and health visitors and school nurses by Public Health at the County Council. Liaison between the District Council, NHS Property Services, Public Health and the CCG is good, however, the relationship with NHS England is patchy and they are slow to come to the table.</p> <p>Recommendation 17: Ensure that all health partners are consulted on planning applications and take on board the findings of the New Communities Joint Strategic Needs Assessment which will outline a mechanism for health partners to come together. In addition, health partners should come together at the earliest opportunity to discuss needs at strategic sites.</p>
16. Utilities:				
16a. Utilities providers should be fully consulted at regional spatial strategy planning stage; not just regarding costs but also feasibility and timescales.	✓			The Regional Spatial Strategy no longer exists, however, utilities companies are consulted during the Local Plan process.
17. Foul and Surface Water Drainage:				
<p>17a. The District Council's on site planning monitoring officers should alert Anglian Water at an early stage, of any concerns they notice regarding construction of foul and surface water drainage systems*. This would reduce the delay in their adoption later in the process.</p> <p>*It must be clear that Anglian Water retains responsibility for monitoring and adoption.</p>				<p>It has been difficult to find evidence to support the implementation of this recommendation. However, concerns are frequently expressed by local people regarding this aspect of a planning application.</p> <p>Developers enter into S104 agreements with Anglian Water who will do their own monitoring and testing prior to adoption.</p>

<p>17b. Where drainage adoption is delayed, the Council should keep residents informed as to who is responsible for dealing with any concerns.</p>	<p>✓</p>			<p>We require developers to put in place proper drainage and management arrangements (including covering ownership and ongoing maintenance) before occupations. Where this responsibility falls to a parish council extra care should be taken with the detail. This is secured by condition.</p> <p>Also, the County Council now has an advisory role as lead local flood authority, working with Planning Authorities, in ensuring that SUDS are appropriate.</p>
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Agenda Item 8



South
Cambridgeshire
District Council

Report To: Licensing Committee

14 December 2015

Lead Officer: Head of Service Environmental Health & Licensing

REVISION TO POLICY STATEMENT OF GAMBLING ACT 2005

Purpose

1. To seek approval for the revised Gambling Act Licensing Policy statement of Licensing Policy in line with the requirements of the Gambling Act 2005.
2. This is a key decision because
 - it raises new issues of policy, or is made in the course of developing proposals to amend the policy framework, or is a decision taken under powers delegated by the Council to amend an aspect of the policy framework and it was first published in the 2015 Forward Plan.

Recommendations

3. It is recommended that the Licensing Act 2003 Committee recommends to Cabinet that the Gambling Act 2005 statement of Policy as attached at **Appendix A** be approved and is ratified and adopted by the Leader and Council

Background

4. A statement of licensing policy is a requirement under section 1 of the Gambling Act 2005 and without a policy South Cambridgeshire District Council may be subject to a judicial review for failing to carry out a statutory duty. In preparing the revised statement of the Licensing Policy, officers gave full regard to both the requirements of the Act itself and the guidelines issued by the Department of Culture Media and Sport (DCMS), Gambling Commission and where relevant Council strategies such as crime and disorder
5. Central Government has stated that the revised Licensing Policy must be published by 31 January 2016
6. The draft Licensing Policy (**Appendix A**) has been subject to a public consultation. Information on how to view the policy was circulated to a range of potential consultees including representatives of special interest groups and solicitors known to deal with gambling issues along with Parish Councils and responsible authorities such as Police. The consultation was also publicised through library notices and on our own website.

7. The draft policy being circulated for approval remains very similar to the previous policy in force since 2013 with the exception of some typographical errors identified and updated contact details and web address links. Changes have been made at the following pages:-

- Pg 3 – Changes to permitted prize stakes – Gov` t change
- Pg 5 – Typing error
- Pg 6 – Typing error
- Pg 9 – updated SCDC policy details
- Pg 13 – Updated Gambling Commission details + closed brackets
- Pg 19 – New heading for clarity purpose + Typing error

Considerations

8. Consultation took place between 9 October 2015 and 12 November 2015. No comments were received from consultees and no significant alterations have been made to the draft policy circulated for public consultation.

9. Changes made are highlighted in red

10. The Policy is a document that continually develops to reflect the changing nature of the gambling industry, Government initiatives and the needs of local businesses and residents alike. The policy will remain in force for three years but may be reviewed at any time before this if required. It will form the basis of any decision taken in respect of applications or enforcement under the Gambling Act 2005 by Officers or any Committee or sub-committee involved in licensing decisions.

Options

11. Members may after consideration opt for one of the following options:

- To recommend the amended policy as submitted at **Appendix A** for approval by the Leader and Council.
- To make further amendments followed by recommendation for approval by the Leader and Council.

Implications

12. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

Financial

13. Failure to adopt a policy may lead to a judicial review for failing to adhere to a statutory duty and incur costs.

Legal

14. The Gambling Act is a statutory duty

Staffing

15. No staffing implications arise for this report

Risk Management

16. A statement of Gambling Act Licensing Policy is a requirement of the Gambling Act 2005 and without a policy the Council may be subject to Judicial Review for failing in its responsibility to carry out a statutory duty.

Equality and Diversity

17. The Policy reflects the Governments guidance in relation to the administration of the gambling Act 2005 by Local Authorities Consultation has sought views from relevant groups.

Consultation responses

18. No responses were received in respect of this consultation process.

Effect on Strategic Aims

Aim 1 - Commitment to being a listening Council :-

Consultation has taken place for a twelve-week period allowing relevant parties to raise any issues regarding the revised policy for consideration by the authority.

Aim 2 - Commitment to ensuring that South Cambridgeshire continues to be a safe and healthy place for all:-

The policy clearly states the objectives of the relevant Act and seeks to promote the protection of vulnerable adults and children.

Aim 3 - Commitment to making South Cambridgeshire a place in which residents can feel proud to live:-

The revised policy advises readers that the concerns of relevant parties will be taken into consideration in line with the Gambling Act objectives when making decisions regarding premise applications within South Cambridgeshire.

Background Papers

Guidance issued under the Gambling Act 2005 by the Gambling Commission May 2015 5th Edition.

Report Author: Myles Bebbington – Head of Service Env Health & Licensing
Telephone: (01954) 712922

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

GAMBLING ACT 2005 DRAFT GAMBLING POLICY

3 YEARLY REVIEW

REVISED POLICY
Gambling Act 2005

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Explanatory Note - The Gambling Act 2005 came into force from 1 September 2007. With the exception of the National Lottery and Spread betting, the Gambling Commission regulates gambling and betting. Local Authorities have a duty under the Act to licence premises where gambling takes place and to licence certain other activities such as small lotteries and gaming machines.

Summary of Some Terms Under the Gambling Act 2005

The following page is not part of the consultation process, as the definitions are defined nationally, but they are included in the Gambling Act Licensing Policy to assist the reader.

Casinos 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 favourable to all participants.

Bingo has no statutory definition. It is to have its ordinary and natural meaning. Under the previous legislation, two types of bingo could be offered:

- Cash bingo, where the stakes paid make up the cash prizes that were won; or
- Prize bingo, where various forms of prizes are won, not directly related to the stakes paid.

Under the 2005 Act, the distinction between these two versions of the game has been abolished for commercial operators, and the holder of a bingo operating licence is able to offer any type of bingo game, whether cash or prize. That means that premises with a bingo premises licence, or a casino premises licence (where the operator holds a bingo as well as a casino operating licence), are able to offer bingo in all its forms.

Apart from commercial bingo halls, prize bingo is traditionally a game played in arcades, especially seaside amusement arcades, or travelling funfairs. For these operators, prize bingo is now subsumed within the allowances for prize gaming in the Act. This means that adult gaming centres, both licensed and unlicensed family entertainment centres, and travelling fairs (or any premises with a prize gaming permit) are able to offer prize gaming, which includes prize bingo.

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 size of the prize must not be determined by reference to the amount paid for or raised by the gaming.

Gaming Machine is defined as a machine, which is designed or adapted for use by individuals to gamble (whether or not it can also be used for other purposes).

Most gaming machines are of the reel-based type, also known as fruit, slot or jackpot machines. According to the last major prevalence study, fourteen percent of people said they had played fruit machines in the past year.

Under the Gambling Act 2005, gaming machines fall into categories depending on limits on the stake laid down and prizes available:

Machine category	Maximum stake	Maximum prize
A	Unlimited	Unlimited
B1	£5	£10
B2	£100 (in multiples of £10)	£500
B3	£2	£500
B3A	£1	£500
B4	£1	£250
C	£1	£100
D combined money and non money prize (coin pusher and penny falls machines)	30p	£8.
D money prize	10p	£5
D Combined money and non-money prize (other than coin pusher or penny fall machines)	10p	£8 of which no more than £5 may be taken as prizes
D non-money prize (crane grab machines)	£1	£50
D* Non-money prize (other than crane grab machines)	20p	£20 (of which no more than £10 may be a money prize)

Family Entertainment Centres (FEC) are premises, which are wholly or mainly used for making gaming machines available for use (such as small arcades in holiday parks, theme parks and seaside resorts) may hold a FEC Gaming Machine Permit. A permit allows any number of Category D machines, these are the lowest category of gaming machines available, and the only type that children and young people are allowed to play.

Licensing authorities are required by the Gambling Act 2005 to publish a Gambling Act policy, which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from “time to time” and any amended parts re-consulted upon. The statement must be then re-published.

The Gambling Act requires that the following parties be 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.

List of persons this authority will consult with:

- Gambling Commission
- Cambridgeshire police service
- Social Services
- Gamcare and local community organisations that are known to SCDC as working with gamblers
- Parish Councils
- Faith and belief Groups
- Citizens’ Advice Bureau
- Primary Care Trust
- Trade associations including; Ladbrokes, William Hills, Coral, Gala, Independent bookmakers within SCDC area and other trade representatives as may become apparent in due course.

This consultation commenced on and will end on . The HM Government Code of Practice on Consultation (published July 2008) was followed during this process. The code is available at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/100807/file47158.pdf

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

Myles Bebbington
Licensing Officer, South Cambridgeshire District Council, Cambourne Business Park, Cambourne, Cambridgeshire, CB23 6EA.

licensing@scambs.gov.uk

It should be noted that this policy 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.

3. Declaration

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

4. Responsible Authorities

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

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

In accordance with the suggestion in the Gambling Commission's Guidance to Licensing Authorities, this authority designates the Local Safeguarding Children Board for this purpose.

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

- Licensing Authority
- The Gambling Commission
- The Chief of Police for Cambridgeshire
- The Cambridgeshire Fire and Rescue Authority
- South Cambridgeshire Planning Authority
- South Cambridgeshire Health and Environmental Services
- County Council Children's Services (Safeguarding and Standards Unit)
- HM Revenue and Customs
- Any other person prescribed in regulations to be prescribed by the Secretary of State.

5. Interested parties

Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

"For the purposes of this part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person-

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

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

Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision-making. It will consider the examples of considerations provided in the Gambling Commission's Guidance to Licensing Authorities. It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include

partnerships, charities, faith groups and medical practices.

Section 158 of the Act defines interested parties. To accept a representation from an interested party, the licensing authority must take the view that the person:

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

Interested parties can be persons who are democratically elected such as councillors and MPs. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, parish councils likely to be affected will be considered to be interested parties. Other than these, however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the licensing section at South Cambridgeshire District Council, Cambourne Business Park, Cambourne, Cambridgeshire CB23 6EA.

The following gives further advice on how licensing authorities determine whether someone is an interested party.

People living close to the premises Licensing Authorities may take into account the following when determining what "*sufficiently close to the premises*" means (in each case);

- Size of premises
- Nature of the premises
- The distance of the premises from the location of the person making the representation
- The potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment); and
- The nature of the complainant. This is not the personal characteristics of the complainant but the interests of the complainant, which may be relevant to the distance from the premises. For example, it could be reasonable for an authority to conclude that "*sufficiently close to be likely to be affected*" could have a different meaning for (a) a private resident (b) a residential school for children with truanting problems and (c) residential hostel for vulnerable adults.

Nature and scope of business interests that could be affected

It could be argued that any gambling business could be affected by another gambling business expanding into any part of Great Britain. But that is unlikely to be enough to satisfy the test of being "*a person with business interests that might be affected by the premises under consideration.*" For example, an operator in a particular sector (be it casino, bingo, betting, etc) should not be able to lodge representations on every application put by a rival operator anywhere

in the country, simply because they are in competition within the same gambling sector. The licensing authority should be satisfied that the relevant business is likely to be affected. In this respect, licensing authorities may bear in mind that the 'demand test' from the 1963 and 1968 Acts is not continued in the 2005 Act.

Factors that are likely to be relevant include:

- The size of the premises
- The 'catchments' area of the premises (that is, how far people travel to visit the premises)
- Whether the person making the representation has business interest in that catchment area that might be affected.

People representing those in the above categories

Examples of people that may fall within the categories above include:

- Democratically elected representatives such as local councillors and MPs
- Bodies such as trade associations
- trade unions
- residents' and tenants' associations

Circumstances may arise where the authority needs to satisfy itself in a case by case basis and possibly request written evidence that a person does represent interested parties. For example, a school head or governor might act in representing the interests of pupils or parents and a community group might represent vulnerable people living near to the proposed premises.

Licensing authorities may have regard to anything an interested party says about their status to make representations.

6. Exchange of Information

Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The licensing authority will also have regard to any Guidance issued by the Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

Should any protocols be established as regards information exchange with other bodies then they will be made available at www.scamb.gov.uk.

7. Enforcement

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

This licensing authority will operate to the SCDC enforcement & inspection policy introduced October 2014, which is considered consistent within the Gambling Commission guidance and the Regulators` Compliance Code updated by Central Government April 2014.

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 licensing authority will adopt and implement a risk-based inspection programme, based on

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

The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 is to ensure compliance with the premises licences and other permissions, which it authorises. The Gambling Commission is the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines are not dealt with by the licensing authority but should be notified to the Gambling Commission.

This licensing authority also keeps itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

Bearing in mind the principle of transparency, this licensing authority`s enforcement schedule is available upon request to the licensing department at South Cambridgeshire District Council, South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA or via our website www.scambs.gov.uk. At present there is no schedule on risk -based inspections in relation to gambling premise. If such a policy is developed this will be made available on www.scambs.gov.uk.

8. Licensing authority functions

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 (under the Licensing Act 2003) for the use of two or fewer gaming machines
- Issue *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines

- Register *small society lotteries* below prescribed thresholds
- Issue *Prize Gaming Permits*
- Receive and Endorse *Temporary Use Notices*
- Receive *Occasional Use Notices*
- Provide information to the Gambling Commission regarding details of licences issued (see section above on ‘information exchange’)
- Maintain registers of the permits and licences that are issued under these functions and make available such registers at any reasonable time to the public who may request copies of the entries. The Authority is entitled to make a charge for copies.

Hearings

In dealing with applications members of the Licensing Committee will act in accordance with South Cambridgeshire District council’s constitution but in particular in making decisions on applications, Members of the Committee will;

- Act fairly and openly approach each application with an open mind
- Carefully weigh up all the material considerations
- Avoid undue contact with interested parties
- Ensure that reasons for decisions are clearly stated.

All hearings in respect of the Gambling Act 2005 will be heard by a Licensing Act 2003 Committee or a sub-committee, where there is a conflict of interest for a member or members, if the interest is prejudicial then this Authority will follow the guidelines laid out in the Procedural Guidance for members and officers in Planning and Licensing – supplemental to the Code of Conduct Guidance adopted by the Council on 25th April 2002, Section 51 of the Local Government Act 2000.

It should be noted that licensing authorities are not to be involved in licensing remote gambling at all, which is regulated by the Gambling Commission via operating licences.

9. Delegation Table

Matter to be dealt with	Full Council	Licensing Committee or Licensing Sub-Committee	Officers
Final approval of three year licensing policy	X		
Policy not to permit casinos	X		
Fee setting (when appropriate)		Portfolio Holder	
Application for premises licence		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a variation to a licence		Where representations have	Where no representations

		been received and not withdrawn	received/representations have been withdrawn
Application for a transfer of licence		Where representations have been received from the Commission or a Responsible Authority	Where no representations received from the Commission or a Responsible Authority
Application for a provision statement		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Review of Premises Licence		X	
Application for club gaming/club machine permits		Where objections have been made (and not withdrawn)	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

**PART B
PREMISES LICENCES: CONSIDERATION OF APPLICATIONS**

1. General Principles

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

(i) Decision-making

This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and

- in accordance with the authority's Gambling Act 2005 policy

It is appreciated that as per the Gambling Commission's Guidance to Licensing Authorities, "*moral objections to gambling are not a valid reason to reject applications for premises licences*" (except as regards any 'no casino resolution') and also that unmet demand is not a criterion for a licensing authority.

(ii) Definition of "premises" – In the Act, "*premises*" is defined as including "*any place*". Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

The Gambling Commission states in the third edition of its Guidance to Licensing Authorities that: "*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 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 officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises.*"

This licensing authority takes particular note of the Gambling Commission's Guidance to Licensing Authorities which states that: licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not "drift" into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity named on the premises licence.

The Guidance also gives a list of factors, which the licensing authority should be aware of, which may include:

- Do the premises have a separate registration for business rates?
- Is the premises' neighbouring premises owned by the same person or someone else?

- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

The Gambling Commission's relevant access provisions for each premises type are reproduced below:

Government Guidance : (GLA September 2012 part 7)

Casinos

- The principal access entrance to the premises must be from a street (as defined at 7.23 of the Guidance)
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons
- No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence

Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises

Betting Shops

- Access must be from a street (as per para 7.23 Guidance to Licensing Authorities) or from another premises with a betting premises 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 and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

Tracks

- No customer should be able to access the premises directly from:
 - a casino
 - an adult gaming centre

Bingo Premises

- No customer must be able to access the premise directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Family Entertainment Centre

- No customer must be able to access the premises directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Part 7 of the Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

(iii) Premises "ready for gambling"

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

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.

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

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

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

More detailed examples of the circumstances in which such a licence may be granted can be found at paragraphs 7.59-7.66 of the Guidance.

(iv) Location - This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to its decision-making. As per the Gambling Commission's Guidance to Licensing Authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this policy will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

This Authority has identified no such areas.

(v) Planning:

The Gambling Commission Guidance to Licensing Authorities states:

7.59 – *"In determining applications the licensing authority has a duty to take into consideration all*

relevant matters and not to take into consideration any irrelevant matters, i.e. those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal.”

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

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

(vi) Duplication with other regulatory regimes - This licensing authority seeks to avoid any duplication with other statutory / regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions, which cannot be met by licensees due to planning restrictions, should such a situation arise.

When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, building regulations along with other planning legislation must not form part of the consideration for the premises licence.

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

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime – This licensing authority is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commission’s Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime, this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors (for example whether police assistance was required and how threatening the behaviour was to those who could see it) so as to make that distinction.

Ensuring that gambling is conducted in a fair and open way - This licensing authority has noted that the Gambling Commission states that it generally does not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is however, more of a role with regard to

tracks which is explained in more detail in the 'tracks' section– see page 19.

Protecting children and other vulnerable persons from being harmed or exploited by gambling - This licensing authority has noted the Gambling Commission's Guidance that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are particularly attractive to children). The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

This licensing authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.

As regards the term “*vulnerable persons*” it is noted that the Gambling Commission does not seek to offer a definition but states that “*it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who 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 licensing authority will consider this licensing objective on a case-by-case basis.

Conditions - Any conditions attached to licences will be proportionate and will be:

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

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

This licensing authority will also consider specific measures, which may be required for buildings, which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff

or the licence holder; and

- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

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

This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

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

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

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

Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether these need to be Security Industry Authority (SIA) licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different types of premises vary (as per the Guidance, Part 33).

2. Adult Gaming Centres

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, for example, ensure that under 18 year olds do not have access to the premises.

This licensing authority may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage

- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

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

3. (Licensed) Family Entertainment Centres:

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, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

This licensing authority may consider measures to meet the licensing objectives such as:

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

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

This licensing authority will, as per the Gambling Commission's guidance, refer to the 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. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

4. Casinos

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

5. Bingo premises

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

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

for that or those excluded areas.

A holder of bingo premises licences may make available for use a number of category B machines not exceeding 20% of the total number of gaming machines which are available for use on the premises.

Government guidance states:-

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

6. Betting premises

This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the betting machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

7. Tracks

The Act does not give a list of premises that are officially recognised as “tracks” but there are a number of venues where sporting events do or could take place, and accordingly could accommodate the provision of betting facilities Examples of tracks include

- A horse racecourse
- 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.

This list is by no means exhaustive as in theory, betting could take place at any venue where a sporting or competitive event is occurring.

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

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. It is noted that

children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

This licensing authority may consider measures to meet the licensing objectives such as:

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

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

Gaming machines - Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.

Betting machines - This licensing authority will, as per Part 6 of the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.

Applications and plans

The Gambling Act (s51) 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 licensing authority to plan future premises inspection activity. (See Guidance to Licensing Authorities, para 20.28).

Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations. (See Guidance to Licensing Authorities, para 20.29).

Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises (See Guidance to Licensing Authorities, para 20.31).

In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined.

(See Guidance to Licensing Authorities, para 20.32).

This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the “*five times rule*” (commonly known as betting rings) must be indicated on the plan. (See Guidance to Licensing Authorities, para 20.33).

8. Travelling Fairs

South Cambridgeshire District Council 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.

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

It is noted that the 27-day statutory maximum for the land being used as a fair applies on a per 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.

9. Provisional Statements

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

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

- (a) expects to be constructed;
- (b) expects to be altered; or
- (c) expects to acquire a right to occupy.

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.

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.

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 relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change in the applicant's circumstances.

In addition, the authority may refuse the premises licence (or grant it on terms different from 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 premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

10. Reviews:

Interested parties or responsible authorities can make requests for a review of a premises licence; however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below;

- in accordance with any relevant Code of Practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's Gambling Act 2005 policy

The request for the review will also be subject to the consideration by the 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, which 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:-

- (a) add, remove or amend a licence condition imposed by the licensing authority;

- (b) exclude a default condition imposed by the Secretary of State or Scottish Ministers (e.g. opening hours) or remove or amend such an exclusion;
- (c) suspend the premises licence for a period not exceeding three months; and
- (d) 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 section 153 of the Act, as well as any relevant representations.

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

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 Commission
- any person who made representations
- the chief officer of police or chief constable; and
- Her Majesty's Commissioners for Revenue and Customs

PART C

Permits / Temporary & Occasional Use Notice

1. Unlicensed Family Entertainment Centre gaming machine permits (Policy on Permits - Schedule 10 paragraph 7)

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 (Section 238).

The Gambling Act 2005 states that a licensing authority may prepare a policy that they propose to consider in determining the suitability of an applicant for a permit and in preparing this policy, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25. The Gambling Commission's Guidance to Licensing Authorities also states: "*In their three year licensing policy, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits, licensing authorities will want to give weight to child protection issues.*" (24.6)

Guidance also 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. (24.7)*

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

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

2. (Alcohol) Licensed premises gaming machine permits - (Schedule 13 paragraph 4(1))

Automatic entitlement: 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 premises merely need to notify the licensing authority.

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.

Permit: 3 or more machines

If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant.*”

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 who will monitor that the machines are not being used by those under 18. Notices and signage may also 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.

It is recognised that some alcohol-licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

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

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

3. Prize Gaming Permits

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*”.

This licensing authority has prepared a Gambling Act Policy, which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

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

In making its decision on an application for this permit the licensing authority does not need to (but may) have regard to the licensing objectives but must have regard to any Gambling Commission guidance. (Gambling Act 2005, Schedule 14 paragraph 8(3)).

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.

4. Club Gaming and Club Machines Permits

Members` Clubs and Miners` welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit will enable the

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

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

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

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

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 to Licensing Authorities states: *"Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced."* and *"The grounds on which an application under the process may be refused are:*

- (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."*

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.

5. Temporary Use Notices

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

The licensing authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.

The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this policy the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

There are a number of statutory limits as regards Temporary Use Notices. The meaning of "*premises*" in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to Licensing Authorities. As with "*premises*", the definition of "*a set of premises*" will be a question of fact in the particular circumstances of each notice that is given. In the Act "*premises*" is defined as including "*any place*".

In considering whether a place falls within the definition of "*a set of premises*", the licensing authority needs to look at, amongst other things, the ownership/occupation and control of the premises.

This licensing authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission's Guidance to Licensing Authorities.

6. Occasional Use Notices:

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

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Agenda Item 9



South
Cambridgeshire
District Council

Report To: Leader and Cabinet

14 January 2016

Lead Officer: Director of Planning and New Communities

Wing: Community Infrastructure Delivery and Requirements

Purpose

1. To endorse the draft requirements for a Section 106 Agreement (S106) for the Wing outline planning application prior to a final decision on the planning application and overall S106 package being made by the JDCC.
2. This is not a key decision.

Recommendations

3. It is recommended that Cabinet:
 - (a) Endorse the draft requirements for a S106 agreement for the Wing outline planning application, which will be considered and a final determination made by the Joint Development Control Committee (Cambridge Fringes), including: the list of items and triggers.
 - (b) Delegate to the Portfolio Holder for Planning, in consultation with the Director of Planning and New Communities, the authority to make any minor changes to the draft requirements prior to inclusion in the committee report for the Wing development.

Reason for Recommendations

4. To ensure that Cabinet can consider any corporate implications arising from the current recommended requirements for the proposed Wing development.

Executive Summary

5. The Wing site forms part of the wider Cambridge East Area Action Plan 2008 (CEAAP) allocation and the outline planning application for 1,300 homes and associated development (S/2682/13/O) was submitted in December 2013. The site is on the north of Newmarket Road, including Marshall's North Works and some car show rooms. The site is largely within the parish of Fen Ditton. There is a small application for related open space within the City Council boundary. The application as originally submitted proposed 40% affordable housing with a tenure split of 50/50 affordable rent and shared ownership homes, however this is to be amended shortly to reflect the current position, following viability discussions. Following the submission of amended plans in August 2014 the issues relating to the masterplan are essentially resolved.
6. This report presents the recommended requirements for the S106 agreement for the Wing development that would equate to approximately £22k per dwelling. Subject to planning approval by the JDCC, construction is expected to commence in 2017, once

archaeological investigations and infrastructure works have been carried out. Detailed negotiations on the S106 requirements have taken place, informed by the advice of the Local Authorities' viability cost consultant and expert legal opinion. The principal reason for the length of negotiation has been the need to address issues arising from the significant relocation costs of the businesses and buildings on the North Works site. The Cambridge East Area Action Plan states that the appropriate level of contributions sought from the development will take account of costs associated with the relocation of the airport and associated activities and elements of the North Works site. As a result of these relocation costs the figure of 40% affordable housing with a tenure split of 50/50 has needed to be revisited. This has been a complex negotiation and the potential need for further legal advice and review is still under consideration.

7. It is essential to ensure that Wing secures an appropriate amount of affordable housing, subject to viability as well as an appropriate provision of services and infrastructure to meet the needs of the new community, and to ensure that development is acceptable in planning terms. This includes financial contributions towards the provision and maintenance of infrastructure, services and facilities.
8. **Appendix 1** shows the list of items and triggers proposed for the S106 for Wing.
9. It is expected that the application will be reported to the JDCC for determination in the next few months, once discussions on viability have been completed and legal advice has been received.

Background

10. Wing forms part of the wider Cambridge East allocation and the delivery of housing on the site will go towards meeting the District's identified housing need. This is a City Fringe site development and other Fringe sites have delivered 40% affordable housing in line with the Councils' policy that 40% is the starting point for negotiation, subject to viability. Wing is part of the wider redevelopment of the Cambridge East allocation which includes the approved new ice rink adjacent to the Newmarket Road Park & Ride site. Additional land to the north of Cherry Hinton has also been put forward as a proposed modification of the City Council's draft Local Plan.
11. The application includes a primary school, retail, playing fields and all homes being built to London space standards and Lifetime Home compliant. The proposals also include an underground car park and water attenuation features that would ensure that surface water from the development would not result in flooding outside the site.

Considerations

12. Work is still underway to finalise the overall viability position and negotiations in order to take the outline planning application to JDCC (expected to be February or March 2016) and discussions are continuing between officers and at South Cambridgeshire, Cambridge City and Cambridgeshire County Councils.
13. During the negotiations of the S106 and policy requirements Marshall identified that the relocation costs for the North Works site, which would be required to enable the site to be developed, would have a significant impact upon the viability of the development with 40% affordable housing at a 50/50 tenure split. Significant costs are required to relocate the existing engine testing bay which will have an impact upon the viability of the overall scheme. This cost is still under review through the viability process. The existing facility, a large earth bund that is presently located to the south of Newmarket Road, results in significant noise being generated from the

aircraft that use it. This relocation of engine testing to a purpose built facility, which will reduce the level of noise generated from engine testing, is necessary to ensure an appropriate living environment for the future residents of Wing and other existing local residents. An application for this new facility is expected in 2016.

14. Policy CE/33 (Infrastructure Provision) of the CEAAP states “*The appropriate level of contributions sought from the development will take account costs which fall to the development, including the relocation of the airport and associated activities and elements of the North Works site.*” The Councils and Marshall sought joint expert legal advice on what was appropriate to be included as relocation costs. Simon Bird QC opined that it was the role of the Council to reconcile the competing objectives of relocation costs and planning requirements as well as what were “allowable costs” under the viability review and the balance between affordable rent and intermediate.
15. The independent cost consultants appointed by the local authorities have scrutinised the relocation costs and believe that the costs are mainly reasonable and should therefore be included in the viability assessment. There are some outstanding issues raised in relation to the total costs associated with the relocation of the engine testing facility and the extent of “allowable costs”. These discussions still need to be brought to a conclusion over the next few weeks. The requested S106 contributions have also been scrutinised to ensure that they are appropriate and meet the CIL tests in mitigating the likely impacts of the development.

The relocation costs include replacement new buildings and an allowance for land. The question of ‘betterment’ has been raised by the Council’s viability consultant in relation to the value of the new buildings that would accommodate the relocated Marshall businesses, in the context that some of the existing buildings on the site would potentially have on-going maintenance costs due to their age and would possibly need to be replaced at some point in the future. If betterment were a material consideration then the value of the new buildings could be used to offset some of the costs of relocation, however, no robust examples have been found of this element being applied to a planning viability assessment.

In addition, Marshall sought counsel advice, which did not support the view that betterment should be a material consideration in the same way that relocation costs could as there was no policy context requiring it to be considered. This is one topic where the Councils are still considering the need for further advice and will be reported to the JDCC for them to take account of in their decision making.

Section 106 contributions

16. Discussions surrounding the S106 contributions for Wing started in summer 2013 and the latest S106 draft Heads of Terms document contains a list of requirements that will mitigate the impact of the development. The current S106 package of approximately £28m works out at approximately £22k per dwelling, which is comparable with other Cambridge fringe sites.

Schools, Health, Library, Sports and Community

17. A two form entry primary school will be provided as part of the development and there is a financial contribution towards off-site provision of secondary education. The costs associated with both requirements are considered appropriate.

18. The S106 schedule includes a payment of £200,000 towards off-site primary health provision. Marshall indicated that they would consider accommodating a new health facility on Wing but the view of the NHS was that any facility would be better located within the Abbey Ward. The contribution will go towards improving the existing facility on Ditton Lane or towards the fitting out of a new facility that may come forward as part of the Abbey Stadium redevelopment.
19. No off-site contribution towards library provision is being sought. Marshall is interested in setting up a micro-library within the site and if appropriate this will be progressed when the local centre is considered in more detail.
20. Wing provides sufficient sports pitches within the site to meet the policy requirement. The artificial turf pitches will not be floodlit because they will be too close to the runway lights. No off-site contributions towards indoor sports or floodlit artificial turf pitches are being sought.
21. The local centre will include community space either as part of the primary school or in one of the other buildings. The specification and management of the community space will be detailed in the final S106.

Emergency Services

22. Cambridgeshire Constabulary and Cambridgeshire Fire and Rescue have not sought payments from the S106.

Transport

23. There are a number of improvements to the local cycle network that will be secured as part of the Wing development as well as a roundabout on Airport Way at the entrance to Teversham village.
24. The S106 schedule includes a contribution towards walking, cycling and public transport improvements to Newmarket Road at a cost of £2.27m and £475,000 towards the new cycle bridge to the new station, which is necessary to mitigate the impact of the development through the promotion of sustainable forms of transport. Some of these public transport improvements are part of wider strategic schemes.

Archaeology and Heritage

25. Parts of the site are of high archaeological interest and appropriate investigations will take place before the site is developed. The nearest heritage asset to the site is the listed art deco airport building to the south of Newmarket Road. The development has been designed so that it does not detract from the setting of this building.

Environment and drainage

26. The proposals are not considered to have a detrimental impact upon the water environment and surface water will be retained on site during heavy rain events so as not to result in flooding outside the site.

Waste

27. A contribution was originally sought towards the Household Waste Recycling Centre at Milton. However, due to restrictions on the pooling of S106 contributions this contribution can no longer be sought. Wheeled bins and a bring site will be secured through the S106.

Affordable Housing

28. The Councils' policy is 40% affordable housing is the starting point for negotiation, subject to viability. This site is different to other previous Fringe site developments, in that it is part brownfield, rather than all green field, contains a significant amount of existing infrastructure, has a high level of decontamination costs attached to it as well as the relocation costs already identified. This means that the viability position is significantly affected by this.
29. Within the standard methodology, modelling was carried out at 40% affordable housing and 25%. 40% affordable housing would deliver 5% affordable rent with 95% intermediate housing. The second option had a figure of 25% affordable housing, which would deliver 30% affordable rent with 70% intermediate housing.
30. Marshall have indicated that they would provide 30% affordable housing overall with a split of 30% affordable rent and 70% intermediate housing subject to there being no review mechanism in the S106. Essentially in exchange for giving up the risk associated with a review mechanism, Marshall are accepting the risk of delivering 5% more than they believe the viability model shows is the base level of provision, which would mean a reduction in the market land value achieved. However, the Council's viability consultants believe that the development is still viable at 30% affordable housing
31. In terms of numbers of affordable housing, 40% 5/95 would give 520 units, 26 of which would be affordable rent; 30% 30/70 split scenario would deliver approximately 390 units, 117 of which would be affordable rent. Whereas the 23% 50/50 split scenario would deliver approximately 299 units, 149 of which would be affordable rent.

Review Mechanism

32. The Councils' viability consultants have suggested that a review mechanism be built into the S106 if the percentage of affordable housing secured is below the policy requirement of 40%. Simon Bird advised that in his opinion this would be essential if the local authorities accept less than 40% affordable housing. This would be in order to allow the potential to secure a higher percentage of affordable housing, or an improved tenure split, in later phases of the development, should the overall viability of the scheme improve over time (i.e. if the return to the developer was more than currently estimated by the viability model as a result of house values increasing by more than costs).

33. Marshall are resistant to any form of review mechanism as they believe it would result in uncertainty to land sales and therefore limit their ability to market the site and secure a developer. Marshall have stated that if a review mechanism was required then the baseline level of affordable housing proposed would be 25% (30/70 split). They have also indicated that they would wish to further review the viability model and S106 requirements, such as the Newmarket Road works and the cycle bridge, and that they would want to get a development partner on board before proceeding to complete any legal agreement with the Councils. This is an area where negotiations are not finalised and further advice, including legal advice is under consideration. There are different types of review mechanisms and it is important that all options are explored to deliver the maximum level of affordable housing/affordable rented housing over the build out.

Delivery Timescale

34. Notwithstanding the above, Marshall have agreed with SCDC officers to accept a S106 obligation requiring them to deliver at least fifty units to a slab level within an agreed period. This is similar to the approach that is being taken on phase two of Northstowe and is an important commitment as it would necessarily mean the construction of significant infrastructure which would benefit the whole scheme. The penalty for not delivering these units within the specified period would be that a full review of the viability position would then be required. This approach is proposed to ensure that any planning consent is implemented at the earliest possible opportunity and there is no opportunity for Marshall to delay the delivery of the proposed new community at Wing. Further legal advice will need to be sought on the wording of this obligation to ensure that it is robust.

Cascade Mechanism

35. Marshall have offered to include a cascade mechanism that would enable the Councils to flex the tenure split on individual phases of the development between the limits of 30% overall affordable housing provision with a 30/70 split and 23% overall affordable housing provision with a 50/50 split. This would allow greater flexibility if it were found that the level of intermediate housing was too high for the market at a certain phase of the development. If a cascade mechanism were used and some of the phases secured an alternative tenure split then the overall level of affordable housing across the site would therefore change. However, there would need to be an agreed overall baseline percentage and value of affordable housing position agreed for the whole development to ensure that the overall level of affordable housing did not fall below an agreed level. Moreover, the advice from the Council's viability consultants is that any cascade mechanism should be worded so that should the opportunity arise for the agreed value of affordable housing to deliver a higher percentage of affordable housing then this would not be precluded. Further legal advice is therefore being pursued to ensure that any cascade mechanism would be robust.
36. As the application documentation presently proposes 40% affordable housing with a 50/50 split an updated affordable housing statement will need to be submitted and

consulted upon before the application can be presented to committee. This document is expected to be submitted sometime in January.

Implications

37. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

Financial

38. The majority of the proposed funding goes to the County Council and is considered appropriate to provide for the needs of the new community. The District Council items are also considered appropriate.

Legal

39. Heads of Terms will be included in a detailed S106 legal planning agreement to which the District Council, County Council, City Council and Marshall will be party.

Staffing

40. There may be staffing implications arising from future requirements of other sites within the CEAAP area, including discharging planning conditions of Wing, considering reserved matters applications and working with local residents and partner agencies.

Risk Management

41. There are two principal risks:
- (a) The reputational risk of not achieving a quality new development on the edge of Cambridge with less than 40% affordable housing and maximum level of affordable rented housing, given the level of strategic needs.
 - (b) The financial risk that the S106 funding will not meet the cost of the necessary items of community infrastructure.
 - (c) The risk that the site is not developed and much needed housing in a sustainable location with the redevelopment of a brownfield site is not delivered.

Equality and Diversity

42. The Wing proposals aim to create a sustainable new community and thereby welcome and address the needs of a diverse community on the edge of Cambridge.

Climate Change

43. The planning application includes a range of measures to adapt to and mitigate the effects of climate change including land drainage measures that are assessed to meet a 1:200 year rainfall event, and a level of renewable energy. The design and location of Wing will encourage cycling and walking, rather than car use due to its location on the edge of Cambridge.

Consultation responses

44. Wing was the subject of public consultation in 2014 after the application was submitted and again after the plans were amended in August 2014. Given the scale of development the number of representations from members of the public was relatively low but those comments that were received mainly related to the impact of traffic and the provision of services. Further consultation will be needed on an amended housing statement in early 2016.

Effect on Strategic Aims

45. The development of Wing is important in providing housing in a sustainable location on the edge of Cambridge and will aid the regeneration of the east of Cambridge. It is critical that the new community has the necessary infrastructure and also includes a level and mix of affordable housing appropriate to its context and location, taking into account viability.

Background Papers

46. Where the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require documents to be open to inspection by members of the public, they must be available for inspection: -
- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
 - (b) on the Council's website; and
 - (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

Cambridge East Area Acton Plan 2008
Wing planning application S/2682/13/OL

Report Author: Ed Durrant – Principal Planning Officer
Telephone: (01954) 713266

Draft Section 106 Heads of Terms schedule – Wing contributions/considerations

	Planning Obligation	Details of obligation	Cost or percentage to Wing/Marshall	Trigger
	Affordable Housing			
1	AAP policy requirement	40% of all accommodation on site will be affordable.		None
	Education			
2	Secondary education	Capital contribution to offsite facility.	£5.9 million total cost, based on £26,013 per place.	10% at 300 dwellings 30% at 500 dwellings 30% at 700 dwellings 30% at 900 dwellings
3	Primary school capital	2FE Primary school - accommodation will need to include provision of two class bases to meet pre-school requirements for 3-4year olds.	Land + contribution or free school (CNW model) £8,450,000	10% on commencement; 65% after 12 months; and 25% after 24 months (or based on an occupancy figure) Indexation based on BCIS
4	Primary school revenue (RPI)	Any initial support contributions will depend on the status of the school. Its catchment may extend further than Wing, requiring other public funding streams.	Start-up cost = £40,000 + revenue funding based on formula similar to NWC. (indicative figure of £250,000 – not required if delivered by Marshall)	Payment 1 term before the opening of the school
5	Children’s Centre	Space to be provided		With phasing of primary school.
6	Nursery	Unit to be provided for commercial rent within the development, most likely in the local centre.	£0	With provision of the Local Centre or 400 th dwelling occupation whichever the sooner.
7	Library contribution	Financial contribution previously sought	£0	N/A
	Transport/ Infrastructure			

8	Bus services	Contribution to enhanced bus services	£250,000 over 7 years	Annual payment from 1 st occupation
9	Newmarket Road frontage works	5m wide off-road cycle/footpaths, Toucan crossings across site frontage and site accesses	S278 – developer to implement or financial contribution Estimated cost £1.65million	In accordance with phasing of the development.
10	Off-site junction works	Airport Way Teversham roundabout	S278 – developer to implement or financial contribution Estimated cost £1.36million	Prior to occupation of 650 th dwelling
11	Improved walking and cycling links	These include: Improved Jubilee crossing on Ditton Lane & widening of section immediately west of Ditton Lane (both involve third party land) Ditton Lane/Newmarket Road junction cycle crossing (presently being looked at by the City Council) Ditton Lane to Stourbridge common cycle route improvements should audit show possible	Indicative costs: £50,000-£70,000 (Horse Paddocks Jubilee Widening improvements) £25,000 (Toucan Crossing, Ditton Lane/Fison Road) £100,000 (toucan crossing, Ditton Lane/Newmarket Rd) £475,000 Stourbridge common bridge)	All by 1 st occupation except cycle bridge (prior to occupation of 200 or 300 th dwelling)
12	Newmarket Road corridor improvements	Airport Way to Elizabeth Way Newmarket Road corridor improvements including bus priority and cycle and walking.	£2,270,000	Prior to 900 or 1000 th dwelling
13	Travel plan monitoring	Financial contribution towards TFW Partnership.	Suggested £2,500 a year for 15 years	£2,500 per year for 10yrs from 1 st occupation
14	Fibre optic to the home	Onsite works.	Development cost	As the development is built out
	Open Space/Recreation			

15	Indoor sports	Financial contribution previously sought	£0	N/A
16	Sports pitches and pavilion	To be provided in accordance with agreed specification.	Development cost	In accordance with the agreed phasing
17	Maintenance of public open space, play areas, sports pitches, water attenuation features and allotments	Land Trust proposed - financial contribution for management of open space over 10yr / 12yr period will be needed (exact period to be confirmed in s106).	Development cost	Upon transfer of the open space
Community/Social Facilities				
18	Health Care Facility	Contribution towards securing off-site infrastructure	£200,000	Occupation of 200 th dwelling
19	Community space	Premises and financial contribution towards start-up cost and revenue. To include: <ul style="list-style-type: none"> • parish office • space for faith and public worship • Police touchdown space 	Development cost	With provision of the Local Centre or 300 th dwelling occupation whichever the sooner.
20	Community development workers (community development, sports, youth)	Phased financial contribution – in accordance with Policy CE/9 of the AAP.	£165,000	First on start of first dwelling, second on first dwelling occupation date or 12 months after first payment whichever is the later, third on 100 th dwelling occupation date or 24 months after first payment whichever is the later.
21	Community Chest	Financial contribution.	£2,500	Occupation of 100 th dwelling
Waste				
22	Household waste receptacles	Financial contributions generated using £75 per house and £150 per flat as stated in the Planning Obligations Strategy SPD.	£114,375	To be paid by house builders at RM stage
23	Contribution to Household Waste Recycling Centre	The County Council require that an offsite financial contribution be made towards the provision of a new or upgraded HWRC facility, to	£190 per dwelling Total £233,890 (based on	N/A

		support the waste requirements arising from this development in line with the RECAP Waste Guide.	1,231 dwellings) Total capped payment (based on 1300 dwellings = £247,000)	
24	Bring sites	Land and financial contribution required for one bring bank per 800 dwellings.	£10,000 for the bank and £200 a year for ten years maintenance (figures to be confirmed)	As part of the delivery of the local centre or prior to the occupation of the 500 th dwelling, whichever is the later.
25	Litter bins	Financial contribution. We need to allow £600 per bin. Likely requirements would be: Beta Square 4x, Morley street 4 x, Gregory park 4 x. Kingsley Wood 4 dog bins at £450 each.	£9,000	1 year after commencement
26	Award drain maintenance	Financial contribution	£7,800	Prior to earthworks starting near the award drain or first occupation whichever the sooner.
	Monitoring and Bonds			
27	Air Quality Management Area – Monitoring	Financial requirement	£25,000	First payment due prior to commencement of the development then each year for 10yrs.
28	S106 monitoring	Funding towards officer(s)	£75,000 (£15,000 per annum for 5 years)	Commencement of development
29	Date of indexation	Date of agreement or resolution.	N/A	N/A
30	Bonds for highways works, adopted roads	Financial contribution circa £1 million		



REPORT TO: Cabinet
LEAD OFFICER: Executive Director, Corporate Services

14 January 2016

LOCAL GOVERNMENT FINANCE SETTLEMENT UPDATE

Purpose

1. The main purpose of this report is to update Members regarding the Local Government Finance Settlement and its implications for the authority for the financial years 2016-17 to 2019-20. The report also seeks Members' approval on various other matters affecting the authority's revenue and capital budgets and Medium Term Financial Strategy (MTFS).
2. These are not key decisions, but they have been brought to this meeting so that resulting actions can be incorporated as appropriate in the budget and MTFS reports to be presented to Cabinet and Council in February 2016. The Local Government Finance Settlement was first published in the October 2014 Forward Plan.

Recommendations

3. It is recommended that Cabinet:
 - (a) notes the Local Government Finance Settlement;
 - (b) provides guidance to the Executive Director regarding options to be modelled in the Medium Term Financial Strategy reports to Cabinet and Council in February 2016;
 - (c) approves the inclusion of £200,000 in the authority's Capital Programme, as a fund to finance the refurbishment of General Fund Equity Share properties;
 - (d) approves the inclusion of an additional £160,000 in the authority's MTFS and revenue budgets to meet anticipated additional costs in respect of the Local Plan, to be funded from New Homes Bonus receipts;
 - (e) approves the creation of a new Neighbourhood Plans Project Officer post; and
 - (f) approves the inclusion of works at Sawston Tannery in the Capital Programme, to be funded by grants from external organisations.

Reasons for Recommendations

4. The Local Government Finance Settlement sets out the funding that central Government will allocate to local authorities for the financial years 2016-17 2019-20.
5. Refurbishment of General Fund Equity Share properties will enable them to be re-sold for a greater return, contributing towards General Fund resources.
6. The updated budget for the Local Plan and other planning policy projects reflects the anticipated increased costs and consequential delays to the programme. The Neighbourhood Plans Project Officer post will enable work resulting from designated areas and developing plans to be undertaken.
7. The inclusion of Sawston Tannery in the authority's Capital Programme reflects the expected cost and external funding of the works.

Background

8. The provisional Local Government Finance Settlement for 2016-17 (“the settlement”) was published on 17 December 2015. Information included in the settlement and figures in the accompanying “Key Information for Local Authorities” and other documents published with it have been used in preparing this report.

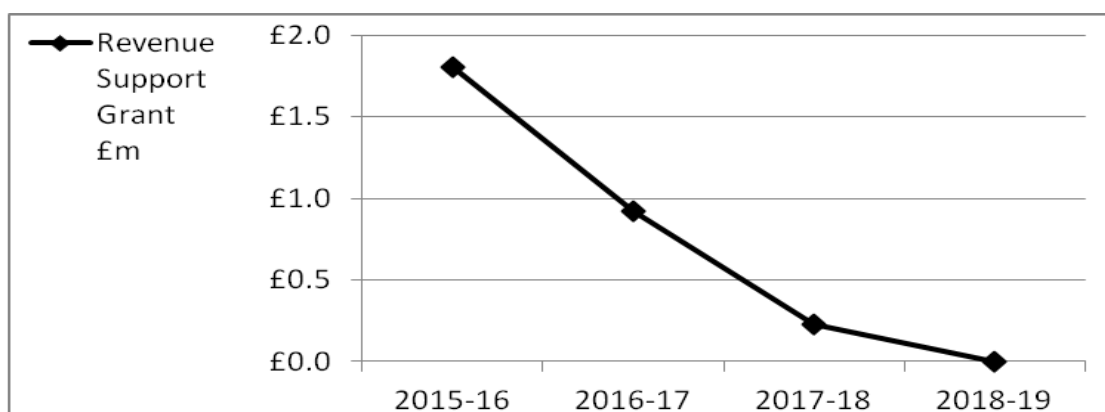
Considerations

Local Government Finance Settlement

Revenue Support Grant

9. The settlement forecasts Revenue Support Grant (RSG) reducing by 49% from 2015-16 to 2016-17, by 75% from 2016-17 to 2017-18 and to £ zero thereafter:

Year	Revenue Support Grant	Change year on year	
2015-16	£1.806m		
2016-17	£0.926m	- £0.880m	- 49%
2017-18	£0.230m	- £0.696m	- 75%
2018-19	£0	- £0.230m	



These figures are in cash terms; the % decrease is therefore greater in real terms.

10. The MTFs report to Cabinet in November 2015 modelled, as one of many possible combinations of other future changes/assumptions that might arise from the Spending Review / Autumn Statement / Local Government Finance Settlement, no New Homes Bonus (NHB) w.e.f. 1 April 2016, but that money recycled through other local government funding streams (i.e. RSG).
11. The settlement includes a radically different set of proposals with regard to NHB (see paragraphs 14 to 17 below); as a result, while NHB receipts are now expected to be higher than previously forecast, the reductions in RSG fall a year earlier than forecast.

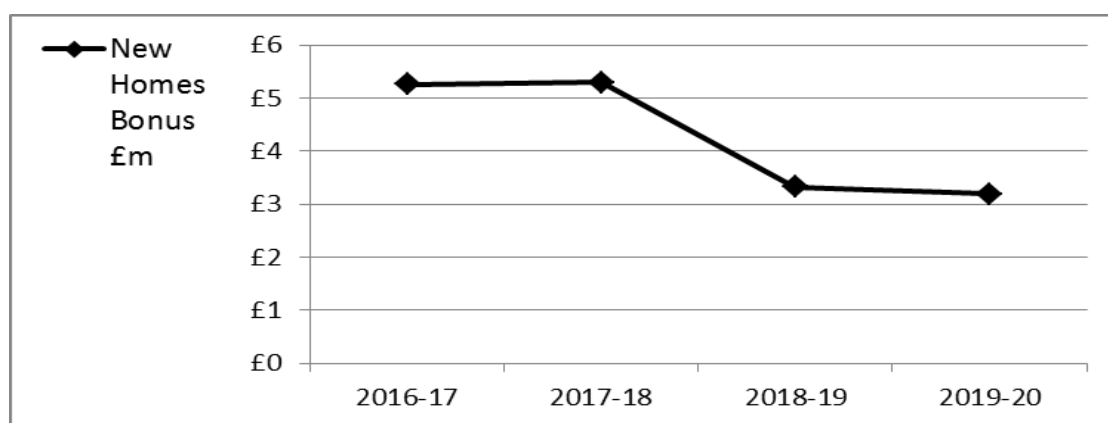
Council Tax Referendum Principles

12. The settlement maintains the core referendum threshold for Band D council tax increases at 2%; however, the threshold for district councils in the lowest Band D council tax quartile in 2015-16 (which includes this authority) will be £5 a year for the next four years.

13. The MTFS report to Cabinet in November 2015 modelled Band D council tax increases of 1.99% for 2016-17 and thereafter.

New Homes Bonus

14. Provisional New Homes Bonus (NHB) allocations for 2016-17 were announced alongside the provisional 2016-17 Local Government Finance Settlement, calculated using the same methodology as in 2015-16.
15. The settlement models NHB allocations to authorities for 2017-18 to 2019-20 in line with the Government's national targets, including the top-slicing of NHB by £800m and reallocating that money into the Better Care Fund.
16. The Government is consulting on changing the number of years for which payments are made. The figures for NHB for 2016-17 to 2019-20 included in the settlement are assumed to follow the Government's preferred option of reducing the number of years for which legacy NHB payments are to be paid, from six to four years.



17. Members are asked to note that the Government is also consulting on other reforms to NHB:
- withholding new NHB allocations in areas where no Local Plan has been produced;
 - reducing payments for homes built on appeal; and
 - only making payments for delivery above a baseline representing "deadweight".

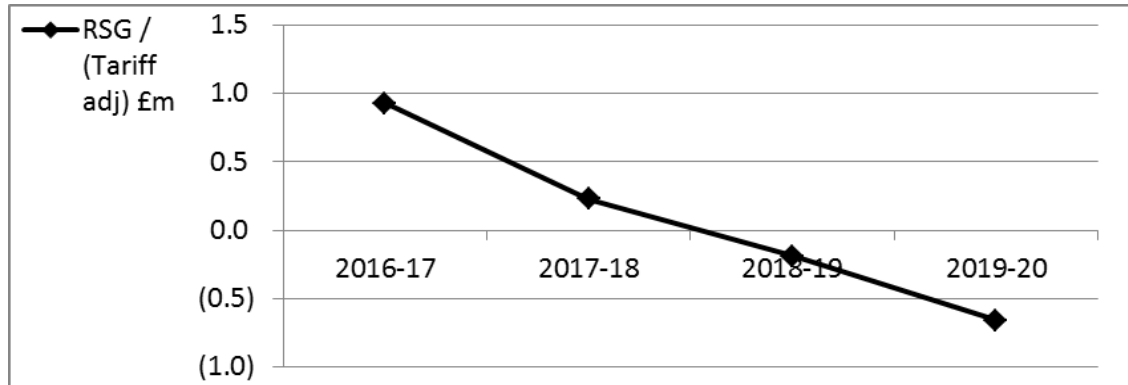
Beyond 2017-18, it is possible that some of these other reforms could have adverse implications for the amount of NHB that the authority might receive.

Retained Business Rates

18. The settlement retains the basic principles of the Retained Business Rates (RBR) system, including:
- the proportions passed on to central Government and to local precepting authorities;
 - tariffs and baseline funding levels (uprated in line with the small business non-domestic rating multiplier for 2016-17);
 - levy rate and safety net arrangements (this latter, also uprated as above).
19. The "Key Information for Local Authorities" that accompanies the settlement introduces a new element into the RBR system, an additional "adjustment" to the tariff deduction for 2018-19 and 2019-20, which appears to extend the reduction in RSG (as noted in paragraph 9

above), as the table below suggests. This will reduce the amount of RBR available to the authority in those years.

Year	RSG / (Tariff adj)	Change year on year
2016-17	£0.926m	- £0.880m
2017-18	£0.230m	- £0.696m
2018-19	(£0.191m)	- £0.421m
2019-20	(£0.661m)	- £0.470m



20. With regard to RBR, the settlement does not take into account any enterprise zones that have been approved, nor any devolution agreements that may be made. In addition, the financial impact of enterprise zones has yet to be clarified.

21. The financial impacts of the settlement when confirmed will be modelled in to the MTFs reported to Cabinet and Council in February 2016.

Refurbishment of General Fund Equity Share Properties

22. Attached at **Appendix A** is a proposal to refurbish General Fund (GF) Equity Share one- and two-bedroom bungalows that the Council is obliged to buy back in accordance with the lease, to enable the Council to generate a greater return on their resale.

23. Approximately 10-12 bungalows are returned each year, at the current market value. The proposed works are expected not to exceed £10,000 on average and the return is expected to more than double that investment on resale.

24. A budget of £200,000 is sought to start the project off and allow time for completion and resale. The investment cost will be returned to the capital programme on resale; the surplus generated would be a contribution to the General Fund.

Local Plan Budget

25. **Appendix B** attached presents information about the costs of the additional work required by the Local Plan Inspector, and outlines potential financial implications of the revised timetable for the Local Plan and other planning policy projects, including:

- the latest estimated Local Plan examination timetable and requirements, and consequential delay to final stages of the plan making process;
- the latest situation in relation to the Cambridge Northern Fringe East Area Action Plan being jointly prepared with Cambridge City Council;
- potential Area Action Plans for Waterbeach New Town and Bourn Airfield New Village;

- the examination of the submitted Community Infrastructure Levy Draft Charging Schedule;
 - the Greater Cambridge Local Plan.
26. A table summarising the net change of £160,000 in the budgets for the current and next four financial years for the key projects is attached at **Appendix B1**.
27. In addition, approval is sought to create a new Neighbourhood Plans Project Officer post at an estimated cost of £34,600 to deal with the increased interest in developing Neighbourhood Plans being shown by South Cambridgeshire Parish Councils and the work resulting from designated areas and developing plans. Neighbourhood Plans are a new statutory duty which has onerous obligations upon this authority and there is limited capacity to manage this new responsibility within existing resources. A local authority can apply to the Department for Communities and Local Government for grants to cover the costs of meeting its responsibilities for each individual Plan. The proposal is framed on the basis that the costs will be met from these grants; however, this arrangement and its funding will be kept under review – any funding shortfall in the short term could be met by use of NHB reserves.

Sawston Tannery

28. Attached at **Appendix C** is a request to include the purchase and upkeep of scaffolding at Sawston Tannery and related insurance in the Capital Programme, the cost to be met from a grant awarded by Historic England to cover.

Options

29. Members are requested to provide guidance to the Executive Director regarding options to be modelled in the MTFs reports to Cabinet and Council in February 2016

Implications

30. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

Financial

31. The financial implications of the settlement and the various other matters affecting the authority's revenue and capital budgets and MTFs are as described in paragraphs 9 to 28 above.

Legal

32. Legal advice and guidance will be obtained before any implementation of the proposed project to refurbish equity share homes before their resale.

Staffing

33. The staffing implications of the requested new Neighbourhood Plans Project Officer post are as described in paragraph 27 above.

Risk Management

34. Key risks regarding NHB are the possible adverse implications for the amount of NHB that the authority might receive, resulting from the reforms the Government is consulting on. The major risk with regard to RBR remains the number and potential value of outstanding valuation appeals.

Consultation responses (including from the Youth Council)

35. This report sets out the Government's provisional Local Government Finance Settlement, which is subject to its own consultation.
36. Executive Management Team has been consulted regarding the proposed refurbishment of General Fund Equity Share Properties.
37. The Local Plan budget has been prepared following liaison with the Planning Policy Manager at Cambridge City Council on joint planning policy projects.

Effect on Strategic Aims

Aim 1 - Engagement

38. This report sets out the Government's proposed Local Government Finance Settlement, which when confirmed will be modelled into the MTFS presented to Cabinet and Council for approval in February 2016, ensuring a viable financial strategy to deliver first class services and value for money.
39. Other effects on other Strategic Aims of the proposed refurbishment of General Fund Equity Share Properties, the Local Plan budget and works at Sawston Tannery are set out in the respective relevant appendices to this report

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

None not already published elsewhere or by other organisations.

Report Author: Alex Colyer – Executive Director, Corporate Services
Telephone: (01954) 713023

John Garnham – Principal Accountant (General Fund & Projects)
Telephone: (01954) 713101

APPENDIX A

General Fund Investment Programme for Equity Share Properties

Purpose

1. This report sets out a proposal invest in the refurbishment of the General Fund (GF) Equity Share bungalows to enable the Council to generate a return on their resale.
2. This is not a key decision.

Recommendations

3. It is recommended that Cabinet recommends to Full Council the option outlined in paragraphs 13 to 16.

Reasons for Recommendations

4. There is a demand for this type of property but the current practice to sell on without refurbishment is leading to delays in sales and a poor return for the Council.

Background

5. The equity share properties which now belong to the General Fund are properties that the Council is obliged to buy back in accordance with the lease. There are currently 212 properties.
6. The properties were transferred into the General Fund with permission of the CLG to ensure the Council could continue, with the rise in property prices, to meet their legal obligation to buy the properties back. To achieve this the Council enabled the General Fund to borrow from the Housing Revenue Account (HRA). This debt has to be repaid.
7. Approximately 10-12 bungalows are returned each year. The purchase price is at the current market value. The valuation reflects the fact that they are leasehold equity share properties for older people and their condition.
8. The properties, after any essential rechargeable repairs are undertaken, are sold on the open market through an estate agent.

Considerations

9. Council has previously given permission to Ermine Street Housing to buy back and refurbish these equity share bungalows and let them at market rent. This was found not to work with the business model.
10. Instead a property was refurbished and sold on at a higher price. On the basis of this experience it was felt that a proposal needed to come back to Council to consider establishing a programme to fully refurbish properties that could be sold on and generate a surplus.

11. There is a demand for this type of property as it is an attractive investment for older people seeking to downsize that is effectively discounted by 25% through the equity that remains with the Council.
12. As no refurbishment works are currently undertaken sales can, however, take longer as older people are put off purchasing a property that requires upgrading works. In addition there is currently no scope to generate a return on the resale and occasionally offers are made below the price that the Council bought them back for.

Options

13. Building on the experience of Ermine Street it is proposed therefore that all future Shared Equity properties bought back by the Council are fully refurbished before their resale. It is estimated to start the project off and allow time for resale and completion a budget of £200,000 is required.
14. The proposed works will encompass decoration, heating upgrades, new kitchens, and new bathrooms with upgraded showers, cleaning, new carpets and garden/fencing works. Not all properties will require all measures.
15. The Property Services section of the Housing Department shall undertake the modernisation work to empty properties through the Response Contracts Team who are equipped to undertake the work.
16. The programme will be managed by the Head of Housing and Property Services with a quarterly reconciliation undertaken with the Finance Department.
17. The Council may continue to sell all of the properties without the refurbishment programme but this would not generate any return for the Council.

Implications

Financial

18. The investment made is expected to be around £10,000 on average. The current cost of fees is around £2,600 per property.
19. The uplift in the sale price net of costs is estimated to be around £20,000 to £60,000 property.
20. With an average turnover of 12 properties this would equate to an indicative return on an investment of £120,000 of between £240,000 to £720,000 at current prices.

Risk Management

21. An individual investment and return assessment tool will be developed and applied to each property before the investment is committed for that particular home.
22. Surpluses will be recorded and reforecast if required. If demand falls or prices fall then the refurbishment spend could be suspended at any time during the year to avoid losses.

Legal

23. Legal advice and guidance will be obtained before any implementation of the proposed project.

Effect on Strategic Aims

Aim 2 – Partnerships

24. Move to a commercial approach to service delivery

Aim 3 - Wellbeing

25. Ensure that South Cambridgeshire continues to offer an outstanding quality of life for our residents.

Background Papers

None

Report Author: Anita L Goddard – Head of Housing and Property Services
Telephone: (01954) 713040

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APPENDIX B

Planning Policy Budget

Purpose

1. To present information about the costs of the additional work required by the Local Plan Inspector, and outline potential financial implications of the revised timetable for the Local Plan and other policy projects.

Recommendations

2. It is recommended that Cabinet consider this report and the proposed approach towards dealing with the updated financial implications.

Reasons for Recommendations

3. There are considerable costs arising from the additional work required for the Local Plan and the ensuing impact for the Local Plan Examination and other policy projects. Therefore the implications and recommended approach should be considered by EMT, as well as Cabinet.

Background

4. The Council submitted its new Local Plan for examination in March 2014 alongside the Cambridge Local Plan. At that time it was anticipated that the examination would be complete in 2014-2015 or soon after. The Planning Policy budget prepared in autumn 2014 was on this basis and on the assumption that the Council would then move to prepare Area Action Plans for Cambridge Northern Fringe East (jointly with Cambridge City Council) and the new settlements at Waterbeach and Bourn Airfield.
5. The examination hearings started later than anticipated and the process is taking longer than expected. In May 2015 the Inspectors wrote to the Councils with their preliminary findings and asked that further work be carried out. At an Extraordinary Meeting on 4 June, the Council agreed to satisfy all reasonable requests for the resources necessary to adhere to a six-month timescale. At the meeting of the Planning Portfolio Holder on 9 July 2015 it was reported that the estimated cost of the South Cambridgeshire share of the additional work was £150,000. Also on 9 July, Cabinet noted (in relation to the Position Statement: Finance, Performance and Risk end of year 2014-15 report) that the £150,000 would be met from increased General Fund reserves as at 31 March 2015.
6. A report to the Planning Portfolio Holder on 17 November 2015 provided the results of the additional work undertaken and recommended a limited number of modifications to the Local Plan for public consultation. The report included an update to the timetable for the Local Plan, with adoption now anticipated in 2017.

Considerations

7. An updated Planning Policy budget has been drafted, taking account of:
 - the additional Local Plan work to respond to the Inspectors' letter,
 - the latest estimated Local Plan examination timetable and requirements
 - consequential delay to final stages of the plan making process and other policy projects
 - latest situation in relation to the Cambridge Northern Fringe East Area Action Plan being jointly prepared with Cambridge City Council

A table summarising the net change in the budget for the current and next four financial years for the key projects is attached (Appendix A).

8. **Local Plan** - The expenditure for 2015-2016 will not be as anticipated for the reasons set out above. The Council's share of the cost of the additional work undertaken jointly with Cambridge City Council is £180,000, including costs of £50,000 for legal advice. It is proposed that this cost be covered from General Fund reserves, as noted in para 6 above.
9. The proposed budget is based on assumptions regarding the remainder of the Local Plan examination programme. The Council is still awaiting a programme from the Inspector. There will be additional hearings as the Inspector will need to consider the additional work that the Councils have undertaken at her request. The Councils will need further support from the legal adviser and from the consultants who prepared the additional work. For instance, it is expected that the relevant consultant will need to attend the hearings on the Green Belt. The proposed budget takes account of these previously unanticipated costs, and is estimated to cover all other costs towards adoption of the Local Plan.
10. The delay to the Examination programme creates budget savings of approximately £76,000 for 2015/16, and it is proposed that these savings be rolled over to 2016/17. The revised budget for the Examination estimates total outstanding costs of £346,000. The proposed roll-over would be put against this, and thereby reduce the outstanding cost to £270,000. There are further savings described below that could also be put against the cost.
11. **Cambridge Northern Fringe East Area Action Plan** - Work is progressing on the joint AAP being prepared with Cambridge City Council. This is in parallel with the Local Plan and is being led for both Councils by the City Council. The Planning Portfolio Holder considered a report on 17 November and agreed a revised timetable for the preparation of the AAP reflecting the complexity of the site and issues to be resolved. The timetable is later than previously envisaged in the budget.
12. The evidence necessary to inform the AAP is greater than initially thought, and includes the A10(N) Corridor Transport Study recently commissioned by Cambridgeshire County Council on behalf of the district councils and other stakeholders. The Corridor Study will cover the CNFE options, and also take account of the proposed new town at Waterbeach, development in Ely and East Cambridgeshire, and intensification of the Science Park. The Study is being collaboratively funded with private sector stakeholders providing 50% of the cost and the balance met from public sector partners.

13. In summary there are estimated total additional costs of £92,500 that reflect the unanticipated complexity of the project, together with an increase in contingency provision of £37,500. It is possible that part of these costs may be funded through a similar collaborative approach to that used for the A10 Corridor Study. The net change in the budget for 2015-2016 is a reduction of £6,000 and for 2016-2017 is an increase of £21,000. The cost of an examination in 2017/18 is estimated at £115,000 for South Cambridgeshire.
14. **Area Action Plans for Waterbeach New Town and Bourn Airfield New Village -** The Council's preferred approach, as laid out in the submitted Local Plan, is to prepare Area Action Plans for both new settlements. The cost of each AAP had previously been estimated as £280,000, and had previously been scheduled to commence during 2015/16.
15. The promoters of both sites have advised that they intend to prepare Development Framework Documents for approval by the Council, to be followed by planning applications. Depending on the outcome of the Local Plan process and how the promoters progress their proposals, it may not prove necessary or appropriate to prepare AAPs. It would be premature to reach a view on this at the present time and therefore, having reviewed the elements comprising these AAPs, revised provisional budget allocations of £200,000 are proposed for each AAP, but with the costs moving to 2016-2018 to reflect the timetable that has resulted from the revised programme for the Local Plan. The net change in these AAP budgets is therefore a reduction of £160,000 over the period.
16. **Community Infrastructure Levy (CIL) -** The Council submitted a CIL Draft Charging Schedule for examination in 2014. The expectation is that this will be held after the Local Plan examination. The CIL budget has been added to the Planning Policy budget as part of the current review. The net change in the Policy budget for 2016-2017 is £20,000. The budget and timetable will be reviewed next year in the light of the actual experience and timetable of the Local Plan Examination.
17. **Greater Cambridge Local Plan –** The City Deal commits to commence work on a new Joint Local Plan in 2019. The proposed budget includes a provisional budget of £50,000 for the evidence gathering stage in 2019/20; previous budget projections had included £50,000 in both 2017-18 and 2018-19 as well. The government is currently reviewing the requirements for Local Plans, and has commissioned an Expert Group to report in February 2016. This may lead to changes to process and requirements.
18. **Neighbourhood Plans –** South Cambridgeshire Parish Councils are showing an increased interest in developing Neighbourhood Plans, and seven parish councils now have designated areas and are in the midst of developing their Plans.
19. The Council as the Local Planning Authority (LPA) can apply for a grant from the Department of Communities and Local Government to cover the costs for each of the key stages in a Neighbourhood Plan (NP) that it will be responsible for, giving total grant funding for each NP of £30,000:
- Designation by the LPA of a neighbourhood area, £5,000;
 - LPA publicises the NP after submission by local community, £5,000;
 - Examination of NP, £20,000.
20. From other LPA's experience, the cost of an examination and referendum have been estimated at £4,500 and £5,555, respectively, leaving some £19,945 for other expenditure on each NP. There are some costs in carrying out the consultations, but the main cost other than examination and referendum is staff cost.

21. This shows that the costs of a new Neighbourhood Plans Project Officer could be covered by the grant received for each NP. Therefore it is proposed that approval be sought to creating a post at an estimated cost of £34,600.

Options

22. The financial implications could be resolved in a various ways including use of New Homes Bonus, collaborative funding arrangements or deferring projects.

Implications

23. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

Financial

24. The financial appendices have been prepared with Accountancy, and the proposed approach has been informed by discussion with the Executive Director.

Risk Management

25. The budget assumptions in this report are based on current projections in terms of timescale and resource requirements, however, the progress of the Local Plan is heavily dependent upon the Inspectors' approach, and she has not yet provided a programme for the remainder of the Local Plan examination.

Consultation responses (including from the Youth Council)

26. The report has been prepared following liaison with the Planning Policy Manager at Cambridge City Council on joint planning policy projects.

Effect on Strategic Aims

Aim 1 - Engagement

27. All work on the Local Plan and other policy projects will be subject to appropriate engagement and consultation with the public and stakeholders.

Aim 2 - Wellbeing

28. The budget changes proposed support the remaining stages of the Local Plan process, including the examination that is due to resume in March 2016.

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
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Report Author: Caroline Hunt – Planning Policy Manager

APPENDIX B1

Local Plan, Summary of proposed cost changes

	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>2019-20</u>	<u>Totals</u>
	£000	£000	£000	£000	£000	£000
Local Plan	(76)	346				270
Cambridge Northern Fringe East	(6)	21	115			130
Bourn Airfield	(40)	(20)	(155)	135		(80)
Waterbeach	(40)	(20)	(155)	135		(80)
CIL		20				20
Greater Cambridge Local Plan			(50)	(50)	0	(100)
Totals	<u>(162)</u>	<u>347</u>	<u>(245)</u>	<u>220</u>	<u>0</u>	<u>160</u>

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APPENDIX C

Sawston Tannery Drying Shed Project

Purpose

1. To inform Cabinet of the inclusion of this project in the authority's capital programme and gain support for carrying out the urgent works to the Great Eastern Drying Shed, High Street, Sawston (should this be required) following the authorisation by Planning Committee for serving an Urgent Works Notice, subject to consideration by the portfolio holder.
2. This is a key decision and is brought before Cabinet in advance of the forward plan considering the risk and urgency of repairs to the building and in order to understand the corporate and long term financial implications in view of the potential expenditure being incurred by SCDC being reimbursed by Historic England.

Recommendations

3. It is recommended that Cabinet acknowledge and support the capital programme for the project at Great Eastern Drying Shed to stabilise the building for the future. The project has already been to Planning Committee and Economic Development Portfolio Holder for their support.

Background

4. A tannery has existed continuously on the site for nearly 400 years. The Drying Shed was constructed during a period of rapid expansion of the tannery complex and survives relatively unaltered. It has local significance adding to the social and economic history of Sawston, particularly in relation to the extensive tanning industry in the town. It also has regional and national importance because it is the only 19th century tannery drying shed found that was built on three floors and was also the largest shed identified in the search by Pre-Construct Archaeology.
5. The drying shed sits to the rear of the still active tanning site and is no longer in use as it does not meet the current needs of the business. There are a few other listed buildings on the tannery site.
6. Historic England invited SCDC to apply for a grant to underwrite the cost of serving an urgent works notice to the owners. SCDC have been awarded a grant of £191,124 by Historic England to cover the purchase and upkeep of scaffolding and insurance. As part of the grant contract, SCDC required to contribute officer time.

7. In August 2015, Planning Committee approved the proposal to serve the owners with an urgent works notice. The proposal to work with the owners to explore possible sustainable re-uses of the building, was supported by the Economic Development Portfolio Holder on the 9th September 2015

Considerations

8. Without the grant from Historic England, a nationally significant building would have been at risk of being lost. By securing this grant and the contribution of SCDC officer time, allows a highly significant building in the district to be stabilised. In addition, it provides the opportunity to work with a local business in exploring a new and sustainable use for the building.

Communications plan

9. Throughout the process both local councillors (Cllr Bard and Cllr Cuffley) and the Economic Development Portfolio Holder (Cllr Wight) have been aware about the project. This has included visiting the building and meeting the owners to discuss the overall project and working with them.

Options

10. No options at this stage. Options have previously been discussed and approved at Economic Development Portfolio Holder on 9th September 2015.

Implications

11. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

Financial

12. A grant of £191,124 has been awarded to SCDC to underwrite the cost for carrying out an urgent works notice on the drying shed. The grant covers 80% of the cost of the project. The 20% contribution by SCDC can include officer's time.
13. The total cost of the project is £239,905.
14. This grant covers the cost of purchasing and maintaining the scaffolding, including insurance.
15. Historic England has invited SCDC for a further grant application for an other costs.

Legal

16. None

Staffing

17. Officer time to meet the 20% of the grant from Historic England was considered during the application process. No additional staffing needs to be employed to meet the needs to the project and has already been accounted in officer time.

Risk Management

18. None

Equality and Diversity

19. None

Climate Change

20. None

Consultation responses (including from the Youth Council)

Effect on Strategic Aims

Aim 1 – We will listen to and engage with residents, parishes and businesses to ensure we deliver first class services and value for money.

21. This report is following discussions with owner and Historic England regarding the future management of the heritage asset in their neighbourhoods.

Aim 2 – We will make sure that South Cambridgeshire continues to offer an outstanding quality of life for our residents

22. This report outlines proposals to secure the future of an historic asset, thereby contributing to the quality of life of residents.

Aim 3: Work with partners to create opportunities for employment, enterprise, education and world-leading innovation.

23. This report outlines the immediate works that would provide the time to work with partners to secure the long-term future of the listed building.

Background Papers

Report Author: Juliette Wilson – Historic Buildings Consultancy Officer
Telephone: (01954) 712907

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